

Chapter 220-316 WAC

PERSONAL-USE FISHERIES—STURGEON

WAC

220-316-010 Sturgeon—Areas, seasons, limits and unlawful acts.

WAC 220-316-010 Sturgeon—Areas, seasons, limits and unlawful acts. (1) It is unlawful to retain green sturgeon.

(2) The following limits and requirements apply in areas where it is permissible to catch sturgeon for release or retention:

(a) It is unlawful to fish for sturgeon with terminal gear other than bait and one single-point barbless hook.

(b) It is unlawful to fail to release undersize or oversize sturgeon immediately.

(c) It is permissible to use artificial scent with bait when fishing for white sturgeon.

(d) It is unlawful to use a gaff or other body-penetrating device while restraining, handling, or landing a sturgeon.

(e) It is unlawful to fish for or possess sturgeon from freshwater, except the Chehalis River, from one hour after official sunset to one hour before official sunrise.

(3) It is permissible to catch and release white sturgeon in saltwater waterways year-round. However, for freshwater waterways, including freshwater Puget Sound tributaries, it is permissible to catch and release white sturgeon only when the season is open for salmon or game fish, except in the Snohomish River from mouth to Highway 9 Bridge it is permissible to catch and release sturgeon year-round.

(4) It is permissible to catch and release, but unlawful to retain, white sturgeon in the following areas:

(a) Coastal waters and tributaries of coastal waters;

(b) Puget Sound waters and tributaries of Puget Sound;

(c) Vancouver Lake and all other waters west of Burlington Northern Railroad from the Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County);

(d) Columbia River and tributaries from a true north-south line through Buoy 10 (the mouth) upstream to Chief Joseph Dam, unless otherwise provided; and

(e) Snake River and tributaries from the mouth upstream to the border with Oregon, unless otherwise provided.

(5) White sturgeon retention is allowed in the areas open to fishing and following rules as specified in WAC 220-312-060:

(a) Columbia River:

(i) Columbia River and tributaries from Bonneville Dam upstream to McNary Dam: January 1 through July 31.

(ii) Columbia River and tributaries from McNary Dam upstream to Priest Rapids Dam: February 1 through July 31.

(b) Snake River: From the Snake River mouth (also called the Snake River Confluence Protection Area) upstream to Ice Harbor Dam: February 1 through July 31.

(6) The following waters are closed to fishing for sturgeon:

(a) Columbia River:

(i) Mouth to Bonneville Dam:

(A) Year-round from Bonneville Dam downstream to a boundary marker on the Washington shore approximately 4,000 feet below the fish ladder at the powerhouse, south to the downstream end of Cascade Island, and across to the Oregon angling boundary on Bradford Island (the Cascade Island-Bradford Island line).

(B) May 1 through August 31 from Bonneville Dam downstream 9 miles to a line crossing the Columbia River from navigation marker 82 on the Oregon shore, westerly to the boundary marker on the Washington shore upstream of Fir Point (navigational marker 82 line).

(ii) Bonneville Dam to McNary Dam:

(A) May 1 through July 31 from The Dalles Dam downstream 1.8 miles to a line from the east (upstream) dock at the Port of The Dalles boat ramp straight across to a marker on the Washington shore.

(B) May 1 through July 31 from John Day Dam downstream 2.4 miles to a line crossing the Columbia at a right angle to the thread of the river from the west end of the grain silo at Rufus, Oregon.

(C) May 1 through July 31 from McNary Dam downstream to the Highway 82 (395) Bridge.

(iii) McNary Dam to Priest Rapids Dam:

(A) May 1 through July 31 from Priest Rapids Dam downstream 2.5 miles to the boundary marker on the river bank 400 feet downstream from Priest Rapids Hatchery outlet channel (Jackson Creek).

(B) October 23 through January 31 from the Old Hanford townsite wooden power line towers to Vernita Bridge.

(iv) Chief Joseph Dam upstream:

(A) Columbia River and its tributaries.

(B) Roosevelt Lake and its tributaries.

(b) Snake River Mouth to Ice Harbor Dam: May 1 through July 31 from the downstream end of Goose Island upstream 1.5 miles to Ice Harbor Dam.

(7) The following limits and requirements apply in areas where it is permissible to retain sturgeon:

(a) The daily limit is one white sturgeon.

(b) The possession limit is two daily limits of fresh, frozen, or processed white sturgeon.

(c) The annual personal-use limit for white sturgeon from April 1 through March 31 is two fish, regardless of where the angler takes the sturgeon.

(d) The maximum fork-length is 54 inches.

(e) The minimum fork-length is 38 inches, except the minimum fork-length is 43 inches in:

(i) The mainstem Columbia and its tributaries from The Dalles Dam to Priest Rapids Dam; and

(ii) The Snake River from the Snake River Confluence Protection Area to Ice Harbor Dam.

(f) Once an angler reaches his or her annual limit of white sturgeon, he or she may continue to fish for white sturgeon in the mainstem Columbia River downstream from

where the river forms the common boundary between Oregon and Washington, unless otherwise provided by department rule, so long as the angler releases all subsequent sturgeon immediately.

(g) It is unlawful to possess sturgeon eggs in the field without retaining the intact carcass of the fish from which the eggs have been removed.

(8) A violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested sturgeon. If the person has harvested sturgeon, the violation is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the sturgeon are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

(9) It is unlawful to possess sturgeon taken with gear in violation of the provisions of this section. Possession of sturgeon while using gear in violation of the provisions of this section is a rebuttable presumption that the sturgeon were taken with such gear. Possession of such sturgeon is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the sturgeon are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-316-010, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012 and 77.12.047. WSR 16-06-073 (Order 16-30), § 220-56-282, filed 2/26/16, effective 7/1/16. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 15-13-081 (Order 15-177), § 220-56-282, filed 6/12/15, effective 7/13/15. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, and 77.12.047. WSR 15-06-065 and 15-06-006 (Order 15-033), § 220-56-282, filed 3/4/15 and 2/20/15, effective 7/1/15; WSR 14-04-120 (Order 14-26), § 220-56-282, filed 2/4/14, effective 3/7/14. Statutory Authority: RCW 77.04.012 and 77.12.047. WSR 13-11-125 (Order 13-105), § 220-56-282, filed 5/21/13, effective 6/21/13. Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 12-18-006 (Order 12-190), § 220-56-282, filed 8/23/12, effective 9/23/12. Statutory Authority: RCW 77.04.012 and 77.12.047. WSR 12-05-082 (Order 12-17), § 220-56-282, filed 2/16/12, effective 3/18/12. Statutory Authority: RCW 77.12.047. WSR 08-05-039 (Order 08-23), § 220-56-282, filed 2/13/08, effective 1/1/09; WSR 07-05-051 (Order 07-22), § 220-56-282, filed 2/16/07, effective 3/19/07; WSR 06-09-021 (Order 06-67), § 220-56-282, filed 4/11/06, effective 5/12/06; WSR 05-05-035 (Order 05-15), § 220-56-282, filed 2/10/05, effective 5/1/05; WSR 04-07-009 (Order 04-39), § 220-56-282, filed 3/4/04, effective 5/1/04; WSR 03-21-133 (Order 03-273), § 220-56-282, filed 10/21/03, effective 4/1/04; WSR 03-18-006 (Order 03-209), § 220-56-282, filed 8/20/03, effective 9/20/03; WSR 02-08-048 (Order 02-53), § 220-56-282, filed 3/29/02, effective 5/1/02; WSR 01-06-036 (Order 01-24), § 220-56-282, filed 3/5/01, effective 5/1/01. Statutory Authority: RCW 75.08.080. WSR 95-04-066 (Order 95-10), § 220-56-282, filed 1/30/95, effective 5/1/95; WSR 91-08-054 (Order 91-13), § 220-56-282, filed 4/2/91, effective 5/3/91; WSR 90-06-026, § 220-56-282, filed 2/28/90, effective 3/31/90; WSR 89-07-060 (Order 89-12), § 220-56-282, filed 3/16/89.]