

WAC 220-315-030 Smelt—Areas and seasons. (1) It is unlawful to fish for or possess Columbia River smelt or eulachon (*Thaleichthys pacificus*).

(2) Fishing for smelt other than Columbia River smelt or eulachon (*Thaleichthys pacificus*) is permissible year-round on Pacific Ocean beaches and in all rivers concurrent with a salmon or gamefish opening, except it is unlawful to fish for smelt in the Columbia River and its tributaries.

(3) Fishing for smelt other than Columbia River smelt or eulachon (*Thaleichthys pacificus*) is open in Puget Sound and the Strait of Juan de Fuca year-round except:

(a) Closed weekly from 10:00 p.m. Tuesday to 6:00 a.m. Friday for all gear types except forage fish jig gear; and

(b) Closed year-round in Catch Record Card Area 12 for all gear types.

(c) Violation of this subsection is an infraction, punishable under RCW 77.15.160.

(4) It is unlawful to possess smelt taken with gear in violation of the provisions of this section. Possession of smelt while using gear in violation of the provisions of this section is a rebuttable presumption that the smelt were taken with such gear. Possession of such smelt is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the smelt are taken in an amount 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), recodified as § 220-315-030, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.12.045, and 77.12.047. WSR 14-15-006 (Order 14-157), § 220-56-270, filed 7/2/14, effective 8/2/14. Statutory Authority: RCW 77.04.020 and 77.12.047. WSR 11-16-103 (Order 11-184), § 220-56-270, filed 8/3/11, effective 9/3/11. Statutory Authority: RCW 77.12.047. WSR 06-09-021 (Order 06-67), § 220-56-270, filed 4/11/06, effective 5/12/06; WSR 04-17-098 (Order 04-218), § 220-56-270, filed 8/17/04, effective 9/17/04; WSR 02-08-048 (Order 02-53), § 220-56-270, filed 3/29/02, effective 5/1/02. Statutory Authority: RCW 75.08.080 and 77.12.040. WSR 99-08-029 (Order 99-13), § 220-56-270, filed 3/30/99, effective 5/1/99; WSR 98-06-031, § 220-56-270, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. WSR 93-08-034 (Order 93-20), § 220-56-270, filed 3/31/93, effective 5/1/93; WSR 80-03-064 (Order 80-12), § 220-56-270, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-070.]