

WAC 220-359-080 Season—Sturgeon. (1) It is unlawful to take, fish for or possess sturgeon taken for commercial purposes in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H except individuals possessing treaty fishing rights pursuant to the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish for sturgeon with setline gear from January 1 through January 31, and during seasons opened under emergency rule by the department and as provided in this section.

(2) During the open season, it is unlawful to:

(a) Retain for commercial or subsistence purposes sturgeon less than 38 inches in fork length or greater than 54 inches in fork length in Columbia River Salmon Management and Catch Reporting Area (SMCRA) 1F. It is unlawful to retain for commercial or subsistence purposes sturgeon less than 43 inches in fork length or greater than 54 inches in fork length in Columbia River SMCRA 1G and 1H;

(b) Sell, barter, or attempt to sell or barter sturgeon eggs that have been removed from the body cavity of a sturgeon prior to the sale of the sturgeon to anyone acting in the capacity of a wholesale fish buyer or to sell or barter sturgeon eggs at retail; or

(c) Deliver to anyone acting in the capacity of a wholesale fish buyer any sturgeon that are not in the round with the head and tail intact.

(3) It is unlawful to deploy or operate fishing gear except as follows:

(a) Not to exceed maximum 100 hooks per setline;

(b) Minimum hook size may not be less than 9/0;

(c) Treble hooks prohibited;

(d) Buoys must be visible; and

(e) The owner's tribal affiliation and enrollment number must be placed upon or adjacent to the end corks of set nets and drift nets, on the anchored ends of setlines and submerged nets, and on the anchor floats to which any of these gears are attached.

(4) All sturgeon not of legal size shall be released to the water unharmed. Sturgeon not captured for legal harvest shall not be possessed on land. For purposes of this section, docks and boat ramps are not considered land.

(5) Violation of this section is punishable as follows:

(a) A gross misdemeanor or felony crime under RCW 77.15.550 regarding seasons and times;

(b) A gross misdemeanor under RCW 77.15.520 regarding gear; and

(c) A felony crime under RCW 77.15.260 regarding trafficking of fish not allowed by department rule.

[Statutory Authority: RCW 77.04.090, 77.040.130 [77.04.130], 77.12.045, and 77.12.047. WSR 19-06-018 (Order 19-36), § 220-359-080, filed 2/26/19, effective 3/29/19. Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-359-080, filed 10/30/17, effective 1/1/18. 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 § 220-359-080, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047 and 77.04.020. WSR 09-18-070 (Order 09-187), § 220-32-057, filed 8/28/09, effective 9/28/09. Statutory Authority: RCW 77.12.047. WSR 00-17-117 (Order 00-146), § 220-32-057, filed 8/17/00, effective 9/17/00. Statutory Authority: RCW 75.08.080. WSR 82-19-083 (Order 82-142), § 220-32-057, filed 9/21/82; Order 77-14, §

220-32-057, filed 4/15/77; Order 1043, § 220-32-057, filed 2/22/73;
Order 915, § 220-32-057, filed 3/4/71.]