

WAC 220-356-140 Herring hardship validations—Resort or marina—Owner or operator.

(1) The director may validate an individual owner or operator of a resort or marina to fish for herring if the owner or operator submits proof to the department in the form of a notarized affidavit that he or she is unable to purchase live, fresh, or frozen herring (dependent on need) from at least three commercial sources at a fair market price.

(2) The following conditions apply to validations granted to resort or marina owners or operators:

(a) Validations are for one calendar year only;

(b) The director may only renew a validation after receipt of a new affidavit; and

(c) Validations are nontransferable.

(3) It is unlawful to fish for herring in Puget Sound Marine Fish-Shellfish Areas 20A, 20B, 21A, and 21B from April 16 to May 31.

(4) Herring caught under this section must be sold at retail only for bait by, and at, the resort or marina the department validates to fish for herring.

(5) The department will revoke validations it grants under subsection (1) of this section if the owner or operator violates the conditions of the validation.

(6) Violation of this section is a misdemeanor, punishable under RCW 77.15.750, Unlawful use of a department permit—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 § 220-356-140, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 13-02-043 (Order 12-290), § 220-90-015, filed 12/21/12, effective 1/21/13; Order 76-148, § 220-90-015, filed 12/2/76; Order 1193, § 220-90-015, filed 3/4/75.]