

**WAC 220-340-750 Commercial sea urchin fisheries. (1) Licensing:**

It is unlawful to fish for, take, or possess sea urchins for commercial purposes with shellfish dive gear without a valid shellfish dive fishery license. A violation of this subsection is a gross misdemeanor or class C felony punishable under RCW 77.15.500, Commercial fishing without a license—Penalty, depending on the circumstances of the violation.

**(2) Harvest areas, seasons, and size restrictions:**

(a) It is unlawful to fish for, take, or possess sea urchins for commercial purposes except during open sea urchin harvest seasons, from open sea urchin districts, and within the size restrictions as set by emergency rule.

(b) It is unlawful to fish for or take sea urchins from official sunset through 5:59 a.m. the following morning.

(c) It is unlawful to harvest or possess sea urchins taken from less than ten feet below mean lower low water.

(d) It is unlawful to process sea urchins aboard the harvest vessel.

(e) It is unlawful to take sea urchins for commercial use for purposes other than human consumption.

(3) A violation of subsection (2) of this section is a gross misdemeanor or class C felony punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty, depending on the circumstances of the violation.

**(4) Sea urchin districts defined:**

(a) Sea Urchin District 1 (Northern San Juan Islands) is defined as Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, and those waters of Area 22A north of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and west of a line projected true north from Limestone Point on San Juan Island.

(b) Sea Urchin District 2 (Southern San Juan Islands and Port Townsend) is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and east of a line projected true north from Limestone Point on San Juan Island and Areas 21A, 21B, 22B, 23A, 23B, 25A and 25B. The following areas within Sea Urchin District 2 are closed to the harvest of sea urchins at all times:

(i) Those waters of Haro Strait north of a line projected due west from the southernmost point of Cattle Point on San Juan Island to the international border and south of a line projected due west from a point one-quarter mile north of Lime Kiln Light on San Juan Island to the international border.

(ii) Those waters of San Juan Channel and Upright Channel within the following lines: South of a line projected from Flat Point on Lopez Island true west to Shaw Island; west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island; south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island north of a line from Flat Point on Lopez Island to the northernmost point of Turn Island and thence projected true west to San Juan Island.

(c) Sea Urchin District 3 (Port Angeles) is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 23C east of a line projected true north from Low Point, along 123°49'30" W. longitude, and Area 23D.

(d) Sea Urchin District 4 (Sekiu) is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 23C west of a line projected true north from Low Point, along 123°49'30" W. longitude, and those waters of Area 29 east of a line projected true north from the mouth of Rasmussen Creek (3.1 miles southeast of Sail Rock).

(e) Sea Urchin District 5 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 29 west of a line projected true north from the mouth of Rasmussen Creek (3.1 miles southeast of Sail Rock) and Areas 59A and 59B. Within Sea Urchin District 5, waters within one-quarter mile of Tatoosh Island are closed to the harvest of sea urchins at all times.

(f) Sea Urchin District 6 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D and 26A.

(g) Sea Urchin District 7 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 26B, 26C, 26D and 28A. The following areas within Sea Urchin District 7 are closed to the harvest of sea urchins at all times.

(i) Those waters of Eagle Harbor west of a line projected from Wing Point to Eagle Harbor Creosote Light Number 1, then projected due west to the shore on Bainbridge Island.

(ii) The waters of Sinclair Inlet west of a line projected southerly from the easternmost point of Point Turner to landfall directly below the Veteran's Home in Annapolis.

**(5) Shellfish dive gear and harvest vessel restrictions:**

(a) It is unlawful to fish for, take, or possess sea urchins by any means other than with hand held tools that do not penetrate the shell.

(b) It is unlawful for more than one diver from a harvest vessel to be in the water at any one time during sea urchin harvest operations or when commercial quantities of sea urchins are onboard, except that two divers may be in the water if the harvest vessel is designated on two sea urchin dive fishery licenses.

(c) It is unlawful for a vessel engaged in the harvest of sea urchins to have through-hull fittings for water discharge hoses below the surface of the water. Through-hull fittings above the water line must be visible at all times. A violation of this subsection is a gross misdemeanor punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

(d) It is unlawful to possess a single hose or combination of hoses capable of measuring longer than thirty feet or water jet nozzles onboard a vessel engaged in the commercial sea urchin fishery. A violation of this subsection is a gross misdemeanor punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

(e) It is unlawful to operate a vessel engaged in sea urchin harvest operations unless the vessel registration number assigned by the department is properly displayed as provided by department rule. A violation of this subsection is a misdemeanor punishable under RCW 77.15.540, Unlawful use of a commercial fishery license—Penalty.

**(6) Possession restrictions:** It is unlawful to possess geoduck clams during commercial sea urchin harvest operations, or possess geoduck clams on a vessel that has sea urchins onboard. A violation of this subsection is a gross misdemeanor or class C felony punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty, depending on the circumstances of the violation.

[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 § 220-340-750, 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 14-02-016 (Order 13-305), § 220-52-073, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.12.047. WSR 08-15-127 (Order 08-180), § 220-52-073, filed 7/22/08, effective 8/22/08; WSR 04-17-096 (Order 04-210), § 220-52-073, filed 8/17/04, effective 9/17/04; WSR 02-17-016 (Order 02-186), § 220-52-073, filed 8/9/02, effective 9/9/02; WSR 01-07-021 (Order 01-40), § 220-52-073, filed 3/14/01, effective 4/14/01. Statutory Authority: RCW 75.08.080. WSR 00-03-042 (Order 00-07), § 220-52-073, filed 1/13/00, effective 2/13/00; WSR 94-12-009 (Order 94-23), § 220-52-073, filed 5/19/94, effective 6/19/94; WSR 91-22-064 (Order 91-132), § 220-52-073, filed 11/1/91, effective 12/2/91; WSR 91-10-024 (Order 91-22), § 220-52-073, filed 4/23/91, effective 5/24/91; WSR 87-23-006 (Order 87-187), § 220-52-073, filed 11/6/87; WSR 87-15-022 (Order 87-69), § 220-52-073, filed 7/8/87; WSR 86-20-028 (Order 86-123), § 220-52-073, filed 9/23/86; WSR 85-01-010 (Order 84-214), § 220-52-073, filed 12/7/84; WSR 83-04-025 (Order 83-04), § 220-52-073, filed 1/27/83; WSR 80-13-064 (Order 80-123), § 220-52-073, filed 9/17/80; WSR 79-02-053 (Order 79-6), § 220-52-073, filed 1/30/79; Order 77-145, § 220-52-073, filed 12/13/77; Order 76-152, § 220-52-073, filed 12/17/76; Order 1105, § 220-52-073, filed 12/28/73; Order 990, § 220-52-073, filed 5/11/72.]