

WAC 220-340-320 Commercial geoduck harvest—Requirements and unlawful acts. (1) It is unlawful to take, fish for, or possess geoduck clams taken for commercial purposes from the substrate of any Washington state waters except as provided by RCW 77.60.070 and department rule.

(2) It is unlawful to engage in geoduck harvesting operations unless the following documents are onboard the geoduck harvesting vessel:

(a) A copy of the department of natural resources (DNR) geoduck harvesting agreement for the tract or area where harvesting is occurring;

(b) A map of the geoduck tract or harvest area and complete tract or harvest area boundary identification documents or photographs issued by DNR for the tract or harvest area;

(c) A geoduck diver license for each diver on board the harvest vessel or in the water; and

(d) A geoduck fishery license as described in WAC 220-340-310.

(3) It is unlawful for more than two divers from any one harvest vessel to be in the water at any one time.

(4) It is unlawful to process geoduck clams on board any harvest vessel.

(5) It is unlawful to possess only the siphon or neck portion of a geoduck aboard a geoduck harvest vessel, except when the geoduck is incidentally damaged during harvest. Geoduck damage sustained incidental to harvest must be reported under a DNR harvest agreement.

(6) It is unlawful to harvest geoduck clams with any instrument that penetrates the skin, neck or body of the geoduck.

(7) It is unlawful to retain any food fish or shellfish other than geoduck clams during geoduck harvesting operations, except for horse clams (*Tresus capax* and *Tresus nuttallii*) when horse clam harvest is provided for under a DNR harvest agreement.

(8) Violation of this section is punishable by RCW 77.15.520, 77.15.540, or 77.15.550, 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), amended and recodified as § 220-340-320, 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 12-23-016 (Order 12-267), § 220-52-01902, filed 11/9/12, effective 12/10/12.]