

WAC 220-355-100 Coastal bottomfish catch limits. (1)(a) It is unlawful to possess, transport through the waters of the state, or land in any Washington state port, bottomfish taken in excess of the amounts or less than the minimum or maximum sizes, or in violation of any of the possession, landing, or sorting requirements published in the Code of Federal Regulations (C.F.R.), Title 50, Part 660, Subparts D through F. These federal regulations provide the requirements for commercial groundfish fishing in the Pacific Ocean. Additional regulations may be enacted and listed in the Federal Register, and these regulations override those in the C.F.R. if there are any inconsistencies between the two. Therefore, persons must consult these federal regulations, which chapter 220-355 WAC incorporates by reference and is based on, in part. Where rules refer to the fishery management area, that area is extended to include Washington state waters coterminous with the Exclusive Economic Zone. A copy of the federal rules may be obtained by the internet at the National Marine Fisheries Service West Coast Region Groundfish page. State regulations may apply that are more restrictive than federal regulations.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(2)(a) It is unlawful to possess, transport through the waters of the state, or land into any Washington port, walleye pollock taken with trawl gear from Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A-1, 59A-2, 59B, 60A-1, 60A-2, 61, 62, or 63, except by trawl vessels participating in the directed Pacific whiting fishery and the directed coastal groundfish fishery.

(b) Violation of this section is a gross misdemeanor, punishable under RCW 77.15.550.

(3)(a) It is unlawful for trawl vessels participating in the directed Pacific whiting and/or the directed coastal groundfish fishery to land incidental catches of walleye pollock greater than forty percent of their total landing by weight, not to exceed ten thousand pounds.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(4)(a) It is unlawful for an original receiver to receive whiting and whiting by-catch under the authority of an exempted fishing permit (EFP) issued by NMFS through the department, unless the original receiver has entered into a signed agreement with the department specifying the responsibilities of the original receiver in conjunction with the whiting EFP fishery. Failure to comply with the terms of the agreement shall be cause to remove the original receiver from the list of original receivers allowed to receive unsorted whiting catches from EFP vessels.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(5)(a) It is unlawful to land thresher shark taken by any means from state and offshore waters of the Pacific Ocean north of the Washington-Oregon boundary and south of the United States-Canada boundary. It is unlawful to land thresher shark taken south of the Washington-Oregon boundary unless each thresher shark landed is accompanied by a minimum of two swordfish.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(6)(a) It is unlawful to take salmon incidental to any lawful bottomfish fishery.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(7)(a) It is unlawful to retain sturgeon species, other than white sturgeon, taken incidental to any lawful bottomfish fishery. White sturgeon may be taken as long as the fisher complies with minimum and maximum size restrictions for commercial fisheries.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(8)(a) It is unlawful to retain any species of shellfish taken incidental to any lawful bottomfish fishery, except that it is lawful to retain octopus and squid.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 17-18-037 (Order 17-223), § 220-355-100, filed 8/29/17, effective 9/29/17. 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 § 220-355-100, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 07-23-002 (Order 07-279), § 220-44-050, filed 11/7/07, effective 12/8/07; WSR 03-05-078 (Order 03-31), § 220-44-050, filed 2/18/03, effective 3/21/03; WSR 02-02-051 (Order 01-288), § 220-44-050, filed 12/27/01, effective 1/27/02; WSR 01-13-002 (Order 01-103), § 220-44-050, filed 6/6/01, effective 7/7/01. Statutory Authority: 2000 c 107 § 7. WSR 00-16-033 (Order 00-124), § 220-44-050, filed 7/24/00, effective 8/24/00. Statutory Authority: RCW 75.08.080. WSR 98-15-033 (Order 98-121), § 220-44-050, filed 7/7/98, effective 8/7/98; WSR 98-05-043, § 220-44-050, filed 2/11/98, effective 3/14/98; WSR 96-11-055 (Order 96-43), § 220-44-050, filed 5/9/96, effective 6/9/96; WSR 95-08-069 (Order 95-29), § 220-44-050, filed 4/4/95, effective 5/5/95; WSR 94-13-077 (Order 94-51), § 220-44-050, filed 6/10/94, effective 7/11/94; WSR 93-07-093 (Order 93-16), § 220-44-050, filed 3/22/93, effective 4/22/93; WSR 92-07-008 (Order 97-07), § 220-44-050, filed 3/6/92, effective 4/16/92; WSR 91-07-050 (Order 91-12), § 220-44-050, filed 3/18/91, effective 4/18/91; WSR 90-13-108 (Order 90-26), § 220-44-050, filed 6/21/90, effective 7/22/90. Statutory Authority: RCW 75.08.070 and 75.08.080. WSR 89-14-069 (Order 89-54), § 220-44-050, filed 6/30/89; WSR 89-06-030 (Order 89-07), § 220-44-050, filed 2/24/89; WSR 88-14-020 (Order 88-42), § 220-44-050, filed 6/28/88. Statutory Authority: RCW 75.08.080. WSR 87-07-042 (Order 87-17), § 220-44-050, filed 3/16/87; WSR 86-12-027 (Order 86-39), § 220-44-050, filed 5/28/86. Statutory Authority: RCW 75.08.070 and 75.08.080. WSR 85-07-022 (Order 85-17), § 220-44-050, filed 3/13/85. Statutory Authority: RCW 75.08.080. WSR 84-08-014 (Order 84-24), § 220-44-050, filed 3/27/84; WSR 83-17-030 (Order 83-88), § 220-44-050, filed 8/10/83; WSR 83-10-016 (Order 83-31), § 220-44-050, filed 4/26/83.]