
HOUSE BILL 1239

State of Washington

58th Legislature

2003 Regular Session

By Representatives Cooper, Sump, Dunshee, Kenney, Voloria, Haigh, Berkey, Lantz and Rockefeller

Read first time 01/21/2003. Referred to Committee on Fisheries, Ecology & Parks.

1 AN ACT Relating to the commercial harvest of geoduck clams;
2 amending RCW 77.60.070.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 77.60.070 and 2000 c 107 s 25 are each amended to read
5 as follows:

6 (1) The director may not authorize a person to take geoduck clams
7 for commercial purposes outside the harvest area designated in a
8 current department of natural resources geoduck harvesting agreement
9 issued under RCW 79.96.080. The director may not authorize commercial
10 harvest of geoduck clams from bottoms that are shallower than eighteen
11 feet below mean lower low water (0.0. ft.)(~~(, or that lie in an area~~
12 ~~bounded by the line of ordinary high tide (mean high tide) and a line~~
13 ~~two hundred yards seaward from and parallel to the line of ordinary~~
14 ~~high tide)~~). This section does not apply to the harvest of private
15 sector cultured aquatic products as defined in RCW 15.85.020.

16 (2) Commercial geoduck harvesting shall be done with a hand-held,
17 manually operated water jet or suction device guided and controlled
18 from under water by a diver. Periodically, the director shall
19 determine the effect of each type or unit of gear upon the geoduck

1 population or the substrate they inhabit. The director may require
2 modification of the gear or stop its use if it is being operated in a
3 wasteful or destructive manner or if its operation may cause permanent
4 damage to the bottom or adjacent shellfish populations.

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