

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2386

Chapter 144, Laws of 2006

59th Legislature
2006 Regular Session

GEODUCK HARVESTING

EFFECTIVE DATE: 6/7/06

Passed by the House February 10, 2006
Yeas 98 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 3, 2006
Yeas 49 Nays 0

BRAD OWEN

President of the Senate

Approved March 20, 2006.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2386** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

March 20, 2006 - 2:50 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 2386

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By Representatives B. Sullivan and Chase; by request of Department of Natural Resources

Prefiled 12/29/2005. Read first time 01/09/2006. Referred to Committee on Natural Resources, Ecology & Parks.

1 AN ACT Relating to commercial geoduck harvesting; and amending RCW
2 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))~~ 79.135.210. The director may not
10 authorize commercial harvest of geoduck clams from bottoms that are
11 shallower than eighteen feet below mean lower low water (0.0. ft.)~~((
12 or that lie in an area bounded by the line of ordinary high tide (mean
13 high tide) and))~~. Vessels conducting harvest operations must remain
14 seaward of a line two hundred yards seaward from and parallel to the
15 line of ordinary high tide. This section does not apply to the harvest
16 of private sector cultured aquatic products as defined in RCW
17 15.85.020.

18 (2) Commercial geoduck harvesting shall be done with a hand-held,
19 manually operated water jet or suction device guided and controlled

1 from under water by a diver. Periodically, the director shall
2 determine the effect of each type or unit of gear upon the geoduck
3 population or the substrate they inhabit. The director may require
4 modification of the gear or stop its use if it is being operated in a
5 wasteful or destructive manner or if its operation may cause permanent
6 damage to the bottom or adjacent shellfish populations.

Passed by the House February 10, 2006.

Passed by the Senate March 3, 2006.

Approved by the Governor March 20, 2006.

Filed in Office of Secretary of State March 20, 2006.