

**Title 220 WAC
FISHERIES, DEPARTMENT OF**

Chapters

- 220-12 Food fish and shellfish--Classified.
- 220-16 Definitions.
- 220-20 General provisions.
- 220-22 Management and catch reporting areas.
- 220-32 Columbia River.
- 220-33 Columbia River--Commercial fisheries below Bonneville Dam.
- 220-36 Grays Harbor.
- 220-40 Willapa Harbor.
- 220-44 Coastal waters--Marine fish.
- 220-47 Puget Sound--Salmon.
- 220-48 Puget Sound--Fish other than salmon.
- 220-52 Shellfish.
- 220-55 Personal-use licenses.
- 220-56 Personal-use fishery.
- 220-57 Fresh water angling--Open areas and seasons.
- 220-57A Fresh water lakes.
- 220-69 Fish receiving tickets--Weight delivery sheets.
- 220-77 Aquaculture disease control.
- 220-87 Puget Sound whiting.
- 220-110 Hydraulic code rules.

Chapter 220-12 WAC

FOOD FISH AND SHELLFISH--CLASSIFIED

WAC

220-12-020 Shellfish--Classification.

WAC 220-12-020 Shellfish--Classification. The following species are classified as shellfish under RCW 75.08.080 and are subject to the provisions of this title:

Abalone	
Red abalone	<i>Haliotis refescens</i>
Pinto abalone	<i>Haliotis kamtschatkana</i>
Mussel	
Blue mussel	<i>Mytilis edulis</i>
California mussel	<i>Mytilis californianus</i>
Scallops	
Pacific pink scallop	<i>Chlamys rubida</i>
Rock scallop	<i>Crassadoma gigantea</i>
Spiny scallop	<i>Chlamys hastata</i>
Weathervane scallop	<i>Patinopecten caurinus</i>
Clams	
Bent nose clam	<i>Macoma secta</i>
All other macoma clams	<i>Macoma spp.</i>
Butter clam	<i>Saxidomus giganteus</i>
Common cockle	<i>Clinocardium nuttalli</i>
Geoduck	<i>Panope abrupta</i>
Horse or Gaper clam	<i>Tresus nuttalli,</i> <i>Tresus capax</i>
Mud or soft shell clam	<i>Mya arenaria</i>
Manila clam	<i>Tapes philippinarum</i>
Piddock	<i>Zirfaea pilsbryi</i>
Razor clam	<i>Siliqua patula</i>
Rock or native little neck clam	<i>Protothaca staminea</i>
Oysters	
Eastern oyster	<i>Crassostrea virginica</i>
Olympia or native oyster	<i>Ostrea lurida</i>

Pacific oyster	<i>Crassostrea gigas</i>
Kumamoto oyster	<i>Crassostrea gigas (kumamoto)</i>
European oyster	<i>Ostrea edulis</i>
All other oysters	(Ostreidae)
Squid	
Pacific Coast squid	<i>Loligo opalescens</i>
Nail squid	<i>Onychoteuthis borealijaponica</i>
Flying squid	<i>Ommastrephes bartramia</i>
All other squid	Sepioidea or Teuthoiden
Octopus	
Octopus	<i>Octopus dolfeni</i>
Barnacles	
Goose barnacle	<i>Pollicipes polymerus</i>
Shrimp	
Coonstripe shrimp	<i>Pandalus danae</i>
Coonstripe shrimp	<i>Pandalus hypsinotus</i>
Ghost or sand shrimp	<i>Callinassa spp.</i>
Humpy shrimp	<i>Pandalus goniurus</i>
Mud shrimp	<i>Upogebia pugettensis</i>
Ocean pink shrimp	<i>Pandalus jordani</i>
Pink shrimp	<i>Pandalus borealis</i>
Sidestripe shrimp	<i>Pandalopsis dispar</i>
Spot shrimp	<i>Pandalus platyceros</i>
Crab	
Dungeness or Pacific	<i>Cancer magister</i>
Red crab	<i>Cancer productus</i>
Tanner crab	<i>Chionoecetes tanneri</i>
Crawfish	
Crawfish	<i>Pacifastacus sp.</i>
Sea cucumber	
Sea cucumber	<i>Parastichopus californicus</i>
Sea cucumber	<i>Cucumaria miniata</i>
Sea urchin	
Green urchin	<i>Strongylocentrotus droebachiensis</i>
Red urchin	<i>Strongylocentrotus franciscanus</i>
Purple urchin	<i>Strongylocentrotus purpuratus</i>

[Statutory Authority: RCW 75.08.080. 88-12-025 (Order 88-28), § 220-12-020, filed 5/25/88, effective 8/22/88; 87-23-006 (Order 87-187), § 220-12-020, filed 11/6/87; 86-24-046 (Order 86-190), § 220-12-020, filed 11/26/86; 85-09-017 (Order 85-20), § 220-12-020, filed 4/9/85; 85-01-010 (Order 84-214), § 220-12-020, filed 12/7/84; 83-24-024 (Order 83-200), § 220-12-020, filed 11/30/83, effective 1/1/84; Order 1186, § 220-12-020, filed 1/13/75; Order 990, § 220-12-020, filed 5/11/72; Order 807, § 220-12-020, filed 1/2/69, effective 2/1/69; Order 677, Shellfish classification, filed 3/31/66; Order 256, Shellfish classification, filed 3/1/60; Abalone and octopus from Order 483 and 256, filed 3/1/60.]

Chapter 220-16 WAC

DEFINITIONS

WAC

- 220-16-040 Definitions--Gill net--Drift net.
- 220-16-075 Definitions--Purse seine.
- 220-16-085 Definitions--Ring net.
- 220-16-385 Repealed.
- 220-16-390 Repealed.
- 220-16-395 Buoy 13 line.
- 220-16-400 Definition--Lower Columbia River.
- 220-16-405 Definition--SMCRA.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 220-16-385 Sea urchin districts. [Statutory Authority: RCW 75.08.080. 86-20-028 (Order 86-123), § 220-16-385, filed 9/23/86.] Repealed by 87-23-006 (Order 87-187), filed 11/6/87. Statutory Authority: RCW 75.08.080.
- 220-16-390 Sea cucumber districts. [Statutory Authority: RCW 75.08.080. 87-02-013 (Order 86-199), § 220-16-390, filed 12/30/86.] Repealed by 87-23-006 (Order 87-187), filed 11/6/87. Statutory Authority: RCW 75.08.080.

WAC 220-16-040 Definitions--Gill net--Drift net. "Gill net" or "drift net" gear shall be defined as a gill net of single web construction, not anchored, tied, staked, placed, or weighted in such a manner that it cannot drift.

[Statutory Authority: RCW 75.08.080. 88-18-066 (Order 88-86), § 220-16-040, filed 9/2/88; Order 810, § 220-16-040, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-075 Definitions--Purse seine. (1) "Purse seine" is defined as including all types of fishing gear consisting of a lead line, cork line, auxiliary lines, purse line and purse rings and mesh net webbing fashioned in such a manner that it is used to encircle fish, and in addition prevents their escape under the bottom or lead line of the net by drawing in the bottom of the net by means of the purse line so that it forms a closed bag.

(2) "Bunt" is defined as the portion of the purse seine net located at the end of the net designed to form the bag that holds the net's catch after the net is pursed and is the last portion of the net to be pulled aboard the catching vessel.

[Statutory Authority: RCW 75.08.080. 87-15-059 (Order 87-72), § 220-16-075, filed 7/14/87; Order 810, § 220-16-075, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-085 Definitions--Ring net. "Ring net" shall be defined to include all fishing gear having a rigid frame measuring no more than ten feet in diameter that is used to take shellfish in a live condition. The sides and all other parts of the gear must lie flat on the bottom in such a manner that the gear does not entrap or restrict the free movement of shellfish until lifted.

[Statutory Authority: RCW 75.08.080. 88-10-012 (Order 88-14), § 220-16-085, filed 4/26/88; 84-08-014 (Order 84-24), § 220-16-085, filed 3/27/84; Order 810, § 220-16-085, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-385 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-16-390 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-16-395 Buoy 13 line. The term "Buoy 13 Line" is defined as a line drawn true north-south through Grays Harbor Channel Marker Number 13 near the mouth of Grays Harbor.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-16-395, filed 4/21/87.]

WAC 220-16-400 Definition--Lower Columbia River. "Lower Columbia River" is defined as Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E as defined in WAC 220-22-010 and tributaries to these areas.

[Statutory Authority: RCW 75.08.080. 88-18-066 (Order 88-86), § 220-16-400, filed 9/2/88.]

WAC 220-16-405 Definition--SMCRA. "SMCRA" means Salmon Management and Catch Reporting Area.

[Statutory Authority: RCW 75.08.080. 88-18-066 (Order 88-86), § 220-16-405, filed 9/2/88.]

**Chapter 220-20 WAC
GENERAL PROVISIONS**

WAC	
220-20-010	General provisions--Lawful and unlawful acts-- Salmon, other food fish and shellfish.
220-20-050	Display of registration and commercial license decals and identification numbers.
220-20-055	Commercial license conditions.
220-20-060	Commercial fishing license transfer--Notarization.

WAC 220-20-010 General provisions--Lawful and unlawful acts--Salmon, other food fish and shellfish. (1)

It shall be unlawful to take, fish for, possess or transport for any purpose food fish, shellfish or parts thereof, in or from any of the waters or land over which the state of Washington has jurisdiction, or from the waters of the Pacific Ocean, except at the times, places and in the manners and for the species, quantities, sizes or sexes provided for in the regulations of the department of fisheries.

(2) It shall be unlawful for any person to have in possession or under control or custody any food fish or shellfish within the land or water boundaries of the state of Washington, except in those areas which are open to commercial fishing or wherein the possession, control or custody of salmon or other food fish or shellfish for commercial purposes is made lawful under a statute of the state of Washington or the rules and regulations of the director of fisheries, unless otherwise provided.

(3) It shall be lawful to fish for, possess, process and otherwise deal in food fish and fish offal or scrap for any purpose, provided; that it shall be unlawful to use any of the following listed species for purposes other than human consumption or fishing bait:

Pacific halibut	(<i>Hippoglossus stenolepis</i>)
Pacific herring (except as prescribed in WAC 220-49-020)	(<i>Clupea harengus pallasii</i>)
Salmon	
Chinook	(<i>Oncorhynchus tshawytscha</i>)
Coho	(<i>Oncorhynchus kisutch</i>)
Chum	(<i>Oncorhynchus keta</i>)
Pink	(<i>Oncorhynchus gorbuscha</i>)
Sockeye	(<i>Oncorhynchus nerka</i>)
Masu	(<i>Oncorhynchus masu</i>)

(4) It shall be unlawful for any person to fish for food fish or shellfish while in possession in the field of food fish or shellfish that are in violation of the harvest regulations for the area being fished. This regulation does not apply to vessels in transit.

(5) It shall be unlawful for the owner or operator of any commercial food fish or shellfish gear to leave such gear unattended in waters of the state or offshore waters unless said gear is marked with a buoy to which shall be affixed in a visible and legible manner the department of fisheries approved and registered buoy brand provided that:

(a) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(b) When two or more shellfish pots are attached to a common ground line the number of pots so attached must be clearly labeled on the required buoy.

(c) It shall be unlawful at any time to leave a gill net unattended in the commercial salmon fishery.

(6) It shall be unlawful to place any commercial food fish or shellfish gear in any waters closed to commercial fishing, provided; that this provision shall not apply to reef nets or brush weirs or to gear being tested under supervision of the department of fisheries, provided further that it shall be unlawful to take, fish for or possess food fish with any type of commercial fishing gear in the waters of Carr Inlet north of north latitude 47° 20' from August 15 through November 30 except as provided in chapter 220-47 WAC.

(7) It shall be unlawful for the owner or operator of any fishing gear to refuse to submit such gear to inspection in any manner specified by authorized representatives of the department of fisheries.

(8) It shall be unlawful for any person taking or possessing food fish or shellfish taken from any of the waters or beaches of the Columbia River, the state of Washington or the Pacific Ocean for any purpose to fail to submit such food fish or shellfish for inspection by authorized representatives of the department of fisheries.

(9) It shall be unlawful for any person licensed under the fisheries code of Washington to fail to make any report or return required of him by the department of fisheries relative to the taking, selling, possessing, transporting, processing, freezing and storing of food fish or shellfish whether taken within the jurisdiction of the state of Washington or beyond or on Indian reservations or usual and accustomed Indian fishing grounds.

(10) It shall be unlawful to take, fish for or possess or to injure, kill or molest fish in any fishway, fish ladder, fish screen, holding pond, rearing pond, or other fish protective device, or to interfere in any manner with the proper operation of such fish protective devices.

(11) It shall be unlawful to club, gaff, shoot, snag, snare, dip net, harass, spear, stone or otherwise molest, injure, kill or destroy any food fish or shellfish or parts thereof, or for any person to attempt to commit such acts, or to have any fish, shellfish or parts thereof so taken in possession, except as provided for in this subsection:

(a) It shall be lawful to use a dip net, gaff or club in the landing of food fish taken by personal-use angling unless otherwise provided.

(b) It shall be lawful to use a dip net, gaff, or club in the landing of food fish or shellfish taken for commercial purposes, except that it is unlawful to use a fish pew,

pitchfork, or any other instrument that will penetrate the body of the food fish or shellfish while sorting commercial catches during the act of discarding those fish that are not going to be retained.

(c) It shall be lawful to use a spear in underwater spear fishing as provided for in WAC 220-56-160.

(d) It shall be lawful to use a spear to take carp as provided for in WAC 220-56-280.

(e) It shall be lawful to snag herring, smelt, anchovies, pilchard, sand lance, and squid when using baitfish jigger gear or squid jigs.

(12) It shall be unlawful to take or possess for any purpose any food fish or shellfish smaller than the lawful minimum size limits. Any such fish either snagged, hooked, netted or gilled must be immediately returned to the water with the least possible injury to the fish or shellfish and it shall be unlawful to allow undersized salmon entangled in commercial nets to pass through a power block or onto a power reel or drum.

(13) It shall be unlawful to possess aboard any vessel engaged in commercial fishing or having commercially caught fish aboard, any food fish or shellfish in such condition that its species, length, weight or sex cannot be determined if a species, length, weight, or sex limit is prescribed for said species and it is unlawful to possess food fish or shellfish mutilated in any manner such that the natural length or weight cannot be determined if a length or weight limit is prescribed for said species.

(14) It shall be unlawful in any area to use, operate or carry aboard a commercial fishing vessel a licensed net or combination of such nets, whether fished singly or separately, in excess of the maximum lawful size or length prescribed for a single net in that area, except as otherwise provided for in the rules and regulations of the department of fisheries.

(15) It shall be unlawful for any permit holder to fail to comply with all provisions of any special permit or letter of approval issued to him under the authority of the director of fisheries, or to perform any act not specifically authorized in said document or in the regulations of the director of fisheries.

(16) It shall be unlawful to use, place or cause to be placed in the waters or on the beaches or tidelands of the state any substance or chemical used for control of predators or pests affecting food fish or shellfish or other aquatic marine organisms, without first having obtained a special permit to do so from the director of fisheries.

(17) It shall be unlawful to test commercial fishing gear except as follows:

(a) Bellingham Bay – inside and northerly of a line from Governor's Point to the south tip of Eliza Island to Point Frances in waters 10 fathoms and deeper.

(b) Boundary Bay – north of a line from Birch Point to Point Roberts and south of the international boundary in waters 10 fathoms and deeper during times not under IPSFC control.

(c) San Juan Channel – within a 1 mile radius of Point Caution during times not under IPSFC control.

(d) Port Angeles – inside and westerly of a line projected from the east tip of Ediz Hook through buoy C "1" to the mainland.

(e) Port Gardner – within a 2 mile radius of the entrance to Everett breakwater in waters 10 fathoms and deeper.

(f) Central Puget Sound – between lines from Meadow Point to Point Monroe and Skiff Point to West Point in waters 50 fathoms and deeper.

(g) East Pass – between lines from Point Robinson true east to the mainland and from Dash Point to Point Piner in waters 50 fathoms and deeper.

(h) Port Townsend – westerly of a line from the Coast Guard station in Port Townsend to Walan Point to Kala Point in waters 10 fathoms and deeper.

(i) All tows or sets are limited to 20 minutes exclusive of setting and retrieving time.

(j) All testing is to be accomplished between 8:00 a.m. and 4:00 p.m.

(k) Codends of trawl nets must be left open, all hooks of set line gear must be unbaited, and no lures or baited hooks shall be used with jig or troll gear.

(l) Any and all incidentally caught fish and shellfish must be returned to the waters immediately, and no fish or shellfish are to be retained aboard the vessel at any time during a gear test operation.

(m) It shall be unlawful for any person conducting such gear testing operations to fail to notify the fisheries patrol office in Olympia prior to testing.

(18) It is unlawful for any person or corporation licensed by the department of fisheries to fail to comply with the directions of authorized department personnel related to the collection of sampling data or material from food fish or shellfish. It is also unlawful for any such person or corporation to fail to relinquish to the department, upon request, any part of a salmon or other food fish containing coded-wire tags, including but not limited to, the snouts of those salmon that are marked by having clipped adipose fins.

[Statutory Authority: RCW 75.08.080. 89-02-022 (Order 88-186), § 220-20-010, filed 12/29/88; 88-10-013 (Order 88-15), § 220-20-010, filed 4/26/88; 85-09-017 (Order 85-20), § 220-20-010, filed 4/9/85; 85-08-023 (Order 85-24), § 220-20-010, filed 4/1/85; 84-08-014 (Order 84-24), § 220-20-010, filed 3/27/84; 82-15-040 (Order 82-83), § 220-20-010, filed 7/15/82; 82-07-047 (Order 82-19), § 220-20-010, filed 3/18/82; 81-02-053 (Order 81-3), § 220-20-010, filed 1/7/81; 80-10-058 (Order 80-83), § 220-20-010, filed 8/6/80; 80-07-017 (Order 80-45), § 220-20-010, filed 6/11/80; 79-10-013 (Order 79-75), § 220-20-010, filed 9/7/79; Order 77-14, § 220-20-010, filed 4/15/77; Order 76-148, § 220-20-010, filed 12/2/76; Order 1193, § 220-20-010, filed 3/4/75; Order 1179, § 220-20-010, filed 11/19/74; Order 1106, § 220-20-010, filed 1/10/74; Order 1057, § 220-20-010, filed 5/22/73; Order 945, § 220-20-010, filed 8/16/71; Order 920, § 220-20-010, filed 5/13/71; Order 817, § 220-20-010, filed 5/29/69; Order 810, § 220-20-010, filed 4/17/69; Order 771-A, § 220-20-010, filed 3/29/68; Order 767, § 1, filed 12/22/67; Order 758, § 3, filed 10/16/67; Order 726, §§ 2, 3, filed 4/24/67; Order 721, § 1, filed 3/9/67; Subsections 1, 2 from Orders 405 and 256, filed 3/1/60; Subsection 3 from Order 677, filed 3/31/66; Subsection 16 from Order 525, filed 5/3/61; Orders 355 and 256, filed 3/1/60; Subsection 4 from Order 591, filed 10/28/63; Orders 479 and 256, filed 3/1/60; Subsection 5 from Orders 383 and 256, filed 3/1/60; Subsections 6, 26, 35 from Order 568, filed 3/26/63; Order 543, filed 3/20/62; Order 507, filed 4/13/60; Order 256, filed 3/1/60; Subsections 7-11, 13-15, 17, 18, 22 from Orders 355 and 256, filed 3/1/60; Subsection 12 from Orders 407 and 256, filed 3/1/60; Subsections 19, 27 from Orders 480 and 256, filed 3/1/60; Subsection 20 from Order 677, filed 3/31/66; Orders 483 and

256, filed 3/1/60; Subsection 23 from Order 677, filed 3/31/66; Order 605, filed 4/21/64; Order 568, filed 3/26/63; Order 543, filed 3/20/62; Order 507, filed 4/13/60; Order 256, filed 3/1/60; Subsection 24 from Order 605, filed 4/21/64; Orders 407 and 256, filed 3/1/60; Subsection 25 from Orders 449 and 256, filed 3/1/60; Subsections 28-33 from Orders 456 and 256, filed 3/1/60; Subsection 34 from Orders 486 and 256, filed 3/1/60; Subsection 36 from Order 591, filed 10/28/63; Subsections 37 and 38 from Order 677, filed 3/31/66; Subsection 39 from Order 672, filed 12/28/65.]

WAC 220-20-050 Display of registration and commercial license decals and identification numbers. The vessel registration and commercial year license decals issued to each commercial fishing vessel by the licensing division of the department:

- (1) Must be affixed to the registered and licensed vessel in a permanent manner;
- (2) Must be affixed in such a manner that they are clearly visible from each side of the vessel.

[Statutory Authority: RCW 75.08.080 and 75.10.120. 87-21-018 (Order 87-150), § 220-20-050, filed 10/9/87.]

WAC 220-20-055 Commercial license conditions.

(1) Upon being convicted twice or more for commercial fishing violations within a five-year period, a fisherman is required to post a security each year to obtain a license until the fisherman has only one conviction within the immediate five prior years. The amount of the security is based upon an accumulation of points, and the security is subject to forfeiture as a civil penalty in the event the fisherman receives a third or subsequent conviction.

(2) The following points will be assigned for each conviction of the indicated type:

(a) All commercial fishing violations, except salmon time and area violations requiring mandatory suspension under RCW 75.10.130 and those violations provided for in (c) of this subsection – 2 points.

(b) Charter boat violations involving gear, angler permits, and time and area violations other than salmon – 2 points.

(c) Violations for failure to display boat registration numbers, buoy brand numbers, or herring validation pennant – 1 point.

(3) Upon conviction of the second offense, the fisherman must post a security in the following amount depending on the point total of the convictions within the immediate five prior years:

2nd Conviction	3rd Conviction	4th Conviction
2 points – \$2,000	3 points – \$ 6,000	4 points – \$12,000
3 points – \$3,000	4 points – \$ 8,000	5 points – \$15,000
4 points – \$4,000	5 points – \$10,000	6 points – \$18,000
	6 points – \$12,000	7 points – \$21,000
		8 points – \$24,000

(4) Upon subsequent conviction for an offense committed during any time period in which the security is required as provided for in this section, the security shall be forfeited to the department and a new security must be posted with the department based upon the total number of points accumulated within the five-year period prior to receiving a fishing license. After the fifth

conviction for offenses committed within a five-year period, the fisherman must appeal to the director for issuance of a license, and the director may impose both a security amount and additional conditions.

(5) When sufficient time has elapsed such that the convicted fisherman has only one conviction within the last five years, the department shall release the security, except that if criminal charges are pending, the security shall not be released pending resolution of the criminal charges. The security shall only be released upon written notification from the department.

(6) An acceptable security shall be a corporate surety bond executed in favor of the department by a corporation authorized to do business in the state of Washington under chapter 48.28 RCW and approved by the department, a cash deposit, negotiable securities acceptable to the department, or an assignment of a savings account or savings certificate in a bank on an assignment form prescribed by the department.

[Statutory Authority: RCW 75.08.080 and 75.10.120. 87-21-018 (Order 87-150), § 220-20-055, filed 10/9/87.]

WAC 220-20-060 Commercial fishing license transfer--Notarization. Any person making application to transfer a commercial fishing license or charter boat angler permit must have the signature of the transferor notarized, and without notarization the department will not transfer a license or angler permit, except the department may transfer the license or angler permit of a decedent without notarization but with appropriate legal certification supporting the transfer.

[Statutory Authority: RCW 75.08.080. 88-16-074 (Order 88-69), § 220-20-060, filed 8/2/88.]

Chapter 220-22 WAC

MANAGEMENT AND CATCH REPORTING AREAS

WAC

220-22-030 Puget Sound Salmon Management and Catch Reporting Areas.

WAC 220-22-030 Puget Sound Salmon Management and Catch Reporting Areas. (1) **Area 4B** shall include those waters of Puget Sound easterly of a line projected from the Bonilla Point light on Vancouver Island to the Tatoosh Island light, thence to the most westerly point on Cape Flattery and westerly of a line projected true north from the fishing boundary marker at the mouth of the Sekiu River.

(2) **Area 5** shall include those waters of Puget Sound easterly of a line projected true north from the fishing boundary marker at the mouth of the Sekiu River and westerly of a line projected true north from Low Point.

(3) **Area 6** shall include those waters of Puget Sound easterly of a line projected from the Angeles Point Monument to the William Head light on Vancouver Island, northerly of a line projected from the Dungeness Spit light to the Partridge Point light, westerly of a line projected from the Partridge Point light to the Smith Island light, and southerly of a line projected from the

Smith Island light to vessel traffic lane buoy R to the Trial Island light.

(4) **Area 6A** shall include those waters of Puget Sound easterly of a line projected from the Partridge Point light to the Smith Island light to the most northeasterly of the Lawson Reef lighted buoys (RB 1 Qk Fl Bell) to Northwest Island to the Initiative 77 marker on Fidalgo Island and westerly of a line projected from Reservation Head on Fidalgo Island to West Point on Whidbey Island.

(5) **Area 6B** shall include those waters of Puget Sound southerly of a line projected from the Dungeness Spit light to the Partridge Point light, westerly of a line projected from the Partridge Point light to the Point Wilson light and easterly of a line projected 155° true from Dungeness Spit light to Kulo Kala Point.

(6) **Area 6C** shall include those waters of Puget Sound easterly of a line projected true north from Low Point and westerly of a line projected from the Angeles Point Monument to the William Head light on Vancouver Island.

(7) **Area 6D** shall include those waters of Puget Sound westerly of a line projected 155° true from Dungeness Spit light to Kulo Kala Point.

(8) **Area 7** shall include those waters of Puget Sound southerly of a line projected true west from the Sandy Point light, northerly of a line projected from the Trial Island light to vessel traffic lane buoy R to the Smith Island light to the most northeasterly of the Lawson Reef lighted buoys (RB 1 Qk Fl Bell) to Northwest Island to the Initiative 77 marker on Fidalgo Island, and westerly of a line projected from Sandy Point to Point Migley, thence along the eastern shore-line of Lummi Island to Carter Point, thence to the most northerly tip of Vendovi Island, thence to Clark Point on Guemes Island following the shoreline to Southeast Point on Guemes Island, thence to March Point on Fidalgo Island, excluding those waters of East Sound northerly of a line projected due west from Rosario Point on Orcas Island.

(9) **Area 7A** shall include those waters of Puget Sound northerly of a line projected true west from the Sandy Point light.

(10) **Area 7B** shall include those waters of Puget Sound westerly of a line projected from the most westerly point of Gooseberry Point to the westernmost tip of Sandy Point, easterly of a line projected from the westernmost tip of Sandy Point to Point Migley, thence along the eastern shoreline of Lummi Island to Carter Point, thence to the most northerly tip of Vendovi Island, thence to Clark Point on Guemes Island following the shoreline to Southeast Point on Guemes Island, thence to March Point on Fidalgo Island, northerly of the Burlington Northern railroad bridges at the north entrances to Swinomish Channel and westerly of a line projected from William Point light on Samish Island 28° true to the range light near Whiskey Rock on the north shore of Samish Bay.

(11) **Area 7C** shall include those waters of Puget Sound easterly of a line projected from William Point

light on Samish Island 28° true to the range light near Whiskey Rock on the north shore of Samish Bay.

(12) **Area 7D** shall include those waters of Puget Sound easterly of a line projected from the westernmost tip of Sandy Point to the most westerly point of Gooseberry Point.

(13) **Area 7E** shall include those waters of Puget Sound within East Sound northerly of a line projected due west from Rosario Point on Orcas Island.

(14) **Area 8** shall include those waters of Puget Sound easterly of a line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island, westerly of a line projected from the light on East Point 340° true to the light on Camano Island (Saratoga Pass light #2, Fl Red 4 Sec) southerly of the Burlington Northern railroad bridges at the north entrances to Swinomish Channel and northerly of the state highway 532 bridges between Camano Island and the mainland.

(15) **Area 8A** shall include those waters of Puget Sound easterly of a line projected from the East Point light on Whidbey Island 340° true to the light on Camano Island (Saratoga Pass light #2, Fl Red 4 Sec), northerly of a line projected from the southern tip of Possession Point 110° true to the shipwreck on the opposite shore, southerly of the State Highway 532 bridges between Camano Island and the mainland excluding those waters of Area 8D.

(16) **Area 8D** shall include those waters of Puget Sound inside and easterly of a line projected 225 degrees from the pilings at old Bower's Resort to a point 2,000 feet offshore, thence northwesterly to a point 2,000 feet off Mission Point, thence across the mouth of Tulalip Bay to a point 2,000 feet off Hermosa Point, thence northwesterly following a line 2,000 feet offshore to the intersection with a line projected 233 degrees from the fishing boundary marker on the shore at the slide north of Tulalip Bay.

(17) **Area 9** shall include those waters of Puget Sound southerly and easterly of a line projected from the Partridge Point light to the Point Wilson light, northerly of the site of the Hood Canal Floating Bridge, northerly of a line projected true west from the shoreward end of the Port Gamble tribal dock on Point Julia to the mainland in the community of Port Gamble, southerly of a line projected from the southern tip of Possession Point 110° true to the shipwreck on the opposite shore and northerly of a line projected from the Apple Cove Point light to the light at the south end of the Edmond's breakwater at Edwards Point.

(18) **Area 9A** shall include those waters of Puget Sound known as Port Gamble Bay southerly of a line projected true west from the shoreward end of the Port Gamble tribal dock on Point Julia to the mainland in the community of Port Gamble.

(19) **Area 10** shall include those waters of Puget Sound southerly of a line projected from the Apple Cove Point light to the light at the south end of the Edmond's breakwater at Edwards Point, westerly of a line projected 233° true from the Acapulco Restaurant near Shilshole Marina through entrance piling No. 8 to the

southern shore of the entrance to the Lake Washington Ship Canal, westerly of a line projected 185° true from the southwest corner of Pier 91 through the Duwamish Head light to Duwamish Head, northerly of a true east-west line passing through the Point Vashon light, easterly of a line projected from Orchard Point to Beans Point on Bainbridge Island, and northerly and easterly of a line projected true west from Agate Point on Bainbridge Island to the mainland.

(20) **Area 10A** shall include those waters of Puget Sound easterly of a line projected 185° true from the southwest corner of Pier 91 through the Duwamish Head light to Duwamish Head.

(21) **Area 10C** shall include those waters of Lake Washington southerly of the Evergreen Point Floating Bridge.

(22) **Area 10D** shall include those waters of the Sammamish River south of the State Highway 908 Bridge and Lake Sammamish.

(23) **Area 10E** shall include those waters of Puget Sound westerly of a line projected from Orchard Point to Beans Point on Bainbridge Island and southerly and westerly of a line projected true west from Agate Point on Bainbridge Island to the mainland.

(24) **Area 10F** shall include those waters of Puget Sound easterly of a line projected 233° true from the Acapulco Restaurant near Shilshole Marina through entrance piling Number 8 to the southern shore of the entrance to the Lake Washington Ship Canal and those waters of the Lake Washington Ship Canal westerly of a line projected from Webster Point true south to the Evergreen Point Floating Bridge including the waters of Salmon Bay, the Lake Washington Ship Canal, Lake Union and Portage Bay.

(25) **Area 10G** shall include those waters of Lake Washington northerly of the Evergreen Point Floating Bridge, easterly of a line projected from Webster Point true south to the Evergreen Point Floating Bridge and those waters of the Sammamish River north of the State Highway 908 Bridge.

(26) **Area 11** shall include those waters of Puget Sound southerly of a true east-west line passing through the Point Vashon light, northerly of a line from Browns Point to the Asarco smelter stack on the opposite shore of Commencement Bay, and northerly of the Tacoma Narrows Bridge.

(27) **Area 11A** shall include those waters of Puget Sound southerly of a line from Browns Point to the Asarco smelter stack on the opposite shore of Commencement Bay.

(28) **Area 12** shall include those waters of Puget Sound southerly of the site of the Hood Canal Floating Bridge and northerly and easterly of a line projected from the Tskutsko Point light to Misery Point.

(29) **Area 12A** shall include those waters of Puget Sound northerly of a line projected from Pulali Point true east to the mainland.

(30) **Area 12B** shall include those waters of Puget Sound southerly of a line projected from Pulali Point true east to the mainland, northerly of a line projected

from Ayock Point true east to the mainland, and westerly of a line projected from the Tskutsko Point light to Misery Point.

(31) **Area 12C** shall include those waters of Puget Sound southerly of a line projected from Ayock Point true east to the mainland and northerly and westerly of a line projected from Ayres Point to the public boat ramp at Union.

(32) **Area 12D** shall include those waters of Puget Sound easterly of a line projected from Ayres Point to the public boat ramp at Union.

(33) **Area 13** shall include those waters of Puget Sound southerly of the Tacoma Narrows Bridge and a line projected from Green Point to Penrose Point and northerly and easterly of a line projected from the Devil's Head light to Treble Point, thence through lighted buoy No. 3 to the mainland and westerly of the railroad trestle at the mouth of Chambers Bay.

(34) **Area 13A** shall include those waters of Puget Sound northerly of a line projected from Green Point to Penrose Point.

(35) **Area 13C** shall include those waters of Puget Sound easterly of the railroad trestle at the mouth of Chambers Bay.

(36) **Area 13D** shall include those waters of Puget Sound westerly of a line projected from the Devil's Head light to Treble Point, thence through lighted buoy Number 3 to the mainland, northerly of a line projected from Johnson Point to Dickenson Point, northerly of a line projected from the light at Dofflemeyer Point to Cooper Point, easterly of a line projected from Cooper Point to the southeastern shore of Sanderson Harbor, easterly of a line projected from the northern tip of Steamboat Island to the light at Arcadia to Hungerford Point and southerly of a line projected true east-west through the southern tip of Stretch Island.

(37) **Area 13E** shall include those waters of Puget Sound southerly of a line projected from Johnson Point to Dickenson Point.

(38) **Area 13F** shall include those waters of Puget Sound southerly of a line projected from the light at Dofflemeyer Point to Cooper Point.

(39) **Area 13G** shall include those waters of Puget Sound southerly of a line projected from Cooper Point to the southeastern shore of Sanderson Harbor.

(40) **Area 13H** shall include those waters of Puget Sound southwesterly of a line projected from the northern tip of Steamboat Island to the light at Arcadia and those waters easterly of a line projected 64° true from Kamilche Point to the opposite shore.

(41) **Area 13I** shall include those waters of Puget Sound southwesterly of a line projected 64° true from Kamilche Point to the opposite shore.

(42) **Area 13J** shall include those waters of Puget Sound northwesterly of a line projected from the light at Arcadia to Hungerford Point.

(43) **Area 13K** shall include those waters of Puget Sound northerly of a line projected true east-west through the southern tip of Stretch Island.

[Statutory Authority: RCW 75.08.080, 88-14-133 (Order 88-48), § 220-22-030, filed 7/6/88; 87-15-059 (Order 87-72), § 220-22-030,

filed 7/14/87; 85-13-032 (Order 85-60), § 220-22-030, filed 6/12/85; 84-13-078 (Order 84-53), § 220-22-030, filed 6/21/84; 82-15-040 (Order 82-83), § 220-22-030, filed 7/15/82; 81-18-017 (Order 81-101), § 220-22-030, filed 8/25/81; 80-04-070 (Order 80-17), § 220-22-030, filed 3/26/80; 79-07-045 (Order 79-42), § 220-22-030, filed 6/22/79; 78-05-018 (Order 78-16), § 220-22-030, filed 4/13/78; Order 77-66, § 220-22-030, filed 8/5/77; Order 77-14, § 220-22-030, filed 4/15/77; Order 76-35, § 220-22-030, filed 5/11/76.]

Chapter 220-32 WAC COLUMBIA RIVER

WAC

220-32-016	Repealed.
220-32-017	Repealed.
220-32-020	Repealed.
220-32-021	Repealed.
220-32-022	Repealed.
220-32-023	Repealed.
220-32-024	Repealed.
220-32-025	Repealed.
220-32-030	Repealed.
220-32-031	Repealed.
220-32-032	Repealed.
220-32-033	Repealed.
220-32-034	Repealed.
220-32-036	Repealed.
220-32-040	Repealed.
220-32-041	Repealed.
220-32-043	Repealed.
220-32-044	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-32-016	Columbia River—Shad Area 1. [Order 915, § 220-32-016, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
220-32-017	Columbia River—Shad Area 2. [Order 915, § 220-32-017, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
220-32-020	Lawful gear—Salmon. [Order 77-14, § 220-32-020, filed 4/15/77; Order 915, § 220-32-020, filed 3/4/71; Order 808, § 220-32-020, filed 2/3/69; Subsection 5, Order 768, § 1, filed 2/1/68; Order 719, filed 1/30/67; Subsections 1, 2, 6, 7, 8, 9 from Orders 416, 256, filed 3/1/60; Subsections 3, 4 from Orders 417, 256, filed 3/1/60; Subsection 5 amended by Order 674, filed 2/1/66; Subsection 9 amended by Order 635, filed 3/31/65.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
220-32-021	Lawful gear and seasons—Smelt. [Statutory Authority: RCW 75.08.080, 86-08-039 (Order 86-12), § 220-32-021, filed 3/27/86; Order 77-14, § 220-32-021, filed 4/15/77; Order 983, § 220-32-021, filed 2/17/72; Order 915, § 220-32-021, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
220-32-022	Lawful gear—Sturgeon. [Statutory Authority: RCW 75.08.080, 82-19-083 (Order 82-142), § 220-32-022, filed 9/21/82; Order 77-14, § 220-32-022, filed 4/15/77; Order 915, § 220-32-022, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
220-32-023	Gill net construction—Shad. [Order 76-26, § 220-32-023, filed 1:45 p.m., 4/20/76; Order 915, § 220-

- 32-023, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- 220-32-024 Areas and lawful gear—Carp. [Order 77-14, § 220-32-024, filed 4/15/77; Order 983, § 220-32-024, filed 2/17/72; Order 915, § 220-32-024, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- 220-32-025 Lawful gear size. [Order 77-14, § 220-32-025, filed 4/15/77; Order 915, § 220-32-025, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- 220-32-030 Salmon seasons—Areas. [Order 77-14, § 220-32-030, filed 4/15/77; Order 1043, § 220-32-030, filed 2/22/73; Order 915, § 220-32-030, filed 3/4/71; Order 860, § 220-32-030, filed 3/3/70; Subsections 1 and 2 amended by Order 768, § 2, filed 2/1/68; Order 719, § 1 (part), filed 1/30/67; Subsections 1 and 2 from Order 633, filed 2/15/65; Order 600, filed 1/30/64; Order 566, filed 2/8/63; Order 542, filed 2/15/61; Order 524, filed 2/6/61; Orders 504 and 256, filed 3/1/60; Subsection 3 from Order 677, filed 3/31/66; Order 547, filed 7/5/62; Orders 495 and 256, filed 3/1/60; Subsection 4 from Order 524, filed 2/6/61; Orders 504 and 256, filed 3/1/60; Subsections 5, 9, 10 from Orders 416 and 256, filed 3/1/60; Subsection 10 amended by Order 638, filed 4/28/65; Subsection 6 from Order 633, filed 2/15/65; Orders 504 and 256, filed 3/1/60; Subsection 7 from Order 633, filed 2/15/65; Order 566, filed 2/8/63; Order 256, filed 3/1/60; Subsection 8 from Orders 447 and 256, filed 3/1/60; Subsection 11 from Order 525, filed 5/3/61; Orders 447 and 256, filed 3/1/60; Subsection 12 from Order 677, filed 3/31/66.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- 220-32-031 Weekly open fishing periods—Areas. [Order 77-14, § 220-32-031, filed 4/15/77; Order 1043, § 220-32-031, filed 2/22/73; Order 915, § 220-32-031, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- 220-32-032 Lawful salmon gear—Mesh. [Order 77-14, § 220-32-032, filed 4/15/77; Order 1043, § 220-32-032, filed 2/22/73; Order 915, § 220-32-032, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- 220-32-033 Columbia River—Closed area salmon—Gill nets. [Order 915, § 220-32-033, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- 220-32-034 Columbia River—Closed area salmon—Troll line. [Order 915, § 220-32-034, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- 220-32-036 Closed areas salmon—River mouths. [Order 77-14, § 220-32-036, filed 4/15/77; Order 983, § 220-32-036, filed 2/17/72; Order 915, § 220-32-036, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- 220-32-040 Season and areas—Sturgeon. [Statutory Authority: RCW 75.08.080. 82-19-083 (Order 82-142), § 220-32-040, filed 9/21/82; Order 77-14, § 220-32-040, filed 4/15/77; Order 915, § 220-32-040, filed 3/4/71; Order 860, § 220-32-040, filed 3/3/70; Subsection 3 amended by Order 758, § 3, filed 2/1/68; Order 719, § 1 (part), filed 1/30/67; Subsection 1 from Orders 420 and 256, filed 3/1/60; Subsection 2 from Orders 417 and 256, filed 3/1/60; Subsection 3 from Order 674, filed 2/1/66; Order 633, filed 2/15/65; Order 600, filed 1/30/64; Order 566, filed 3/8/63; Order 542, filed 2/15/62; Order 524, filed 2/6/61; Orders 504 and 256, filed 3/1/60; Subsections 4 and 6 from Orders 416 and 256, filed 3/1/60; Subsection 5 from Orders 447 and 256, filed 3/1/60; Subsection 7 from Order 544, filed 4/3/62; Subsection 8 from Order 674, filed 2/1/66; Subsection 9 from Order 675, filed 2/11/66.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- 220-32-041 Seasons and areas—Shad. [Order 77-14, § 220-32-041, filed 4/15/77; Order 76-26, § 220-32-041, filed 1:45 p.m., 4/20/76; Order 1043, § 220-32-041, filed 2/22/73; Order 915, § 220-32-041, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- 220-32-043 Columbia River—Season—Carp. [Order 915, § 220-32-043, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- 220-32-044 Area and gear—Herring, anchovies, candlefish, and pilchards. [Statutory Authority: RCW 75.08.080. 84-08-014 (Order 84-24), § 220-32-044, filed 3/27/84; Order 77-14, § 220-32-044, filed 4/15/77; Order 76-26, § 220-32-044, filed 1:45 p.m., 4/20/76; Order 1105, § 220-32-044, filed 12/28/73; Order 915, § 220-32-044, filed 3/4/71.] Repealed by 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.
- WAC 220-32-016 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 220-32-017 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 220-32-020 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 220-32-021 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 220-32-022 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 220-32-023 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 220-32-024 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 220-32-025 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 220-32-030 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 220-32-031 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 220-32-032 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 220-32-033 Repealed.** See Disposition Table at beginning of this chapter.
- WAC 220-32-034 Repealed.** See Disposition Table at beginning of this chapter.

WAC 220-32-036 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-32-040 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-32-041 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-32-043 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-32-044 Repealed. See Disposition Table at beginning of this chapter.

Chapter 220-33 WAC

COLUMBIA RIVER--COMMERCIAL FISHERIES BELOW BONNEVILLE DAM

WAC

220-33-001	General provision--Commercial fishing regulated.
220-33-005	Definitions--River mouth sanctuaries.
220-33-010	Salmon.
220-33-020	Sturgeon.
220-33-030	Shad.
220-33-040	Smelt.
220-33-050	Carp.
220-33-060	Herring and anchovies.

WAC 220-33-001 General provision--Commercial fishing regulated. It is unlawful to fish for food fish in the lower Columbia River for commercial purposes or to possess food fish taken from those waters for commercial purposes, except as provided in this chapter.

[Statutory Authority: RCW 75.08.080, 88-18-066 (Order 88-86), § 220-33-001, filed 9/2/88.]

WAC 220-33-005 Definitions--River mouth sanctuaries. As used in this chapter and emergency rules of the director, unless the context clearly requires otherwise:

GRAYS BAY

(1) "Grays Bay sanctuary" means those waters of the Columbia River and Grays Bay northerly of a line projected from Rocky Point Light (flashing green 4-second) easterly to Harrington Point.

ELOKOMIN

(2) "Elokomin-A sanctuary" means those waters of Elokomin Slough and the Columbia River lying northerly and easterly of a straight line from light "37" on the Washington shore to light "39" on Hunting Island.

(3) "Elokomin-B sanctuary" means those waters of Elokomin Slough, Steamboat Slough and the Columbia River lying inside, northerly and easterly of a straight line from light "35" (group flashing green) located on Price Island to light "39" (flashing green) on Hunting Island and northerly and easterly of a line between flashing light "33" on Price Island and quick flashing green light "31" on the Washington shore.

ABERNATHY

(4) "Abernathy sanctuary" means those waters of the Columbia River near the mouth of Abernathy Creek from a point 1,300 yards downstream from Abernathy Creek at light "81" (flashing green 4-second) to a point one-half mile upstream and extending to the mid shipping channel of the Columbia River.

COWLITZ

(5) "Cowlitz sanctuary" means those waters of the Columbia River and Carrolls Channel lying inside the shipping channel range markers between flashing red light "33" on the Washington shore approximately one mile downstream from the Cowlitz River mouth and flashing green light "29A" on Cottonwood Island and also those waters of Carrolls Channel downstream of a line between a fishing boundary marker approximately 3000 feet upstream of the Cowlitz River mouth and a fishing boundary marker on Cottonwood Island.

KALAMA

(6) "Kalama-A sanctuary" means those waters of the Columbia River between a fishing boundary marker on the Washington shore approximately one mile downstream and a point one-half mile upstream of the mouth of the Kalama River and lying within one-quarter mile of the Washington shore.

(7) "Kalama-B sanctuary" means those waters of the Columbia River between a fishing boundary marker on the Washington shore approximately one mile downstream and a point one-half mile upstream of the mouth of the Kalama River and extending completely across the Columbia River, excepting those waters west of a line projected from Coffin Rock Light "42" in Oregon to the Kalama Range Light "47A" on the Washington shore.

LEWIS

(8) "Lewis-A sanctuary" means those waters of the Columbia River between a point one mile downstream and a point one-half mile upstream of the mouth of the Lewis River and lying within one-quarter mile of the Washington shore.

(9) "Lewis-B sanctuary" means those waters of the Columbia River near the mouth of the Lewis River lying easterly of lines projected from light "79" (flashing green) to the Red Buoy No. 4 thence to a fishing boundary marker on Bachelor Island.

WASHOUGAL

(10) "Washougal sanctuary" means those waters of Camas Slough lying upstream from a line projected true north from the most western tip of Lady Island to the Washington shore and inside of the State Highway 14 Bridge.

OREGON

(11) "Big Creek sanctuary" means those waters of the Columbia River at the mouth of Big Creek from the Oregon shore across Knappa Slough to Karlson Island about one-quarter mile upstream of the east bank of Big

Creek, at the Gnat Creek deadline downstream to the east end of Minaker Island which is about three-quarter mile downstream from the west bank at the mouth of Big Creek.

(12) "Gnat Creek sanctuary" means those waters of the Columbia River between a point one mile downstream and a point at the upper easterly bank at the mouth of Gnat Creek and lying within one-quarter mile of the Oregon shore.

(13) "Sandy River sanctuary" means those waters of the Columbia River between a point one mile downstream and a point at the upper easterly bank at the mouth of the Sandy River and lying within one-quarter mile of the Oregon shore.

[Statutory Authority: RCW 75.08.080. 88-18-066 (Order 88-86), § 220-33-005, filed 9/2/88.]

WAC 220-33-010 Salmon. It is unlawful to fish for salmon in the lower Columbia River for commercial purposes or to possess salmon taken from those waters for commercial purposes, except as provided in this section:

GEAR

(1) Gill net gear may be used to fish for salmon if it does not exceed 1,500 feet in length along the cork line and is not constructed of monofilament webbing. Gill net gear includes trammel nets.

FISHING PERIODS

(2) The lower Columbia River is closed to commercial salmon fishing, except as provided by emergency rule of the director.

GENERAL

(3) Unless otherwise specified by emergency rule of the director, the following areas of the lower Columbia River remain closed during open salmon fishing periods:

(a) All tributaries flowing into the lower Columbia River.

- (b) Grays Bay sanctuary.
- (c) Elokomin-A sanctuary.
- (d) Cowlitz sanctuary.
- (e) Kalama-A sanctuary.
- (f) Lewis-A sanctuary.
- (g) Washougal sanctuary.
- (h) Big Creek sanctuary.
- (i) Gnat Creek sanctuary.
- (j) Sandy River sanctuary.

[Statutory Authority: RCW 75.08.080. 88-18-066 (Order 88-86), § 220-33-010, filed 9/2/88.]

WAC 220-33-020 Sturgeon. It is unlawful to fish for sturgeon in the lower Columbia River for commercial purposes or to possess sturgeon taken from those waters for commercial purposes, except as provided in this section:

GEAR

(1) Gill net gear may be used to fish for sturgeon if it does not exceed 1,500 feet in length along the cork line and is not constructed of monofilament webbing. Gill net gear includes trammel nets.

FISHING PERIODS

(2) The lower Columbia River is closed to commercial sturgeon fishing, except as provided by emergency rule of the director. Sturgeon taken incidentally during an open commercial salmon fishing period may be retained for commercial purposes.

GENERAL

(3) Sturgeon less than 48 inches or greater than 72 inches in length may not be retained for commercial purposes and shall be returned immediately to the water.

(4) A person engaged in commercial fishing may retain two sturgeon of legal commercial length for personal use.

(5) Sturgeon eggs may not be removed from the body cavity of the sturgeon prior to the time the sturgeon is sold to a wholesale dealer licensed under RCW 75.28.300.

(6) The head or tail may not be removed from a sturgeon prior to the time the sturgeon is sold to a wholesale dealer licensed under RCW 75.28.300.

[Statutory Authority: RCW 75.08.080. 88-18-066 (Order 88-86), § 220-33-020, filed 9/2/88.]

WAC 220-33-030 Shad. It is unlawful to fish for shad in the lower Columbia River for commercial purposes or to possess shad taken from those waters for commercial purposes, except as provided in this section:

GEAR

(1) Gill net gear may be used to fish for shad if:

(a) The cork line of the gill net does not exceed 1,500 feet in length and has sufficient buoyancy to float the cork line on the surface.

(b) The webbing of the gill net is constructed of mesh having a breaking strength of less than 10 pounds. The gill net may be constructed of monofilament webbing or twine.

(c) The mesh size of the gill net is not less than 5-3/8 inches or more than 6-1/4 inches stretch measure.

(d) The gill net does not have more than a single web. The gill net web shall be suspended between a single cork line and a single lead line.

(e) The gill net does not have added lines, strings, backwalls, trammels, or aprons. Riplines may be used but may not be less than 10 fathoms (60 feet) apart.

FISHING PERIODS

(2) The lower Columbia River is closed to commercial shad fishing, except as provided by emergency rule of the director. Shad taken incidentally during an open commercial salmon fishing period may be retained for commercial purposes.

GENERAL

(3) As used in this chapter and emergency rules of the director, unless the context clearly requires otherwise:

(a) "Shad Area 2S" means those waters of SMCRA 1D and 1E that are upstream of a line projected true north and south through the Washougal blinker light (light "50" flashing red) to a fishing boundary marker on the Washington shore and to the Oregon shore.

(b) "Camas-Washougal Reef Area" means those waters of SMCRA 1D inside of a line commencing at the white six-second equal-interval light approximately 3/4 mile east of the Washougal Woolen Mill pipeline and projected westerly to the Washougal blinker light, thence to the white four-second blinker light on the east end of Lady Island, thence easterly and along the shoreline of Lady Island to the State Highway 14 Bridge, thence easterly and along the shoreline of Lady Island to the State Highway 14 Bridge, thence easterly across the State Highway 14 Bridge to the mainland.

[Statutory Authority: RCW 75.08.080. 88-18-066 (Order 88-86), § 220-33-030, filed 9/2/88.]

WAC 220-33-040 Smelt. It is unlawful to fish for smelt in the lower Columbia River for commercial purposes or to possess smelt taken from those waters for commercial purposes, except as provided in this section:

GEAR

(1) Otter trawl gear may be used to fish for smelt if:

(a) The head rope of the trawl does not exceed 25 feet in length.

(b) The foot rope or groundline of the trawl does not exceed 25 feet in length.

(c) The dimensions of the trawl's otter doors do not exceed 3 feet by 4 feet.

(d) The bag length of the trawl, as measured from the center of the head rope to the terminal end of the bunt, does not exceed 35 feet.

(e) the bridal rope from the rear of the otter doors to the foot and head ropes does not exceed 8 feet.

(f) Each breast rope does not exceed 5 feet.

(g) The mesh size used in the trawl does not exceed 2 inches stretch measure.

(h) Only one trawl net is fished from the boat at a time.

(2) Gill net gear may be used to fish for smelt if it does not exceed 1,500 feet in length along the cork line and the mesh size of the net does not exceed 2 inches stretch measure. Gill net gear includes trammel nets.

(3) Hand dip net gear may be used to fish for smelt if it does not measure more than 36 inches across the bag frame.

FISHING PERIODS

(4) Otter trawl gear may be used to fish for smelt in SMCRA 1A from 6 p.m. Monday to 6 p.m. Wednesday of each week from March 1 through March 31, and for boats not exceeding 32 feet in length, in SMCRA 1B,

1C, 1D and 1E 7 days per week from December 1 through March 31 of the following year.

(5) Gill net gear may be used to fish for smelt in SMCRA 1A, 1B, 1C, 1D and 1E 7 days per week from December 1 of each year through March 31 of the following year.

(6) Hand dip net gear may be used to fish for smelt in SMCRA 1A, 1B, 1C, 1D and 1E and tributaries to these areas 7 days per week from December 1 of each year through March 31 of the following year.

(7) The following areas of the lower Columbia River remain closed to smelt fishing during the open time periods specified in this section:

(a) Those waters within one mile of a dam or other obstruction.

(b) Those waters of the Cowlitz River upstream from a monument located at Peterson's Eddy, also known as Miller's Eddy.

[Statutory Authority: RCW 75.08.080. 88-18-066 (Order 88-86), § 220-33-040, filed 9/2/88.]

WAC 220-33-050 Carp. It is unlawful to fish for carp in the lower Columbia River for commercial purposes or to possess carp taken from those waters for commercial purposes, except as provided in this section:

Except as authorized by written permit of the director, the lower Columbia River is closed to commercial carp fishing. Carp taken incidentally during an open commercial fishing period may be retained for commercial purposes.

[Statutory Authority: RCW 75.08.080. 88-18-066 (Order 88-86), § 220-33-050, filed 9/2/88.]

WAC 220-33-060 Herring and anchovies. It is unlawful to fish for herring or anchovies in the lower Columbia River for commercial purposes or to possess herring or anchovies taken from those waters for commercial purposes, except as provided in this section:

GEAR

(1) Purse seine, lampara, or round haul gear may be used to fish for herring or anchovies if the cork line of the gear does not exceed 1,400 feet in length and the mesh size of the gear does not exceed one-half inch stretch measure.

FISHING PERIODS

(2) Purse seine, lampara, or round haul gear may be used to fish for herring or anchovies in SMCRA 1A 7 days per week from January 1 through December 31 of each year.

GENERAL

(3) Species of fish other than herring or anchovies taken in the operation of the purse seine, lampara, or round haul gear shall be returned immediately to the water.

[Statutory Authority: RCW 75.08.080. 88-18-066 (Order 88-86), § 220-33-060, filed 9/2/88.]

**Chapter 220-36 WAC
GRAYS HARBOR**

WAC

220-36-021	Salmon fishing areas—Gill net.
220-36-022	Repealed.
220-36-024	Repealed.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS
CHAPTER**

220-36-022	Salmon fishing areas—Weekly periods. [Statutory Authority: RCW 75.08.080. 87-21-041 (Order 87-161), § 220-36-022, filed 10/14/87; 86-15-016 (Order 86-55), § 220-36-022, filed 7/10/86; 85-13-073 (Order 85-64), § 220-36-022, filed 6/19/85; 84-15-008 (Order 84-66), § 220-36-022, filed 7/6/84; 83-13-054 (Order 83-53), § 220-36-022, filed 6/15/83; 82-13-048 (Order 82-63), § 220-36-022, filed 6/11/82; 81-13-005 (Order 81-37), § 220-36-022, filed 6/8/81; 80-09-072 (Order 80-69), § 220-36-022, filed 7/18/80; Order 77-71, § 220-36-022, filed 8/18/77; Order 77-44, § 220-36-022, filed 6/3/77; Order 76-73, § 220-36-022, filed 8/16/76; Order 1221, § 220-36-022, filed 7/1/75; Order 1133, § 220-36-022, filed 7/19/74.] Repealed by 88-19-098 (Order 88-116), filed 9/20/88. Statutory Authority: RCW 75.08.080.
220-36-024	Salmon fishing areas—Mesh sizes—Gear. [Statutory Authority: RCW 75.08.080. 87-21-041 (Order 87-161), § 220-36-024, filed 10/14/87; 86-15-016 (Order 86-55), § 220-36-024, filed 7/10/86; 85-13-073 (Order 85-64), § 220-36-024, filed 6/19/85; 84-15-008 (Order 84-66), § 220-36-024, filed 7/6/84; 83-13-054 (Order 83-53), § 220-36-024, filed 6/15/83; 82-13-048 (Order 82-63), § 220-36-024, filed 6/11/82; 81-13-005 (Order 81-37), § 220-36-024, filed 6/8/81; 80-09-072 (Order 80-69), § 220-36-024, filed 7/18/80; Order 77-71, § 220-36-024, filed 8/18/77; Order 76-73, § 220-36-024, filed 8/16/76; Order 1221, § 220-36-024, filed 7/1/75; Order 1133, § 220-36-024, filed 7/19/74.] Repealed by 88-19-098 (Order 88-116), filed 9/20/88. Statutory Authority: RCW 75.08.080.

WAC 220-36-021 Salmon fishing areas—Gill net. It is unlawful to take, fish for or possess salmon for commercial purposes with gill net gear in Grays Harbor fishing areas except as provided in this section:

- (1) Area 2B —
 - 6:00 p.m. October 26, to 6:00 p.m. October 27, 1988; 6-1/2 inch maximum mesh.
 - 6:00 p.m. October 29, to 6:00 p.m. October 31, 1988; 6-1/2 inch maximum mesh.
 - 6:00 p.m. November 2, to 6:00 p.m. November 4, 1988; 6-1/2 inch maximum mesh.
- (2) Area 2C —
 - 6:00 p.m. September 6, to 6:00 p.m. September 8, 1988; 7-1/2 inch minimum mesh.
 - 6:00 p.m. September 12, to 6:00 p.m. September 14, 1988; 7-1/2 inch minimum mesh.
 - 6:00 p.m. September 19, to 6:00 p.m. September 21, 1988; 6-1/2 inch maximum mesh.
 - 6:00 p.m. September 26, to 6:00 p.m. September 28, 1988; 6-1/2 inch maximum mesh.

(3) It is unlawful to fish for salmon in Grays Harbor using gill net gear longer than 1,500 feet or containing mesh less than 5 inches.

[Statutory Authority: RCW 75.08.080. 88-19-098 (Order 88-116), § 220-36-021, filed 9/20/88; 87-21-041 (Order 87-161), § 220-36-021, filed 10/14/87; 86-15-016 (Order 86-55), § 220-36-021, filed 7/10/86; 85-13-073 (Order 85-64), § 220-36-021, filed 6/19/85; 84-15-008 (Order 84-66), § 220-36-021, filed 7/6/84; 83-13-054 (Order 83-53), § 220-36-021, filed 6/15/83; 82-13-048 (Order 82-63), § 220-36-021, filed 6/11/82; 81-13-005 (Order 81-37), § 220-36-021, filed 6/8/81; 80-09-072 (Order 80-69), § 220-36-021, filed 7/18/80; Order 77-71, § 220-36-021, filed 8/18/77; Order 77-44, § 220-36-021, filed 6/3/77; Order 76-73, § 220-36-021, filed 8/16/76; Order 1221, § 220-36-021, filed 7/1/75; Order 1133, § 220-36-021, filed 7/19/74.]

WAC 220-36-022 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-36-024 Repealed. See Disposition Table at beginning of this chapter.

**Chapter 220-40 WAC
WILLAPA HARBOR**

WAC

220-40-021	Willapa Harbor—Gill net.
220-40-022	Repealed.
220-40-024	Repealed.
220-40-025	Repealed.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS
CHAPTER**

220-40-022	Willapa Harbor—Weekly periods. [Statutory Authority: RCW 75.08.080. 87-21-041 (Order 87-161), § 220-40-022, filed 10/14/87; 86-15-016 (Order 86-55), § 220-40-022, filed 7/10/86; 85-13-073 (Order 85-64), § 220-40-022, filed 6/19/85; 84-15-008 (Order 84-66), § 220-40-022, filed 7/6/84; 83-13-054 (Order 83-53), § 220-40-022, filed 6/15/83; 82-13-048 (Order 82-63), § 220-40-022, filed 6/11/82; 81-13-005 (Order 81-37), § 220-40-022, filed 6/8/81; 80-09-072 (Order 80-69), § 220-40-022, filed 7/18/80; 79-07-046 (Order 79-43), § 220-40-022, filed 6/22/79; 78-09-041 (Order 78-61), § 220-40-022, filed 8/18/78; Order 77-71, § 220-40-022, filed 8/18/77; Order 77-44, § 220-40-022, filed 6/3/77; Order 76-73, § 220-40-022, filed 8/16/76; Order 1221, § 220-40-022, filed 7/1/75; Order 1133, § 220-40-022, filed 7/19/74.] Repealed by 88-19-098 (Order 88-116), filed 9/20/88. Statutory Authority: RCW 75.08.080.
220-40-024	Willapa Harbor—Mesh sizes—Gear. [Statutory Authority: RCW 75.08.080. 87-21-041 (Order 87-161), § 220-40-024, filed 10/14/87; 86-15-016 (Order 86-55), § 220-40-024, filed 7/10/86; 85-13-073 (Order 85-64), § 220-40-024, filed 6/19/85; 84-15-008 (Order 84-66), § 220-40-024, filed 7/6/84; 83-13-054 (Order 83-53), § 220-40-024, filed 6/15/83; 82-13-048 (Order 82-63), § 220-40-024, filed 6/11/82; 81-13-005 (Order 81-37), § 220-40-024, filed 6/8/81; 80-09-072 (Order 80-69), § 220-40-024, filed 7/18/80; 79-07-046 (Order 79-43), § 220-40-024, filed 6/22/79; 78-09-041 (Order 78-61), § 220-40-024, filed 8/18/78; Order 77-71, § 220-40-024, filed 8/18/77; Order 76-73, § 220-40-024, filed 8/16/76; Order 1221, § 220-40-024, filed 7/1/75; Order 1133, § 220-40-024, filed 7/19/74.] Repealed by 88-19-098 (Order 88-116), filed 9/20/88. Statutory Authority: RCW 75.08.080.

220-40-025 Willapa Harbor—Closed area. [Statutory Authority: RCW 75.08.080, 79-07-046 (Order 79-43), § 220-40-025, filed 6/22/79; Order 77-44, § 220-40-025, filed 6/3/77; Order 76-73, § 220-40-025, filed 8/16/76; Order 1221, § 220-40-025, filed 7/1/75; Order 1133, § 220-40-025, filed 7/19/74.] Repealed by 88-19-098 (Order 88-116), filed 9/20/88. Statutory Authority: RCW 75.08.080.

WAC 220-40-021 Willapa Harbor—Gill net. It is unlawful to fish for or possess salmon taken for commercial purposes with gill net gear in Willapa Harbor fishing areas, except as provided for in this section:

(1) Area 2G –

6:00 p.m. August 25, to 6:00 p.m. August 26, 1988; 8 inch maximum mesh.
 6:00 p.m. August 31, to 6:00 p.m. September 1, 1988; 8 inch maximum mesh.
 6:00 p.m. September 7, to 6:00 p.m. September 8, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. September 15, to 6:00 p.m. October 14, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. October 20, to 6:00 p.m. October 22, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. October 27, to 6:00 p.m. October 29, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. November 1, to 11:59 p.m. November 19, 1988; 6-1/2 inch maximum mesh.
 11:59 p.m. November 19, to 6:00 p.m. November 30, 1988; 7-1/2 inch maximum mesh.

Area 2H –

6:00 p.m. September 21, to 11:59 p.m. November 19, 1988; 6-1/2 inch maximum mesh.
 11:59 p.m. November 19, to 6:00 p.m. November 30, 1988; 7-1/2 inch maximum mesh.

Areas 2J and 2K –

6:00 p.m. September 22, to 6:00 p.m. September 23, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. September 26, to 6:00 p.m. September 27, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. September 29, to 6:00 p.m. September 30, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. October 3, to 6:00 p.m. October 4, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. October 6, to 6:00 p.m. October 7, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. October 10, to 6:00 p.m. October 11, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. October 13, to 6:00 p.m. October 14, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. October 20, to 6:00 p.m. October 22, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. October 27, to 6:00 p.m. October 29, 1988; 6-1/2 inch maximum mesh.
 6:00 p.m. November 1, to 11:59 p.m.

November 19, 1988; 6-1/2 inch maximum mesh.

11:59 p.m. November 19, to 6:00 p.m. November 30, 1988; 7-1/2 inch maximum mesh.

Area 2M –

6:00 p.m. September 21, to 6:00 p.m. October 14, 1988; 6-1/2 inch maximum mesh.

6:00 p.m. October 20, to 6:00 p.m. October 22, 1988; 6-1/2 inch maximum mesh.

6:00 p.m. October 27, to 6:00 p.m. October 29, 1988; 6-1/2 inch maximum mesh.

6:00 p.m. November 1, to 11:59 p.m. November 19, 1988; 6-1/2 inch maximum mesh.

11:59 p.m. November 19, to 6:00 p.m. November 30, 1988; 7-1/2 inch maximum mesh.

Naselle River – in those waters upstream of Highway 101 bridge to the boundary marker near the mouth of Roaring Creek slough.

6:00 p.m. October 1, to 6:00 p.m. October 14, 1988; 6-1/2 inch maximum mesh.

Willapa River – in those waters downstream from the overhead powerline crossing located between Willapa River markers #55 and #56.

6:00 p.m. October 1, to 11:59 p.m. November 19, 1988; 6-1/2 inch maximum mesh.

12:01 a.m. November 20, to 6:00 p.m. November 30, 1988; 7-1/2 inch maximum mesh.

(2) It is unlawful to fish for salmon in Willapa Harbor using gill net gear longer than 1,500 feet in length or containing mesh less than 5 inches.

(3) It is unlawful to fish for or possess salmon taken with gill net gear in that portion of Willapa Harbor Area 2J between Long Island and the North Beach Peninsula, south of a line drawn true east-west through Marker Piling 18 after 6:00 p.m., October 7.

[Statutory Authority: RCW 75.08.080, 88-19-098 (Order 88-116), § 220-40-021, filed 9/20/88; 87-21-041 (Order 87-161), § 220-40-021, filed 10/14/87; 86-15-016 (Order 86-55), § 220-40-021, filed 7/10/86; 85-13-073 (Order 85-64), § 220-40-021, filed 6/19/85; 84-15-008 (Order 84-66), § 220-40-021, filed 7/6/84; 83-13-054 (Order 83-53), § 220-40-021, filed 6/15/83; 82-13-048 (Order 82-63), § 220-40-021, filed 6/11/82; 81-13-005 (Order 81-37), § 220-40-021, filed 6/8/81; 80-09-072 (Order 80-69), § 220-40-021, filed 7/18/80; 79-07-046 (Order 79-43), § 220-40-021, filed 6/22/79; 78-09-041 (Order 78-61), § 220-40-021, filed 8/18/78; Order 77-71, § 220-40-021, filed 8/18/77; Order 77-44, § 220-40-021, filed 6/3/77; Order 76-73, § 220-40-021, filed 8/16/76; Order 1221, § 220-40-021, filed 7/1/75; Order 1133, § 220-40-021, filed 7/19/74.]

WAC 220-40-022 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-40-024 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-40-025 Repealed. See Disposition Table at beginning of this chapter.

Chapter 220-44 WAC
COASTAL WATERS—MARINE FISH

WAC

220-44-030	Coastal bottomfish gear.
220-44-050	Coastal bottomfish catch limits.
220-44-060	Repealed.
220-44-070	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-44-060	Commercial jig logbook required. [Statutory Authority: RCW 75.08.080. 84-08-014 (Order 84-24), § 220-44-060, filed 3/27/84.] Repealed by 87-04-033 (Order 87-03), filed 1/22/87. Statutory Authority: RCW 75.08.080.
220-44-070	Bottomfish troll logbook required. [Statutory Authority: RCW 75.08.080. 84-08-014 (Order 84-24), § 220-44-070, filed 3/27/84.] Repealed by 87-04-033 (Order 87-03), filed 1/22/87. Statutory Authority: RCW 75.08.080.

WAC 220-44-030 Coastal bottomfish gear. It is unlawful to take, fish for, possess, transport through the waters of the state or land in any Washington state ports, bottomfish taken for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Areas 59A, 59B, 60A and that portion of Area 58 within the United States 200-mile Fishery Conservation Zone with any gear except as provided in this section:

(1) Otter trawl and beam trawl.

(a) It is unlawful to use, operate or carry aboard any fishing vessel otter trawl gear having meshes measuring less than 3 inches.

(b) It is unlawful to use or operate any bottom trawl having meshes less than 4.5 inches. A bottom trawl must have a minimum of two continuous riblines sewn to the net and extending from the mouth of the trawl net to the terminal end of the codend if the fishing vessel is simultaneously carrying aboard a net of less than 4.5-inch minimum mesh size.

For all bottom trawls, chafing gear must have a minimum mesh size of 15 inches unless only the bottom one-half (underside) of the codend is covered by chafing gear.

(c) It is unlawful to use or operate a roller or bobbin trawl with meshes less than 3.0 inches. Chafing gear covering the upper one-half (top side) of the codend must have a minimum mesh size of 6.0 inches. Rollers, bobbins, or discs used in roller or bobbin trawls must be a minimum of 14 inches in diameter.

(d) Double wall codends may not be used in any trawl with mesh size less than 4.5 inches. If a double wall codend is used, the double walled layers must be the same mesh size and coincide, knot-to-knot, and may not be longer than 25 trawl meshes or 12 feet, whichever is greater.

(e) It is unlawful to use or operate a pelagic trawl with meshes less than 3.0 inches. It is unlawful to use a double wall codend in any pelagic trawl. Chafing gear covering the upper one-half (top side) of the codend must have a minimum mesh size of 6 inches. Footropes of pelagic trawls must be less than 1.75 inches in diameter, including twine necessary for seizing material.

Sweeplines, including the bottom leg of the bridle, must be bare.

(2) Set lines. It is unlawful for the operator of set lines to leave such gear unattended unless marked as provided in WAC 220-20-010(5). Set lines must be attended at least once every seven days. Set lines must be marked at the surface at each terminal end with a pole, flag, light, radar reflector, and a buoy displaying clear identification of the owner or operator.

(3) Bottomfish pots. It is unlawful for the operator of bottomfish pots to leave such gear unattended unless marked as provided in WAC 220-20-010(5). Bottomfish pots must be attended at least once every seven days. Bottomfish pots set individually must be marked at the surface with a pole and a flag, light, or radar reflector, and a buoy displaying clear identification of the owner. Bottomfish pots laid on a groundline must be marked at the surface at each terminal end of the groundline with a pole and a flag, light, and radar reflector, and a buoy displaying clear identification of the owner or operator.

(4) Commercial jig gear.

(5) Troll lines. It is unlawful to take, fish for or possess salmon while fishing for bottomfish with troll line gear under authority of a bottomfish troll license, except that in any coastal waters it is lawful to retain for commercial purposes any species of bottomfish taken with commercial salmon gear incidental to a lawful salmon fishery.

(6) Shrimp trawls. It is unlawful in any coastal waters, to retain for commercial purposes more than 1,500 pounds per day of any bottomfish species other than Pacific whiting, shortbelly rockfish or arrowtooth flounder taken with shrimp trawl gear incidental to a lawful shrimp fishery.

(7) It is unlawful to take, fish for or possess any species of shellfish taken with lawful bottomfish gear except as provided in WAC 220-52-053, 220-52-063, 220-52-066, 220-52-069, and 220-52-071.

(8) It is unlawful to take or possess lingcod taken for commercial purposes with any gear from December 1 through April 14 in Coastal Marine Fish-Shellfish Management and Catch Reporting Area 59B.

[Statutory Authority: RCW 75.08.080. 88-22-033 (Order 88-157), § 220-44-030, filed 10/27/88; 84-08-014 (Order 84-24), § 220-44-030, filed 3/27/84; 82-14-056 (Order 82-72), § 220-44-030, filed 7/1/82; 82-03-045 (Order 82-6), § 220-44-030, filed 1/19/82; 81-02-053 (Order 81-3), § 220-44-030, filed 1/7/81; 79-03-014 (Order 79-11), § 220-44-030, filed 2/15/79; 78-04-039 (Order 78-11), § 220-44-030, filed 3/20/78.]

WAC 220-44-050 Coastal bottomfish catch limits.

It is unlawful to possess, transport through the waters of the state, or land in any Washington state port bottomfish taken from Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the species indicated:

(1) Widow rockfish (*Sebastes entomelas*) – 30,000 pounds per vessel trip per calendar week, defined as

Wednesday through the following Tuesday. It is unlawful for any vessel to make more than one landing in excess of 3,000 pounds per calendar week.

(2) Shortbelly rockfish (*Sebastes jordani*) and idiot rockfish (*Sebastolobus* spp.) – no maximum poundage per vessel trip; no minimum size.

(3) Pacific Ocean perch (*Sebastes alutus*) – No restriction on landing up to 1,000 pounds per vessel trip. Landings above 1,000 pounds allowed only if Pacific Ocean perch represent 20 percent or less of total weight of fish on board. Under no circumstances may a vessel land more than 5,000 pounds of Pacific Ocean perch in any one vessel trip.

(4) All other species of rockfish (*Sebastes* spp.) – 25,000 pounds of all other species combined per vessel trip per calendar week, defined as Wednesday through the following Tuesday, of which no more than 10,000 pounds may be yellowtail rockfish (*Sebastes flavidus*), except that a fisherman having made a 1988 declaration of intent may make either one landing of no more than 50,000 pounds of all other species combined per vessel trip biweekly, defined as Wednesday through the second Tuesday following, of which no more than 20,000 pounds may be yellowtail rockfish, or two landings of not more than 12,500 pounds of all other species in any one calendar week of which not more than 5,000 pounds in any one landing may be yellowtail rockfish. All previous declaration forms have expired and it is unlawful for any vessel to make other than one vessel trip per week unless a new declaration form has been completed as provided for in this subsection. The 1988 declaration of intent to make other than one vessel trip per week must be mailed or delivered to the Department of Fisheries, 115 General Administration Building, Olympia, WA 98504, and must be received prior to the beginning of such fishing. The declaration of intent must contain the name and address of the fisherman, the name and registration number of the vessel, the date on which such fishing for other species of rockfish will commence, and must be signed and dated by the fisherman. The fisherman may return to the one vessel trip per calendar week fishing by filing a declaration of intent to stop fishing other than once weekly on other species of rockfish with the department in the above manner. The declaration to stop such fishing for other species of rockfish and begin one vessel trip per calendar week fishing must be received prior to the beginning of the week in which the one vessel trip per calendar week fishing will resume. It is unlawful for any vessel to make other than one landing in excess of 3,000 pounds of other rockfish species in any calendar week, if no declaration to land other species of rockfish twice weekly has been made.

The date of first landing will determine the beginning of biweekly periodicity. Biweekly periodicity will restart after a landing that occurs more than four calendar weeks after the immediate prior landing. A calendar week is defined as Wednesday through the following Tuesday.

(5) Sablefish.

(a) Trawl vessels – No restrictions on landing up to 1,000 pounds per vessel trip. Landings above 1,000

pounds allowed only if sablefish represent 20 percent or less of total weight of fish on board, or 6,000 pounds round weight (to convert from round weight to dressed weight multiply the dressed weight by 1.75), whichever is greater, with a maximum of two vessel trips per week. Minimum size 22 inches in length, unless dressed in which case minimum size 15.5 inches in length from the anterior insertion of the first dorsal fin to the tip of the tail. Trawl vessels are allowed an incidental catch less than the minimum size of 5,000 pounds, round weight, per trip.

(b) Nontrawl vessels – No trip limit. Minimum size 22 inches in length, unless dressed, in which case minimum size 15.5 inches in length from the anterior insertion of the first dorsal fin to the tip of the tail. Nontrawl vessels are allowed an incidental catch less than the minimum size of 1,500 pounds, round weight, per trip.

(6) It is unlawful during unloading of the catch and prior to its being weighed or leaving the unloading facility to intermix with any other species a species or category of bottomfish having a vessel trip limit.

(7) For purposes of this section, a vessel trip is defined as having occurred upon the initiation of transfer of catch from the fishing vessel, and all fish aboard the vessel are considered part of the vessel trip limit at the initiation of transfer of catch.

[Statutory Authority: RCW 75.08.070 and 75.08.080. 88-14-020 (Order 88-42), § 220-44-050, filed 6/28/88. Statutory Authority: RCW 75.08.080. 87-07-042 (Order 87-17), § 220-44-050, filed 3/16/87; 86-12-027 (Order 86-39), § 220-44-050, filed 5/28/86. Statutory Authority: RCW 75.08.070 and 75.08.080. 85-07-022 (Order 85-17), § 220-44-050, filed 3/13/85. Statutory Authority: RCW 75.08.080. 84-08-014 (Order 84-24), § 220-44-050, filed 3/27/84; 83-17-030 (Order 83-88), § 220-44-050, filed 8/10/83; 83-10-016 (Order 83-31), § 220-44-050, filed 4/26/83.]

WAC 220-44-060 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-44-070 Repealed. See Disposition Table at beginning of this chapter.

Chapter 220-47 WAC PUGET SOUND--SALMON

WAC	
220-47-266	Puget Sound—Salmon preserve—Strait of Juan de Fuca.
220-47-269	Puget Sound—Area 7A salmon fishery separation lines.
220-47-301	Puget Sound—Lawful gear—Purse seine.
220-47-307	Closed areas—Puget Sound salmon.
220-47-311	Purse seine—Seasons.
220-47-312	Purse seine—Open periods.
220-47-313	Purse seine—Daily hours.
220-47-401	Reef net—Seasons.
220-47-402	Reef net—Weekly periods.
220-47-403	Reef net—Daily hours.
220-47-411	Gill net—Seasons.
220-47-412	Gill net—Open periods.
220-47-413	Gill net—Daily hours.
220-47-414	Gill net—Mesh sizes.
220-47-50101	Repealed.
220-47-50201	Repealed.
220-47-503	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 220-47-50101 Puget Sound troll line seasons--Salmon. [Statutory Authority: RCW 75.08.080. 84-13-078 (Order 84-53), § 220-47-50101, filed 6/21/84; Order 76-41, § 220-47-501 (codified as WAC 220-47-50101), filed 6/4/76; Order 1221, § 220-47-501 (codified as WAC 220-47-50101), filed 7/1/75. Formerly WAC 220-47-501.] Repealed by 87-15-059 (Order 87-72), filed 7/14/87. Statutory Authority: RCW 75.08.080.
- 220-47-50201 Puget Sound troll line weekly periods. [Statutory Authority: RCW 75.08.080. 84-13-078 (Order 84-53), § 220-47-50201, filed 6/21/84; Order 76-41, § 220-47-502 (codified as WAC 220-47-50201), filed 6/4/76; Order 1221, § 220-47-502 (codified as WAC 220-47-50201), filed 7/1/75. Formerly WAC 220-47-502.] Repealed by 87-15-059 (Order 87-72), filed 7/14/87. Statutory Authority: RCW 75.08.080.
- 220-47-503 Puget Sound troll line closed areas. [Statutory Authority: RCW 75.08.080. 84-13-078 (Order 84-53), § 220-47-503, filed 6/21/84; Order 76-41, § 220-47-503, filed 6/4/76; Order 1221, § 220-47-503, filed 7/1/75; Order 1116, § 220-47-503, filed 4/30/74; Order 988, § 220-47-503, filed 4/28/72.] Repealed by 87-15-059 (Order 87-72), filed 7/14/87. Statutory Authority: RCW 75.08.080.

WAC 220-47-266 Puget Sound--Salmon preserve--Strait of Juan de Fuca. "The Strait of Juan de Fuca Salmon Preserve" shall include those waters and tributaries thereto lying within three miles off shore between a line projected 30 degrees true from a point three miles west of the Sekiu River mouth to a line projected 45 degrees true from a point three miles east of the Dungeness River mouth, excluding the waters of Puget Sound Salmon Management and Catch Reporting Area 6D.

[Statutory Authority: RCW 75.08.080. 88-14-133 (Order 88-48), § 220-47-266, filed 7/6/88; Order 988, § 220-47-266, filed 4/28/72.]

WAC 220-47-269 Puget Sound--Area 7A salmon fishery separation lines. (1) The "East Point Line" shall be defined as a line projected from the low water range marker in Boundary Bay on the international boundary through the east tip of Point Roberts to the East Point light on Saturna Island in the province of British Columbia.

(2) The "Iwersen Dock Line" shall be defined as a line projected from Iwersen Dock on Point Roberts to the Georgina Point Light at the entrance to Active Pass in British Columbia.

[Statutory Authority: RCW 75.08.080. 88-14-133 (Order 88-48), § 220-47-269, filed 7/6/88.]

WAC 220-47-301 Puget Sound--Lawful gear--Purse seine. (1) Lawful purse seine salmon nets in Puget Sound shall not exceed 1,800 feet in length along the cork line while wet and purse seine and lead combined shall not exceed 2,200 feet. Neither shall contain meshes of a size less than 4 inches, nor shall the meshes of the seine and lead be lashed together to form one continuous piece of webbed gear. It shall be lawful as part of the purse seine to have a bunt 10 fathoms long and 200

meshes deep which may contain mesh of a size not less than 3-1/2 inches.

(2) It shall be unlawful to take or fish for salmon with purse seine gear in Puget Sound which contains mesh webbing constructed of a twine size smaller than 210/30d nylon, 12 thread cotton or the equivalent diameter in any other material.

(3) It shall be unlawful for any purse seine vessel to carry an extra lead or portion thereof unless stowed below decks during the fishing operation, nor may an extra lead or portion thereof be carried aboard its skiff.

(4) Purse seine mesh size shall be defined as the distance between the inside of one knot to the outside of the opposite vertical knot of one mesh. Minimum mesh size is met if a wedge of legal size can be passed without undue force through the mesh while wet.

(5) A purse seine will not be considered to be fishing once both ends of the seine are attached to the primary vessel.

[Statutory Authority: RCW 75.08.080. 87-15-059 (Order 87-72), § 220-47-301, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-301, filed 6/12/86; Order 988, § 220-47-301, filed 4/28/72.]

WAC 220-47-307 Closed areas--Puget Sound salmon. It is unlawful to take, fish for, or possess salmon taken for commercial purposes with any type of gear from the following portions of Puget Sound Salmon Management and Catch Reporting Areas:

Area 4B, 5, 6, 6B, and 6C - The Strait of Juan de Fuca Preserve as defined in WAC 220-47-266.

Area 6D - That portion within 1,000 feet of each mouth of the Dungeness River.

Area 7 - The San Juan Island Preserve as defined in WAC 220-47-262.

Area 7A - The Drayton Harbor Preserve as defined in WAC 220-47-252.

Area 7B - That portion south and east of a line from William Point on Samish Island to Saddlebag Island to the southeastern tip of Guemes Island, and that portion northerly of the railroad trestle in Chuckanut Bay.

Area 7C - That portion southeasterly of a line projected from the mouth of Oyster Creek 237° true to a fishing boundary marker on Samish Island.

Area 8 - That portion of Skagit Bay easterly of a line projected from Brown Point on Camano Island to a white monument on the easterly point of Ika Island, thence across the Skagit River to the terminus of the jetty with McGlenn Island.

Area 8A - Those waters easterly of a line projected from Mission Point to Buoy C1, excluding the waters of Area 8D, thence to the green light at the entrance jetty of the Snohomish River thence across the mouth of the Snohomish River to the red light at Western Gear Corporation and those waters northerly of a line from Camano Head to the northern boundary of Area 8D.

Area 9 - Those waters lying inside and westerly of a line projected from the Point No Point light to Sierra Echo buoy thence to Forbes Landing wharf, east of Hansville.

Area 10 - That portion easterly of a line projected from Meadow Point to West Point and that portion of

Port Madison northwest of a line from the Agate Pass entrance light to the light on the end of the Indianola dock.

Area 10E – Those waters of Liberty Bay north of a line projected due east from the southernmost Keyport dock, those waters of Dyes Inlet north of the Manette Bridge, and those waters of Sinclair Inlet southwest of a line projected true east from the Bremerton ferry terminal.

Area 11 – Those waters northerly of a line projected true west from the light at the mouth of Gig Harbor and those waters south of a line from Browns Point to the northernmost point of land on Point Defiance.

Area 12 – Those waters inside and easterly of a line projected from Lone Rock to the navigation light off Big Beef Creek, thence southerly to the tip of the outermost northern headland of Little Beef Creek.

Area 12A – Those waters north of a line from Fisherman's Point on the Bolton Peninsula to the boat haven at Quilcene.

Area 12B – Those waters within 1/4 mile of the mouths of the Dosewallips, Duckabush, and Hamma Hamma rivers.

Area 12C – Those waters within 1,000 feet of the western shore between the dock at Glen Ayr R.V. Park and the Hoodspoint marina dock.

Area 13A – Those waters of Burley Lagoon north of State Route 302, those waters within 1,000 feet of the outer oyster stakes off Minter Creek Bay including all waters of Minter Creek Bay, those waters westerly of a line drawn due north from Thompson Spit at the mouth of Glen Cove, and those waters within 1/4 mile of Green Point.

[Statutory Authority: RCW 75.08.080, 88-14-133 (Order 88-48), § 220-47-307, filed 7/6/88; 85-13-032 (Order 85-60), § 220-47-307, filed 6/12/85; 84-13-078 (Order 84-53), § 220-47-307, filed 6/21/84; 83-14-020 (Order 83-57), § 220-47-307, filed 6/28/83; 82-15-040 (Order 82-83), § 220-47-307, filed 7/15/82; 81-18-017 (Order 81-101), § 220-47-307, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-307, filed 8/6/80.]

WAC 220-47-311 Purse seine—Seasons. It is unlawful to take, fish for or possess salmon taken with purse seine gear for commercial purposes except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective Management and Catch Reporting Area:

Areas 4B, 5, 6, 6A, 6B, 6C, 7 and 7A – closed.

Area 6D – September 18 through October 29.

Area 7B – September 12 through November 30.

Areas 7C and 7D – closed.

Area 7E – July 24 through September 3.

Area 8 – closed.

Area 8A – July 24 through November 30.

Area 8D – July 24 through November 30.

Areas 9 and 9A – closed.

Areas 10 and 11 – September 11 through November 30.

Areas 10A, 10C, 10D, 10E, 10F, 10G, and 11A – closed.

Area 12 – October 23 through November 19.

Area 12A – September 4 through October 15.

Area 12B – July 24 through November 19.

Area 12C – July 24 through November 27.

Areas 12D and 13 – closed.

Area 13A – September 18 through November 30.

Areas 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, 13K and all freshwater areas – closed.

[Statutory Authority: RCW 75.08.080, 88-14-133 (Order 88-48), § 220-47-311, filed 7/6/88; 87-15-059 (Order 87-72), § 220-47-311, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-311, filed 6/12/86; 85-13-032 (Order 85-60), § 220-47-311, filed 6/12/85; 84-13-078 (Order 84-53), § 220-47-311, filed 6/21/84; 83-14-020 (Order 83-57), § 220-47-311, filed 6/28/83; 82-15-040 (Order 82-83), § 220-47-311, filed 7/15/82; 81-18-017 (Order 81-101), § 220-47-311, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-311, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-311, filed 4/13/78; Order 77-66, § 220-47-311, filed 8/5/77; Order 77-14, § 220-47-311, filed 4/15/77; Order 76-41, § 220-47-311, filed 6/4/76; Order 1251, § 220-47-311, filed 8/18/75; Order 1210, § 220-47-311, filed 5/26/75; Order 1143, § 220-47-311, filed 8/8/74; Order 1125, § 220-47-311, filed 6/6/74; Order 1066, § 220-47-311, filed 7/19/73; Order 1057, § 220-47-311, filed 5/22/73; Order 988, § 220-47-311, filed 4/28/72.]

WAC 220-47-312 Purse seine—Open periods. It is unlawful to take, fish for or possess salmon taken with purse seine gear except during the open periods hereinafter designated in the following Puget Sound Salmon Management and Catch Reporting Areas:

Area 6D – 5:00 a.m. Sunday 9/19 through 4:00 p.m. Friday 10/28.

Area 7B – 5:00 a.m. Monday 9/12 through 4:00 p.m. Friday 10/28;

5:00 a.m. – 8:00 p.m. daily, Tuesday 11/1 and Wednesday 11/2;

5:00 a.m. – 8:00 p.m. daily, Monday 11/7 and Tuesday 11/8.

Area 8A – 5:00 a.m. – 9:00 p.m. Monday 10/24;

5:00 a.m. – 8:00 p.m. Tuesday 11/1.

Areas 10 and 11 – 5:00 a.m. – 9:00 p.m. Tuesday 9/13;

5:00 a.m. – 9:00 p.m. Monday 9/19;

5:00 a.m. – 9:00 p.m. Tuesday 9/27;

5:00 a.m. – 9:00 p.m. Monday 10/3;

5:00 a.m. – 9:00 p.m. Monday 10/24;

5:00 a.m. – 8:00 p.m. Tuesday 11/1.

Areas 12 and 12B – 5:00 a.m. – 9:00 p.m. Monday 10/24;

5:00 a.m. – 8:00 p.m. Tuesday 11/1.

[Statutory Authority: RCW 75.08.080, 88-14-133 (Order 88-48), § 220-47-312, filed 7/6/88; 87-15-059 (Order 87-72), § 220-47-312, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-312, filed 6/12/86; 85-13-032 (Order 85-60), § 220-47-312, filed 6/12/85; 84-13-078 (Order 84-53), § 220-47-312, filed 6/21/84; 83-14-020 (Order 83-57), § 220-47-312, filed 6/28/83; 82-15-040 (Order 82-83), § 220-47-312, filed 7/15/82; 81-18-017 (Order 81-101), § 220-47-312, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-312, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-312, filed 4/13/78; Order 77-66, § 220-47-312, filed 8/5/77; Order 77-14, § 220-47-312, filed 4/15/77; Order 76-41, § 220-47-312, filed 6/4/76; Order 1251, § 220-47-312, filed 8/18/75; Order 1210, § 220-47-312, filed 5/26/75; Order 1143, § 220-47-312, filed 8/8/74; Order 1125, § 220-47-312, filed 6/6/74; Order 1066, § 220-47-312, filed 7/19/73; Order 1057, § 220-47-312, filed 5/22/73; Order 988, § 220-47-312, filed 4/28/72.]

WAC 220-47-313 Purse seine--Daily hours. It is unlawful during any open day to take, fish for or possess salmon taken with purse seine gear in the following Puget Sound Salmon Management and Catch Reporting Areas except during the daily open hours hereinafter designated:

Areas 6D and 7B from September 12 to October 27 - 24 hours per day.

Areas 6D and 7B on October 28 - 12:01 a.m. to 4:00 p.m. Pacific daylight time.

All other open areas - July 24 through October 29: 5:00 a.m. to 9:00 p.m. Pacific daylight time. October 30 through November 30: 5:00 a.m. to 8:00 p.m. Pacific standard time.

[Statutory Authority: RCW 75.08.080. 88-14-133 (Order 88-48), § 220-47-313, filed 7/6/88; 87-15-059 (Order 87-72), § 220-47-313, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-313, filed 6/12/86; 85-13-032 (Order 85-60), § 220-47-313, filed 6/12/85; 84-13-078 (Order 84-53), § 220-47-313, filed 6/21/84; 83-14-020 (Order 83-57), § 220-47-313, filed 6/28/83; 82-15-040 (Order 82-83), § 220-47-313, filed 7/15/82; 81-18-017 (Order 81-101), § 220-47-313, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-313, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-313, filed 4/13/78; Order 77-66, § 220-47-313, filed 8/5/77; Order 76-41, § 220-47-313, filed 6/4/76; Order 1210, § 220-47-313, filed 5/26/75; Order 1143, § 220-47-313, filed 8/8/74; Order 1125, § 220-47-313, filed 6/6/74; Order 1066, § 220-47-313, filed 7/19/73; Order 1057, § 220-47-313, filed 5/22/73; Order 988, § 220-47-313, filed 4/28/72.]

WAC 220-47-401 Reef net--Seasons. It is unlawful to take, fish for or possess salmon taken with reef net gear for commercial purposes except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the seasons provided for hereinafter in each respective area:

Areas 7 and 7A - September 25 through November 30.

[Statutory Authority: RCW 75.08.080. 88-14-133 (Order 88-48), § 220-47-401, filed 7/6/88; 87-15-059 (Order 87-72), § 220-47-401, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-401, filed 6/12/86; 81-18-017 (Order 81-101), § 220-47-401, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-401, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-401, filed 4/13/78; Order 77-66, § 220-47-401, filed 8/5/77; Order 77-14, § 220-47-401, filed 4/15/77; Order 76-41, § 220-47-401, filed 6/4/76; Order 1210, § 220-47-401, filed 5/26/75; Order 1143, § 220-47-401, filed 8/8/74; Order 1125, § 220-47-401, filed 6/6/74; Order 1066, § 220-47-401, filed 7/19/73; Order 1057, § 220-47-401, filed 5/22/73; Order 988, § 220-47-401, filed 4/28/72.]

WAC 220-47-402 Reef net--Weekly periods. It is unlawful to take, fish for or possess salmon taken with reef net gear except during the weekly open periods hereinafter designated:

No fishery.

[Statutory Authority: RCW 75.08.080. 87-15-059 (Order 87-72), § 220-47-402, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-402, filed 6/12/86; 81-18-017 (Order 81-101), § 220-47-402, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-402, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-402, filed 4/13/78; Order 77-66, § 220-47-402, filed 8/5/77; Order 77-14, § 220-47-402, filed 4/15/77; Order 76-41, § 220-47-402, filed 6/4/76; Order 1210, § 220-47-402, filed 5/26/75; Order 1143, § 220-47-402, filed 8/8/74; Order 1125, § 220-47-402, filed 6/6/74; Order 1066, § 220-47-402, filed 7/19/73; Order 1057, § 220-47-402, filed 5/22/73; Order 988, § 220-47-402, filed 4/28/72.]

WAC 220-47-403 Reef net--Daily hours. It is unlawful during any open day to take, fish for or possess salmon taken with reef net gear except during the daily open hours hereinafter designated:

No fishery.

[Statutory Authority: RCW 75.08.080. 87-15-059 (Order 87-72), § 220-47-403, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-403, filed 6/12/86; 81-18-017 (Order 81-101), § 220-47-403, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-403, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-403, filed 4/13/78; Order 77-66, § 220-47-403, filed 8/5/77; Order 76-41, § 220-47-403, filed 6/4/76; Order 1210, § 220-47-403, filed 5/26/75; Order 1143, § 220-47-403, filed 8/8/74; Order 1125, § 220-47-403, filed 6/6/74; Order 1066, § 220-47-403, filed 7/19/73; Order 1057, § 220-47-403, filed 5/22/73; Order 988, § 220-47-403, filed 4/28/72.]

WAC 220-47-411 Gill net--Seasons. It is unlawful to take, fish for or possess salmon taken with gill net gear for commercial purposes except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective fishing area:

Areas 4B, 5, 6, 6A, 6B, 6C, 7 and 7A - closed.

Area 6D - September 18 through October 29.

Area 7B - July 25 through November 30.

Area 7C - July 25 through August 27.

Area 7D - closed.

Areas 7E and 8 - July 24 through September 3.

Area 8A - July 24 through November 30.

Area 8D - July 24 through November 30.

Areas 9 and 9A - closed.

Area 10 - September 11 through November 30.

Areas 10A, 10C, 10D, 10E, 10F, and 10G - closed.

Area 11 - September 11 through November 30.

Area 11A - closed.

Area 12 - October 23 through November 19.

Area 12A - September 4 through October 15.

Area 12B - July 24 through November 30.

Area 12C - July 24 through November 27.

Areas 12D and 13 - closed.

Area 13A - September 18 through November 30.

Areas 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, 13K and all freshwater areas - closed.

[Statutory Authority: RCW 75.08.080. 88-14-133 (Order 88-48), § 220-47-411, filed 7/6/88; 87-15-059 (Order 87-72), § 220-47-411, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-411, filed 6/12/86; 85-13-032 (Order 85-60), § 220-47-411, filed 6/12/85; 84-13-078 (Order 84-53), § 220-47-411, filed 6/21/84; 83-14-020 (Order 83-57), § 220-47-411, filed 6/28/83; 82-15-040 (Order 82-83), § 220-47-411, filed 7/15/82; 81-18-017 (Order 81-101), § 220-47-411, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-411, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-411, filed 4/13/78; Order 77-66, § 220-47-411, filed 8/5/77; Order 77-14, § 220-47-411, filed 4/15/77; Order 76-41, § 220-47-411, filed 6/4/76; Order 1251, § 220-47-411, filed 8/18/75; Order 1210, § 220-47-411, filed 5/26/75; Order 1143, § 220-47-411, filed 8/8/74; Order 1125, § 220-47-411, filed 6/6/74; Order 1066, § 220-47-411, filed 7/19/73; Order 1057, § 220-47-411, filed 5/22/73; Order 988, § 220-47-411, filed 4/28/72.]

WAC 220-47-412 Gill net--Open periods. It is unlawful to take, fish for or possess salmon taken with gill net gear except during the open periods hereinafter designated in the following Puget Sound Salmon Management and Catch Reporting Areas:

Area 6D - 5:00 p.m. Sunday 9/18 through 4:00 p.m. Friday 10/28.

Area 7B - 7:00 p.m. - 9:30 a.m. nightly, Monday 7/25 and Tuesday 7/26;

7:00 p.m. - 9:30 a.m. nightly, Monday 8/1, Tuesday 8/2, and Wednesday 8/3;

6:00 p.m. - 9:00 a.m. nightly, Monday 8/8, Tuesday 8/9, and Wednesday 8/10;

6:00 p.m. Sunday 9/11 through 4:00 p.m. Friday 10/28;

4:00 p.m. - 8:00 a.m. nightly, Monday 10/31 and Tuesday 11/1;

4:00 p.m. - 8:00 a.m. nightly, Monday 11/7 and Tuesday 11/8.

Area 7C - 7:00 p.m. - 9:30 a.m. nightly, Monday 7/25 and Tuesday 7/26;

7:00 p.m. - 9:30 a.m. nightly, Monday 8/1, Tuesday 8/2, and Wednesday 8/3;

6:00 p.m. - 9:00 a.m. nightly, Monday 8/8, Tuesday 8/9, and Wednesday 8/10.

Area 8A - 5:00 p.m. - 9:00 a.m. Monday 10/24;

4:00 p.m. - 8:00 a.m. Monday 10/31.

Areas 10 and 11 - 6:00 p.m. - 9:00 a.m. Monday 9/12;

5:00 p.m. - 9:00 a.m. Monday 9/19;

5:00 p.m. - 9:00 a.m. Monday 9/26;

5:00 p.m. - 9:00 a.m. Monday 10/3;

5:00 p.m. - 9:00 a.m. Monday 10/24;

4:00 p.m. - 8:00 a.m. Monday 10/31.

Areas 12 and 12B - 5:00 p.m. - 9:00 a.m. Monday 10/24;

4:00 p.m. - 8:00 a.m. Monday 10/31.

[Statutory Authority: RCW 75.08.080. 88-14-133 (Order 88-48), § 220-47-412, filed 7/6/88; 87-15-059 (Order 87-72), § 220-47-412, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-412, filed 6/12/86; 85-13-032 (Order 85-60), § 220-47-412, filed 6/12/85; 84-13-078 (Order 84-53), § 220-47-412, filed 6/21/84; 83-14-020 (Order 83-57), § 220-47-412, filed 6/28/83; 82-15-040 (Order 82-83), § 220-47-412, filed 7/15/82; 81-18-017 (Order 81-101), § 220-47-412, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-412, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-412, filed 4/13/78; Order 77-66, § 220-47-412, filed 8/5/77; Order 77-14, § 220-47-412, filed 4/15/77; Order 76-41, § 220-47-412, filed 6/4/76; Order 1251, § 220-47-412, filed 8/18/75; Order 1213, § 220-47-412, filed 6/3/75; Order 1210, § 220-47-412, filed 5/26/75; Order 1143, § 220-47-412, filed 8/8/74; Order 1125, § 220-47-412, filed 6/6/74; Order 1066, § 220-47-412, filed 7/19/73; Order 1057, § 220-47-412, filed 5/22/73; Order 988, § 220-47-412, filed 4/28/72.]

WAC 220-47-413 Gill net--Daily hours. It is unlawful during any open day to take, fish for or possess salmon taken with gill net gear in the following Puget Sound Salmon Management and Catch Reporting Areas except during the daily open hours hereinafter designated:

July 24 through August 6 - 7:00 p.m. to 9:30 a.m. Pacific daylight time in all open areas.

August 7 through September 17 - 6:00 p.m. to 9:00 a.m. Pacific daylight time in all open areas unless otherwise provided.

September 11 through October 27 - open 24 hours per day in Area 7B.

September 18 through October 27 - open 24 hours per day in Area 6D.

October 28 - 12:01 a.m. to 4:00 p.m. Pacific daylight time in Areas 6D and 7B.

September 18 through October 29 - 5:00 p.m. to 9:00 a.m. Pacific daylight time in all open areas unless otherwise provided.

October 30 through November 12 - 4:00 p.m. to 8:00 a.m. Pacific standard time in all open areas.

November 13 through November 30 - 3:00 p.m. to 9:00 a.m. Pacific standard time in all open areas.

[Statutory Authority: RCW 75.08.080. 88-14-133 (Order 88-48), § 220-47-413, filed 7/6/88; 87-15-059 (Order 87-72), § 220-47-413, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-413, filed 6/12/86; 85-13-032 (Order 85-60), § 220-47-413, filed 6/12/85; 84-13-078 (Order 84-53), § 220-47-413, filed 6/21/84; 83-14-020 (Order 83-57), § 220-47-413, filed 6/28/83; 82-15-040 (Order 82-83), § 220-47-413, filed 7/15/82; 81-18-017 (Order 81-101), § 220-47-413, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-413, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-413, filed 4/13/78; Order 77-66, § 220-47-413, filed 8/5/77; Order 76-41, § 220-47-413, filed 6/4/76; Order 1210, § 220-47-413, filed 5/26/75; Order 1143, § 220-47-413, filed 8/8/74; Order 1125, § 220-47-413, filed 6/6/74; Order 1066, § 220-47-413, filed 7/19/73; Order 1057, § 220-47-413, filed 5/22/73; Order 988, § 220-47-413, filed 4/28/72.]

WAC 220-47-414 Gill net--Mesh sizes. It is unlawful to take or possess salmon taken with gill net gear containing mesh smaller than the minimum size stretch measure or larger than the maximum size stretch measure as hereinafter designated in the following Puget Sound Salmon Management and Catch Reporting Areas during the periods specified:

Area 6D - September 18 through October 29: 5 inch minimum mesh.

Area 7B - July 24 through September 10: 7 inch minimum mesh; September 11 through October 29: 5 inch minimum mesh; October 30 through November 30: 6 inch minimum mesh.

Area 7C - July 24 through August 27: 7 inch minimum mesh.

Areas 7E and 8 - July 24 through September 3: 7 inch minimum mesh.

Area 8A - July 24 through September 10: 7 inch minimum mesh; September 11 through October 22: 5 inch minimum mesh; October 23 through November 12: 6 inch minimum mesh.

Area 8D - September 25 through November 12: 5 inch minimum mesh.

Areas 10 and 11 - September 11 through October 15: 5 inch minimum mesh; October 16 through November 12: 6 inch minimum mesh.

Area 12 - September 4 through October 15: 5 inch minimum mesh; October 16 through November 12: 6 inch minimum mesh.

Area 12A - September 4 through October 15: 5 inch minimum mesh.

Area 12B - July 24 through August 13: 7 inch minimum mesh; September 4 through October 15: 5 inch minimum mesh; October 16 through November 30: 6 inch minimum mesh.

Area 12C - July 24 through August 13: 7 inch minimum mesh. September 11 through October 22: 5 inch minimum mesh; October 23 through November 30: 6 inch minimum mesh.

Area 13A – September 18 through October 22: 5 inch minimum mesh; October 23 through November 30: 6 inch minimum mesh.

[Statutory Authority: RCW 75.08.080, 88-14-133 (Order 88-48), § 220-47-414, filed 7/6/88; 87-15-059 (Order 87-72), § 220-47-414, filed 7/14/87; 86-13-038 (Order 86-46), § 220-47-414, filed 6/12/86; 85-13-032 (Order 85-60), § 220-47-414, filed 6/12/85; 84-13-078 (Order 84-53), § 220-47-414, filed 6/21/84; 83-14-020 (Order 83-57), § 220-47-414, filed 6/28/83; 82-15-040 (Order 82-83), § 220-47-414, filed 7/15/82; 81-18-017 (Order 81-101), § 220-47-414, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-414, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-414, filed 4/13/78; Order 77-66, § 220-47-414, filed 8/5/77; Order 77-14, § 220-47-414, filed 4/15/77; Order 76-41, § 220-47-414, filed 6/4/76; Order 1210, § 220-47-414, filed 5/26/75; Order 1143, § 220-47-414, filed 8/8/74; Order 1125, § 220-47-414, filed 6/6/74; Order 1066, § 220-47-414, filed 7/19/73; Order 1057, § 220-47-414, filed 5/22/73; Order 988, § 220-47-414, filed 4/28/72.]

WAC 220-47-50101 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-47-50201 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-47-503 Repealed. See Disposition Table at beginning of this chapter.

Chapter 220-48 WAC

PUGET SOUND—FISH OTHER THAN SALMON

WAC

220-48-011	Beam trawl and otter trawl—Gear.
220-48-015	Beam trawl and bottom trawl—Seasons.
220-48-017	Pelagic trawl—Seasons.
220-48-025	Set net—Pacific cod—Gear.
220-48-026	Set net—Pacific cod—Seasons.
220-48-027	Set net—Pacific cod—Logbooks.
220-48-032	Set line—Seasons.
220-48-046	Repealed.
220-48-056	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-48-046	Commercial jig—Logbooks. [Statutory Authority: RCW 75.08.080, 83-24-024 (Order 83-200), § 220-48-046, filed 11/30/83, effective 1/1/84; 82-24-080 (Order 82-215), § 220-48-046, filed 12/1/82, effective 1/1/83.] Repealed by 87-04-003 (Order 87-03), filed 1/22/87. Statutory Authority: RCW 75.08.080.
220-48-056	Troll lines—Bottomfish—Logbooks. [Statutory Authority: RCW 75.08.080, 83-24-024 (Order 83-200), § 220-48-056, filed 11/30/83, effective 1/1/84; 82-24-080 (Order 82-215), § 220-48-056, filed 12/1/82, effective 1/1/83.] Repealed by 87-04-003 (Order 87-03), filed 1/22/87. Statutory Authority: RCW 75.08.080.

WAC 220-48-011 Beam trawl and otter trawl—Gear. (1) **Mesh sizes.** It is unlawful to use or operate beam trawls or otter trawls having mesh size in the codend section less than 4 1/2 inches in waters of Puget Sound, unless otherwise provided.

(a) It is lawful to use or operate bottom trawl gear having mesh size in the codend section of not less than 3 inches in Marine Fish—Shellfish Catch Reporting Areas

28A, 28B, 28C, and 28D, during December 1 through April 14.

(b) It is lawful to use or operate pelagic trawl gear having mesh size in the codend section of not less than 3 inches while fishing for Pacific whiting during the seasons provided in WAC 220-48-017 (1) and (2).

(2) Chafing gear.

(a) For bottom trawls, chafing gear must have a minimum mesh size of 15 inches unless only the bottom one-half (underside) of the codend is covered by chafing gear.

(b) For roller trawls and pelagic trawls chafing gear covering the upper one-half (top side) of the codend must have a minimum mesh size of 6.0 inches.

[Statutory Authority: RCW 75.08.080, 87-04-003 (Order 87-03), § 220-48-011, filed 1/22/87; 85-08-023 (Order 85-24), § 220-48-011, filed 4/1/85; 84-08-014 (Order 84-24), § 220-48-011, filed 3/27/84; 83-24-024 (Order 83-200), § 220-48-011, filed 11/30/83, effective 1/1/84; 82-14-056 (Order 82-72), § 220-48-011, filed 7/1/82.]

WAC 220-48-015 Beam trawl and bottom trawl—

Seasons. (1) It is lawful to fish for and possess bottomfish taken with bottom trawl and beam trawl gear in Marine Fish—Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 22A, 22B, 23A, 23B, 23C, 25A, 25B, 25D, and 29 the entire year with the following exceptions:

(a) Those waters of Area 20A east of a line projected from Point Whitehorn to Sandy Point are closed the entire year.

(b) Those waters of Area 25A lying southerly and westerly of a line projected from Klapot Point to Gibson Spit (Sequim Bay) are closed the entire year.

(c) Area 25D is closed from February 1 through April 14 each year.

(2) It is lawful to take, fish for and possess bottomfish with bottom trawl and beam trawl gear in Marine Fish—Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 26A, 26B, and 26D from April 15 through February 14 with the following exceptions:

(a) Those waters of Marine Fish—Shellfish Management and Catch Reporting Area 24A west of a line from Strawberry Point on Whidbey Island to Brown Point on Camano Island, are closed except from June 15 through February 14.

(b) Elliot Bay inside a line projected from Four Mile Rock to Alki Point is closed the entire year.

(c) Those waters of Area 26D south of lines projected from Dash Point to Point Piner on Maury Island, and from Point Dalco on Vashon Island true west to the Kitsap Peninsula are closed the entire year.

(d) Those waters provided for in WAC 220-20-020(4).

(3) It is unlawful to take, fish for or possess bottomfish taken with bottom trawl and beam trawl gear for commercial purposes in Marine Fish—Shellfish Management and Catch Reporting Areas 24D (Holmes Harbor), 27A, 27B, and 27C (Hood Canal) except on Mondays and Tuesdays from December 1 through February 14.

(4) It is unlawful to take, fish for, or possess bottomfish taken with bottom trawl or beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Area 25E except on Monday through Thursday from December 1 through February 14 with the following exception: Those waters of Area 25E lying southerly of a line projected from Mill Point due east to the opposite shore, are closed the entire year.

(5) It is lawful to take, fish for and possess bottomfish taken with bottom trawl and beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Areas 28A, 28B, 28C, and 28D from December 1 through April 14, with the exception of the following closed waters:

(a) Those waters of Hale Passage and the Narrows east and north of lines projected from Fox Point on Fox Island true east to the mainland, and from the northwest point on Fox Island true north to the mainland.

(b) Budd Inlet south of the northern boundary of the restricted berthage area shown on United States Coast Guard Chart No. 6460.

(c) Eld Inlet south and west of a line projected true south from Flapjack Point.

(d) Totten Inlet south and west of lines projected true north and true east from the outermost point on the west side of Gallagher Cove.

(e) Henderson Inlet south of a line projected true east from Dickerson Point; the waters inside Hartstene Island between lines projected from Unsal Point to Brisco Point and Salmon Point true east to Hartstene Island; and all of Hammersley Inlet.

(f) Those waters provided for in WAC 220-20-010(6).

(g) Those waters of Area 28A south of a line due west from the northernmost point of McNeil Island; west of a line running north and south between McNeil and Anderson Islands through Eagle Island; and west of a line projected southerly from Lyle Point on Anderson Island through the quick flashing buoy on Nisqually flats and southerly of a line from Johnson's Point to Devil's Head.

(h) Those waters of Area 28A south of a line projected due west from Johnson Point to Hartstene Island (Dana Passage).

(6) It is unlawful to take, fish for or possess bottomfish taken with bottom trawl or beam trawl gear for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Areas 21B, 23D, 25C, and 26C the entire year.

(7) It is unlawful to operate bottom trawl or beam trawl in waters less than 60 feet in depth in Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, 25A, 25B, 25C, 25D, 25E, 26A, or 26B, and it is unlawful to operate bottom trawl or beam trawl in waters less than 30 feet deep in all other waters of Puget Sound east of the mouth of the Sekiu River.

[Statutory Authority: RCW 75.08.080. 87-04-003 (Order 87-03), § 220-48-015, filed 1/22/87; 85-08-023 (Order 85-24), § 220-48-015, filed 4/1/85; 84-08-014 (Order 84-24), § 220-48-015, filed 3/27/84; 83-24-024 (Order 83-200), § 220-48-015, filed 11/30/83, effective 1/1/84; 83-04-025 (Order 83-04), § 220-48-015, filed 1/27/83; 82-

24-080 (Order 82-215), § 220-48-015, filed 12/1/82, effective 1/1/83; 82-14-056 (Order 82-72), § 220-48-015, filed 7/1/82.]

WAC 220-48-017 Pelagic trawl--Seasons. It is unlawful to take, fish for and possess bottomfish taken with pelagic trawl gear except in the Marine Fish-Shellfish Management and Catch Reporting Areas and during the times as follows:

(1) Area 24C south of a line projected due west from the flashing red light northwest of Lowell Point - Open Monday through Thursday, October 1 through January 14 unless otherwise provided.

(2) Area 26A - Open Monday through Thursday, October 1 through January 14.

(3) Areas 24B, that portion of 24C south of a line projected due west from the flashing red light northwest of Lowell Point, and 26A - Open Monday and Wednesday, January 15 until the in-season quota is taken but not beyond May 15 in any case.

(4) Area 20A - Open March 1 through April 14.

(5) In any area at any time so designated by a permit issued by the director of the department of fisheries.

[Statutory Authority: RCW 75.08.080. 87-04-003 (Order 87-03), § 220-48-017, filed 1/22/87; 84-08-014 (Order 84-24), § 220-48-017, filed 3/27/84; 82-14-056 (Order 82-72), § 220-48-017, filed 7/1/82.]

WAC 220-48-025 Set net--Pacific cod--Gear. Pacific cod set net gear may not be used in Puget Sound.

[Statutory Authority: RCW 75.08.080. 87-04-003 (Order 87-03), § 220-48-025, filed 1/22/87; 83-24-024 (Order 83-200), § 220-48-025, filed 11/30/83, effective 1/1/84; 82-14-056 (Order 82-72), § 220-48-025, filed 7/1/82.]

WAC 220-48-026 Set net--Pacific cod--Seasons. It is unlawful to fish for or possess Pacific cod, other foodfish, or shellfish taken with Pacific cod set net gear in any Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area the entire year.

[Statutory Authority: RCW 75.08.080. 87-04-003 (Order 87-03), § 220-48-026, filed 1/22/87; 83-24-024 (Order 83-200), § 220-48-026, filed 11/30/83, effective 1/1/84; 82-24-080 (Order 82-215), § 220-48-026, filed 12/1/82, effective 1/1/83; 82-14-056 (Order 82-72), § 220-48-026, filed 7/1/82.]

WAC 220-48-027 Set net--Pacific cod--Logbooks. Pacific cod set net gear may not be used in Puget Sound.

[Statutory Authority: RCW 75.08.080. 87-04-003 (Order 87-03), § 220-48-027, filed 1/22/87; 83-24-024 (Order 83-200), § 220-48-027, filed 11/30/83, effective 1/1/84.]

WAC 220-48-032 Set line--Seasons. It is lawful to take, fish for, and possess dogfish and other bottomfish with set lines in all Marine Fish-Shellfish Management and Catch Reporting Areas the entire year except as follows:

(1) That portion of Area 26C north of a line projected due east from Point Bolin to Bainbridge Island is closed all year.

(2) That portion of Area 26D south of lines projected due west of Point Dalco on Vashon Island, and from Dash Point to Point Piner on Maury Island, is closed all year.

(3) That portion of Area 28A east of a line projected due north from the northwest tip of Fox Island, and north of a line projected due east from Fox Point on Fox Island is closed all year.

(4) Those waters provided for in WAC 220-20-010(6) and 220-20-020(4).

[Statutory Authority: RCW 75.08.080, 87-04-003 (Order 87-03), § 220-48-032, filed 1/22/87; 82-24-080 (Order 82-215), § 220-48-032, filed 12/1/82, effective 1/1/83; 82-14-056 (Order 82-72), § 220-48-032, filed 7/1/82.]

WAC 220-48-046 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-48-056 Repealed. See Disposition Table at beginning of this chapter.

Chapter 220-52 WAC

SHELLFISH

WAC

220-52-010	Shellfish—Unlawful acts.
220-52-035	Crab and shrimp pot gear—Escape mechanism required.
220-52-046	Crab fishery—Seasons and areas.
220-52-050	Shrimp fishery—Coastal waters.
220-52-051	Shrimp fishery—Puget Sound.
220-52-053	Repealed.
220-52-054	Repealed.
220-52-060	Crawfish fishery.
220-52-063	Octopus fishery.
220-52-069	Scallop fishery.
220-52-071	Sea cucumbers.
220-52-072	Repealed.
220-52-073	Sea urchins.
220-52-074	Repealed.
220-52-075	Shellfish harvest logs.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-52-053	Shrimp fishery—Seasons—Areas and gear. [Statutory Authority: RCW 75.08.080, 84-08-014 (Order 84-24), § 220-52-053, filed 3/27/84; 83-09-014 (Order 83-24), § 220-52-053, filed 4/12/83; 82-03-045 (Order 82-6), § 220-52-053, filed 1/19/82; 79-02-053 (Order 79-6), § 220-52-053, filed 1/30/79; Order 77-145, § 220-52-053, filed 12/13/77; Order 76-148, § 220-52-053, filed 12/2/76; Order 1242, § 220-52-053, filed 8/7/75, effective 9/16/75; Order 1049, § 220-52-053, filed 4/11/73; Order 1047, § 220-52-053, filed 3/28/73; Order 1045, § 220-52-053, filed 3/8/73; Order 945, § 220-52-053, filed 8/16/71; Order 807, § 220-52-053, filed 1/2/69, effective 2/1/69. Formerly WAC 220-52-050 (1), (2), (3), (4) and (7).] Repealed by 87-23-006 (Order 87-187), filed 11/6/87. Statutory Authority: RCW 75.08.080.
220-52-054	Shrimp fishery—Unlawful gear. [Statutory Authority: RCW 75.08.080, 82-03-045 (Order 82-6), § 220-52-054, filed 1/19/82; 80-13-064 (Order 80-123), § 220-52-054, filed 9/17/80.] Repealed by 87-23-006 (Order 87-187), filed 11/6/87. Statutory Authority: RCW 75.08.080.
220-52-072	Sea cucumbers—Areas and seasons. [Statutory Authority: RCW 75.08.080, 87-02-013 (Order 86-199), § 220-52-072, filed 12/30/86.] Repealed by 87-23-006 (Order 87-187), filed 11/6/87. Statutory Authority: RCW 75.08.080.
220-52-074	Sea urchin—Areas and seasons. [Statutory Authority: RCW 75.08.080, 86-20-028 (Order 86-123), § 220-

52-074, filed 9/23/86; 85-24-044 (Order 85-189), § 220-52-074, filed 11/27/85; 85-01-010 (Order 84-214), § 220-52-074, filed 12/7/84; 83-04-025 (Order 83-04), § 220-52-074, filed 1/27/83; 80-13-064 (Order 80-123), § 220-52-074, filed 9/17/80; 79-02-053 (Order 79-6), § 220-52-074, filed 1/30/79; Order 77-145, § 220-52-074, filed 12/13/77; Order 76-152, § 220-52-074, filed 12/17/76.] Repealed by 87-23-006 (Order 87-187), filed 11/6/87. Statutory Authority: RCW 75.08.080.

WAC 220-52-010 Shellfish—Unlawful acts. (1) It shall be unlawful to take, dig for or possess geoduck clams for commercial purposes except from registered aquatic farms under permit issued by the director or as provided in WAC 220-52-019.

(2) It shall be unlawful to take, dig for or possess clams taken for commercial purposes within the boundaries of any state park located on tidewater unless authorized by a permit issued by the director.

(3) It shall be unlawful to take oysters or clams for commercial purposes from tidelands reserved for public use unless authorized by a permit issued by the director.

(4) It shall be unlawful to take oysters, clams, or mussels for commercial purposes from state oyster reserves without being licensed under RCW 75.28.290 and having permission of the director of fisheries.

(5) It shall be unlawful to take from any building, scow, boat, live-box, container, trap, net or vehicle any caught or impounded shellfish with intent to deprive the rightful owner of such shellfish.

(6) All geoduck and mechanical clam harvester vessels shall be issued an identification number. This number will be placed in a visible location on each side of the vessel and on the top of the cabin or deck awning to be visible from the air. A sign board or banner arranged so the numbers can be seen at all times from directly overhead may be substituted if the vessel does not have a fixed roof. The numbers shall be black on a white background and shall be not less than 18 inches high and of proportionate width.

(7) It shall be unlawful for a commercial clam digger to harvest clams from intertidal ground without having on his person a signed authorization from the registered clam farmer for whom he is harvesting. The digger will also be required to have suitable personal identification with him when engaged in clam harvesting. The authorization from the registered clam farmer must be legible, dated and must contain the date on which the authorization expires, provided that in no instance may the authorization go beyond the end of any calendar year. The authorization must additionally contain the name of each bay or area where the registered clam farmer has owned or leased ground from which the named clam digger is authorized to harvest.

(8) It is unlawful to fish for or possess ghost or mud shrimp taken for commercial purposes unless authorized by a permit issued by the director.

[Statutory Authority: RCW 75.08.080, 88-12-025 (Order 88-28), § 220-52-010, filed 5/25/88, effective 8/22/88. Statutory Authority: RCW 75.08.080 and 75.58.040, 86-19-043 (Order 86-102), § 220-52-010, filed 9/12/86. Statutory Authority: RCW 75.08.080, 84-08-014 (Order 84-24), § 220-52-010, filed 3/27/84; Order 77-145, § 220-52-010, filed 12/13/77; Order 1258, § 220-52-010, filed

8/25/75; Order 857, § 220-52-010, filed 12/11/69; Order 807, § 220-52-010, filed 1/2/69, effective 2/1/69; subsections 1, 3-5, Orders 414, 256, filed 3/1/60; subsection 2, Orders 443, 256, filed 3/1/60.]

WAC 220-52-035 Crab and shrimp pot gear—Escape mechanism required. After October 1, 1988, it is unlawful to fish for or possess crab or shrimp taken for commercial purposes with shellfish pot gear unless the gear allows for escapement using at least one of the following methods:

(1) Attachment of pot lid hooks or tiedown straps with a single strand or loop of untreated cotton twine or other natural fiber no larger than thread size 120 for crab pots or 100 for shrimp pots so that the pot lid will open freely if the twine or fiber is broken.

(2) An opening in the pot mesh no less than three inches by five inches which is laced or sewn closed with untreated cotton twine or other natural fiber no larger than thread size 120 for crab pots or 100 for shrimp pots. The opening must be located within the top half of the pot and be unimpeded by the entry tunnels, bait boxes, or any other structures or materials.

[Statutory Authority: RCW 75.08.080. 87-23-006 (Order 87-187), § 220-52-035, filed 11/6/87.]

WAC 220-52-046 Crab fishery—Seasons and areas. It is unlawful to fish for or possess Dungeness crabs taken for commercial purposes except during the lawful open seasons and areas as follows:

(1) All Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas except 27A, 27B, 27C, 28A, 28B, 28C, and 28D - open October 1 through April 15, provided that it is unlawful to set any crab gear prior to 9:00 a.m. on the opening day of the season.

(2) Coastal, Pacific Ocean, Grays Harbor, Willapa Harbor and Columbia River waters - open December 1 through September 15 except that it is lawful to set baited crab gear beginning at 8:00 a.m. November 27.

[Statutory Authority: RCW 75.08.080. 87-05-038 (Order 87-08), § 220-52-046, filed 2/18/87; 85-01-010 (Order 84-214), § 220-52-046, filed 12/7/84; 84-08-014 (Order 84-24), § 220-52-046, filed 3/27/84; 83-01-026 (Order 82-221), § 220-52-046, filed 12/8/82; 80-13-064 (Order 80-123), § 220-52-046, filed 9/17/80; Order 76-152, § 220-52-046, filed 12/17/76; Order 1179, § 220-52-046, filed 11/19/74; Order 1112, § 220-52-046, filed 4/15/74; Order 1057, § 220-52-046, filed 5/22/73; Order 920, § 220-52-046, filed 5/13/71; Order 807, § 220-52-046, filed 1/2/69, effective 2/1/69. Formerly WAC 220-52-040 (2), (3), (4) and (9).]

WAC 220-52-050 Shrimp fishery—Coastal waters. It is unlawful to fish for or possess shrimp taken for commercial purposes from coastal waters except as provided for in this section:

(1) TRAWL GEAR:

(a) SEASON - Open to trawl fishing April 1 through October 31 of each year.

(b) GEAR RESTRICTIONS - The following gear is prohibited:

(i) Shrimp trawl gear having a mesh size greater than two inches or smaller than one and three-eighths inches in the intermediate or codend. At least seventy-five percent of the meshes measured randomly throughout the

net by means of a metal tapered gauge must fit on the gauge for compliance. It is lawful to have mesh larger than two inches in the wings or body of the trawl.

(ii) Shrimp trawl gear having a lined or double layered codend, except it is lawful to employ a lifting bag or additional layer of webbing if the lifting bag webbing is not less than three inch mesh not smaller in circumference than the shrimp trawl at its greatest circumference.

(iii) Shrimp trawl gear employing layers of protective webbing or chafing gear over the codend unless such webbing is attached at only one strip around the circumference of the codend, trails freely, and has a minimum mesh of three inches.

(iv) It is unlawful for any fisherman to be in possession of any gear described in (i) through (iii) above while any shrimp are aboard the vessel.

(2) SHELLFISH POT GEAR:

(a) SEASON - Open to shellfish pot gear fishing the entire year.

(b) GEAR RESTRICTIONS - No mesh restriction.

(3) MINIMUM NUMBER OF SHRIMP PER POUND:

The count must average no more than 160 shrimp per pound for a minimum of two samples increasing at a rate of one sample per one thousand pounds landed or in possession up to a maximum requirement of twenty samples. Such samples shall consist of at least one pound each of whole unbroken shrimp taken at random from throughout the individual load landed or in possession. This subsection applies only to loads of 3,000 pounds of shrimp or more.

[Statutory Authority: RCW 75.08.080. 87-23-006 (Order 87-187), § 220-52-050, filed 11/6/87; 84-08-014 (Order 84-24), § 220-52-050, filed 3/27/84; 83-04-025 (Order 83-04), § 220-52-050, filed 1/27/83; 82-03-045 (Order 82-6), § 220-52-050, filed 1/19/82; 80-13-064 (Order 80-123), § 220-52-050, filed 9/17/80; 79-02-053 (Order 79-6), § 220-52-050, filed 1/30/79; Order 76-152, § 220-52-050, filed 12/17/76; Order 76-26, § 220-52-050, filed 1:45 p.m., 4/20/76; Order 1242, § 220-52-050, filed 8/7/75, effective 9/16/75; Order 1179, § 220-52-050, filed 11/19/74; Order 1112, § 220-52-050, filed 4/15/74; Order 945, § 220-52-050, filed 8/16/71; Order 807, § 220-52-050, filed 1/2/69, effective 2/1/69; subsections 1, 5, 6 from Orders 414 and 256, filed 3/1/60; subsection 2 from Orders 420 and 256, filed 3/1/60; subsection 3 from Order 525, filed 5/3/61; Orders 414 and 256, filed 3/1/60; subsection 7 from Order 525, filed 5/3/61.]

WAC 220-52-051 Shrimp fishery—Puget Sound. It is unlawful to fish for or possess shrimp taken for commercial purposes from Puget Sound except as provided for in this section:

(1) SHRIMP DISTRICTS: The following areas are defined as shrimp fishing districts:

(a) Shrimp District 1 - (Protection Island, Discovery Bay) Waters south of a line from McCurdy Point on the Quimper Peninsula to the northern tip of Protection Island then to Rocky Point on the Miller Peninsula and all waters of Discovery Bay.

(b) Shrimp District 2 - (Griffin Bay) Waters south of a line projected true east-west through Turn Rock Light from San Juan Island to Lopez Island and north of a line projected true east from Cattle Point on San Juan Island to Lopez Island.

(c) Shrimp District 3 – (Port Angeles) Waters inside Ediz Hook west of a line from the tip of Ediz Hook to the ITT Rayonier Dock.

(d) Shrimp District 4 – (Sequim Bay) Waters of Sequim Bay south of a line projected true west from Travis Spit on the Miller Peninsula.

(e) Shrimp District 5 – (Hood Canal) Waters south of the Hood Canal Floating Bridge.

(f) Shrimp District 6 – (Carr Inlet) Waters of Carr Inlet north of a line projected from Penrose Point to Green Point.

(2) TRAWL GEAR:

(a) SEASONS – Open to trawl gear April 15 through October 15 except closed in:

(i) Shrimp Districts 1, 2, 3, 4, and 5.

(ii) Waters south of the Narrows Bridge.

(iii) Waters closed to trawl fishing in WAC 220-49-015.

(b) GEAR RESTRICTIONS – Otter trawl gear may not be used.

(3) SHELLFISH POT GEAR:

(a) SEASONS – Open to shellfish pot gear April 15 through October 15 except:

(i) Open in Shrimp Districts 1, 2, and 3 from May 15 through September 15.

(ii) Closed in Shrimp Districts 4, 5, and 6 unless opened by emergency regulation.

(b) GEAR RESTRICTIONS –

(i) In all areas, maximum 100 pots per fisherman, except:

(A) Maximum 75 pots per fisherman in Marine Fish-Shellfish Management and Catch Reporting Area 28B.

(B) Maximum 50 pots per fisherman in Shrimp Districts 1, 2, and 5.

(C) Maximum 10 pots per fisherman in Shrimp District 3.

(ii) In all shrimp districts:

(A) Buoys must be orange in color and consist of durable material that will remain floating on the surface with five pounds attached; bleach or antifreeze bottles or other containers may not be used as floats.

(B) The line attaching the pot to the buoy must be weighted sufficiently to prevent the line from floating on the surface.

(iii) In Shrimp Districts 2 and 5:

(A) The entire top, bottom, and sides of the pot, except entrance tunnels, must be constructed of mesh material having a minimum mesh of such size that a 7/8 inch square peg can pass through without changing the shape of the opening.

(B) All entrance tunnels must open into the pot from the sides.

(C) The sum of the maximum widths of all entrance tunnels must not exceed one-half of the perimeter of the bottom of the pot.

[Statutory Authority: RCW 75.08.080, 87-23-006 (Order 87-187), § 220-52-051, filed 11/6/87.]

WAC 220-52-053 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-52-054 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-52-060 Crawfish fishery. It is unlawful to fish for or possess crawfish taken for commercial purposes except as provided for in this section:

(1) General crawfish provisions:

(a) Crawfish may not be taken for commercial purposes with gear other than shellfish pots and no person may fish more than 400 pots.

(b) The open season for commercial crawfish fishing is first Monday in May through October 31, except in Washington waters of the Columbia River downstream from the mouth of the Walla Walla River crawfish may be taken from April 1 through October 31.

(c) The minimum commercial crawfish size is 3-1/4 inches in length from the tip of the rostrum (nose) to the tip of the tail and all undersize crawfish and female crawfish with eggs or young attached to the abdomen must be immediately returned unharmed to the waters from which taken. Fishermen must sort and return illegal crawfish to the waters from which taken immediately after the crawfish are removed from the shellfish pot and prior to lifting additional pots from the water.

(d) Fishermen may not discard into any water of the state any crawfish bait.

(e) Crawfish fishing is not allowed within 1/4 mile of the shoreline of developed parks.

(f) The provisions of this section do not apply to the commercial culture of crawfish at a registered aquatic farm.

(2) It is lawful for an individual fisherman to fish for crawfish in the waters set out below with up to the number of pots shown.

Name of Lake, River, or Slough	County	Max. Pots Allowed
Alder Lake (Res.)	Pierce/Thurston	200
Aldwell Lake (Res.)	Clallam	100
Alkali Lake	Grant	100
Bachelor Slough	Clark	100
Baker Lake	Whatcom	200
Banks Lake	Grant	200
Big Lake	Skagit	200
Black Lake	Thurston	200
Blue Lake	Grant	200
Bonaparte Lake	Okanogan	100
Buckmire Slough	Clark	100
Camas Slough	Clark	100
Campbell Lake	Skagit	100
Cassidy Lake	Snohomish	100
Cavanaugh Lake	Skagit	200
Chehalis River	Lewis/Grays Harbor	100
Chelan Lake	Chelan	200
Clear Lake	Skagit	100
Coal Creek Slough	Cowlitz	100
Columbia River	Clark, Cowlitz, etc.	200
Copalis River	Grays Harbor, etc.	100
Cowlitz River	Clark, Cowlitz, etc.	100
Curlew Lake	Ferry	200
Cushman Lake #1	Clark	100
Deep River	Wahkiakum	100
Deschutes River	Thurston	100
Diablo Lake	Whatcom	200
Drano Lake	Skamania	100
Elochoman River	Wahkiakum	100

Name of Lake, River, or Slough	County	Max. Pots Allowed
Erie Lake	Skagit	100
Evergreen Reservoir	Grant	100
Fisher Island Slough	Cowlitz	100
Goose Lake (upper)	Grant	100
Grays River	Pacific	100
Harts Lake	Pierce	100
Hoquiam River	Grays Harbor	100
Humptulips River	Grays Harbor	100
John's River	Grays Harbor	100
Kapowsin Lake	Pierce	200
Kalama River	Cowlitz, etc.	100
Klickitat	Klickitat	100
Lackamas Lake (Res.)	Clark	100
Lake River	Clark	100
Lawrence Lake	Thurston	100
Lenore Lake	Grant	200
Lewis River	Clark/Cowlitz	100
Loomis Lake	Pacific	100
Mayfield Lake	Lewis	200
McIntosh Lake	Thurston	100
McMurray Lake	Skagit	100
Merwin Lake	Clark/Cowlitz	200
Moses Lake	Grant	200
Naselle River	Pacific, etc.	100
Nisqually River	Pierce, etc.	100
Nooksack River	Whatcom	100
North River	Grays Harbor	100
Padden Lake	Whatcom	100
Palmer Lake	Okanogan	100
Patterson Lake (Res.)	Okanogan	100
Portage Bay	King	100
Rattlesnake Lake	King	100
Ross Lake (Res.)	Whatcom	200
Salmon Lake	Okanogan	100
Samish Lake	Whatcom	200
Satsop River	Grays Harbor	100
Shannon Lake (Res.)	Skagit	200
Sidley Lake	Okanogan	100
Silver Lake	Pierce	100
Silver Lake	Cowlitz	200
Skagit River	Skagit/Whatcom	200
Skamokawa River	Wahkiakum	100
Snake River	Franklin/Walla Walla	200
Snohomish River	Snohomish	100
St. Clair Lake	Thurston	100
Swift Lake (Res.)	Skamania	200
Terrell Lake	Whatcom	100
Toutle River	Cowlitz	100
Union Lake	King	200
Vancouver Lake	Clark	200
Warden Lake	Grant	100
Washington Lake	King	200
Washougal River	Clark/Skamania	100
Whatcom Lake	Whatcom	200
Whitestone Lake	Okanogan	100
Willapa River	Pacific	100
Wiser Lake	Whatcom	100
Wind River	Cowlitz	100
Wishkah River	Grays Harbor	100
Woodland Slough	Clark	100
Wynoochee River	Grays Harbor	100
Yakima River	Kittitas	100
Yale Lake (Res.)	Clark/Cowlitz	200

(3) Commercial crawfish harvest permits will be issued to prescribe the number of allowable crawfish pots per fisherman per body of water in suitable crawfish harvest sites not listed in subsection (2) of this section as follows:

- (a) Under 20 acres – no commercial harvest.
- (b) 20 acres to 100 acres – 50 pots.

- (c) 101 acres to 400 acres – 100 pots.
- (d) Over 400 acres – 200 pots.

(e) Permits will be issued only in waters where fishing will not conflict with high density residential or recreational areas, and no permit will be issued where developed parks encompass more than one-half of the water shoreline.

(f) The department of fisheries shall fix the maximum number of pots to be permitted in any given body of water. Once the permitted maximum number of pots for any given body of water has been reached, no further permits will be issued. Permits will be issued on a first-come, first-serve basis consistent with all other regulations concerning issuance of commercial crawfish harvest permits.

[Statutory Authority: RCW 75.08.080, 87-23-006 (Order 87-187), § 220-52-060, filed 11/6/87. Statutory Authority: RCW 75.08.080 and 75.58.040, 86-19-043 (Order 86-102), § 220-52-060, filed 9/12/86. Statutory Authority: RCW 75.08.080, 80-13-064 (Order 80-123), § 220-52-060, filed 9/17/80; 79-02-053 (Order 79-6), § 220-52-060, filed 1/30/79; Order 76-26, § 220-52-060, filed 1:45 p.m., 4/20/76; Order 945, § 220-52-060, filed 8/16/71; Order 807, § 220-52-060, filed 1/2/69, effective 2/1/69; subsections 1-7, Orders 414 and 256, filed 3/1/60.]

WAC 220-52-063 Octopus fishery. (1) It shall be lawful at any time to take or fish for octopus for commercial purposes with shellfish pot or ring net gear in any of the waters of the state of Washington except in those waters of the Tacoma Narrows between a line from the north end of Days Island to the southern tip of Point Fosdick and a line from the navigational buoy at Point Defiance to the navigational buoy at the entrance to Gig Harbor.

(2) It shall be lawful to possess octopus for commercial purposes taken incidentally to any other lawful bottom fish or shellfish fishery, except that it shall be unlawful for divers to take octopus for commercial purposes except as authorized by permit issued by the director for display or scientific purposes.

(3) It shall be unlawful to possess any octopus mutilated in the process of its fishing or taking.

(4) It is unlawful to fish for octopus using more than 200 shellfish pots without first having obtained a permit authorized by the director.

[Statutory Authority: RCW 75.08.080, 87-15-022 (Order 87-69), § 220-52-063, filed 7/8/87; 84-08-014 (Order 84-24), § 220-52-063, filed 3/27/84; 80-13-064 (Order 80-123), § 220-52-063, filed 9/17/80; Order 807, § 220-52-063, filed 1/2/69, effective 2/1/69. Formerly WAC 220-52-060 (2), (3) and (4).]

WAC 220-52-069 Scallop fishery. (1) It is lawful at any time to take or fish for scallops for commercial purposes in coastal waters with otter trawl or beam trawl or scallop dredge gear. Minimum and maximum size for trawl gear are concurrent with sizes used in coastal shrimp fishing, see WAC 220-52-054. Scallop dredge gear may not exceed fifteen feet in width nor have a ring size of less than three inches inside diameter except as authorized under a permit issued by the director.

(2) It is lawful at any time to take or fish for scallops for commercial purposes in Puget Sound waters with

scallop dredge gear not exceeding fifteen feet in width or having a ring size of not less than three inches inside diameter. It is lawful to take and possess scallops taken incidental to bottomfish trawl fishing as authorized under chapter 220-48 WAC. The taking of scallops with trawl gear at times or of size other than those authorized under chapter 220-48 WAC, with scallop dredge gear of a size other than that provided for in this section, or by shellfish diver gear is prohibited except as authorized under permit issued by the director.

(3) It is unlawful at any time to take or possess rock scallop unless a person has first obtained a rock scallop aquaculture permit issued by the department. The permit will specify location, time, and quantity of rock scallop that can be taken for brood stock or culture purposes.

[Statutory Authority: RCW 75.08.080, 87-15-022 (Order 87-69), § 220-52-069, filed 7/8/87; 86-08-056 (Order 86-14), § 220-52-069, filed 3/28/86; 84-08-014 (Order 84-24), § 220-52-069, filed 3/27/84; 82-03-045 (Order 82-6), § 220-52-069, filed 1/19/82; Order 807, § 220-52-069, filed 1/2/69, effective 2/1/69. Formerly WAC 220-52-060(7).]

WAC 220-52-071 Sea cucumbers. It is unlawful to take or possess sea cucumbers taken for commercial purposes except as provided for in this section.

(1) Sea cucumber districts:

(a) Sea Cucumber District 1 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, and 23B outside of the following closed areas:

(i) San Juan Channel and Upright Channel within the following lines: North of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island and 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.

(ii) Haro Strait north of a line projected east-west one-half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(iii) Within one-quarter mile of Green Point on Spieden Island.

(iv) Within one-quarter mile of Gull Reef, located between Spieden Island and Johns Island.

(b) Sea Cucumber District 2 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23C, 23D, 25A, 25B, 25C, 25D, 25E, 29 and those waters west of the Bonilla-Tatoosh Line, Pacific Ocean waters, Grays Harbor, Willapa Bay, and the waters at the mouth of the Columbia River west of the Buoy 10 Line.

(c) Sea Cucumber District 3 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, 26A, 26B, 26C, and 26D.

(d) Sea Cucumber District 4 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 27A, 27B, 27C, 28A, 28B, 28C, and 28D.

(2) Sea cucumber areas and seasons:

- (a) District 1 open May 1 through October 31, 1987.
- (b) District 2 open May 1 through October 31, 1988.
- (c) District 3 open May 1 through October 31, 1989.
- (d) District 4 open May 1 through October 31, 1990.
- (e) Other areas and times as authorized by permit issued by the director.

(3) Shellfish diver gear:

(a) Divers must have a permit issued by the director to take sea cucumbers for commercial purposes.

(b) Divers operating from a vessel must have a number assigned by the department placed on both sides and the top of the vessel in such a manner that the number is clearly visible when the vessel is viewed from either side or from the air, and the letters must be black on white no less than eighteen inches in height and of proportional width.

(c) Divers may not take sea cucumbers from one-half hour before official sunset to official sunrise or 6:00 a.m. whichever is later, or on Sunday.

(d) Divers may not fish for or possess geoduck clams during commercial sea cucumber harvesting operations, or possess geoduck clams on a vessel that has sea cucumbers on board.

(4) Trawl gear:

(a) Trawl gear is limited to that gear and those times authorized under chapter 220-48 WAC, or otherwise as authorized by a permit issued by the director.

(b) Up to one hundred pounds of sea cucumbers may be taken without regard to other species aboard, but landings of more than one hundred pounds are lawful only if sea cucumbers represent no more than twenty percent of the total weight of fish on board. No trawl vessel may land more than two hundred fifty pounds of sea cucumbers in any one vessel trip except as authorized by permit issued by the director.

[Statutory Authority: RCW 75.08.080, 87-23-006 (Order 87-187), § 220-52-071, filed 11/6/87; 87-15-022 (Order 87-69), § 220-52-071, filed 7/8/87; 87-02-013 (Order 86-199), § 220-52-071, filed 12/30/86; 81-11-006 (Order 81-31), § 220-52-071, filed 5/11/81; 79-02-053 (Order 79-6), § 220-52-071, filed 1/30/79; Order 77-145, § 220-52-071, filed 12/13/77; Order 77-65, § 220-52-071, filed 8/5/77; Order 1105, § 220-52-071, filed 12/28/73; Order 990, § 220-52-071, filed 5/11/72.]

WAC 220-52-072 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-52-073 Sea urchins. It is unlawful to take or possess sea urchins taken for commercial purposes except as provided for in this section.

(1) Sea urchin districts:

(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. The following areas within Sea Urchin District 1 are closed to the harvest of sea urchins at all times:

(i) Those waters within one-quarter mile of Green Point on Spieden Island.

(ii) Those waters within one-quarter mile of Gull Reef, located between Spieden and Johns 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 23B and 25A. 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 east-west one-half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(ii) Those waters of San Juan Channel and Upright Channel within the following lines: North of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island; 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.

(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, 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 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.

(2) Sea urchin areas, seasons, species, and sizes:

(a) District 2 is open October 1, 1987 through March 31, 1988 to harvest red sea urchins between 4.0 and 5.25 inches.

(b) District 5 is open October 1, 1987 through March 31, 1988 to harvest red sea urchins between 3.25 and 4.5 inches.

(c) District 1 is open October 1, 1988 through March 31, 1989 to harvest red sea urchins between 4.0 and 5.25 inches.

(d) District 4 is open October 1, 1988 through March 31, 1989 to harvest red sea urchins between 3.25 and 5.0 inches.

(e) District 3 is open October 1, 1989 through March 31, 1990 to harvest red sea urchins between 3.25 and 5.0 inches.

(f) Otherwise as authorized by a permit issued by the director.

(g) All sizes in this subsection are shell diameter exclusive of the spines.

(3) Shellfish diver gear:

(a) Divers may only use hand-operated equipment that does not penetrate the shell.

(b) Sea urchins may not be taken from water shallower than 10 feet below mean lower low water.

(c) Green and purple sea urchins may not be taken.

(d) Divers operating from a vessel must have a number assigned by the department, placed on both sides and the top of the vessel in such a manner that the number is clearly visible when the vessel is viewed from either side or from the air and the number must be black on white no less than 18 inches high and of proportionate width.

(e) Divers may not take sea urchins from one-half hour after sunset to one-half hour before sunrise.

(f) No processing of sea urchins is permitted aboard the harvest vessel.

(g) Divers may not take sea urchins for use other than as human food.

(h) Variance from any of the provisions of this subsection is only allowed if authorized by a permit issued by the director.

[Statutory Authority: RCW 75.08.080, 87-23-006 (Order 87-187), § 220-52-073, filed 11/6/87; 87-15-022 (Order 87-69), § 220-52-073, filed 7/8/87; 86-20-028 (Order 86-123), § 220-52-073, filed 9/23/86; 85-01-010 (Order 84-214), § 220-52-073, filed 12/7/84; 83-04-025 (Order 83-04), § 220-52-073, filed 1/27/83; 80-13-064 (Order 80-123), § 220-52-073, filed 9/17/80; 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.]

WAC 220-52-074 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-52-075 Shellfish harvest logs. It is unlawful for any vessel operator engaged in commercial crawfish, sea cucumber, sea urchin, scallop, shrimp, squid, or octopus fishing or operator of mechanical clam digging device to fail to obtain and accurately maintain the appropriate harvest log available from the Washington department of fisheries. The harvest log must be kept aboard the vessel while the vessel is engaged in harvest or has crawfish, sea cucumbers, sea urchins, shrimp, scallops, or clams aboard. The vessel operator must submit the log book for inspection upon request by authorized department of fisheries representatives. The department's copies of the completed harvest log must be submitted to the department for each calendar month in which fishing activity occurs. State copies must be received within ten days following any calendar month in which fishing activity occurred, except that commercial sea cucumber harvest logs must be received for each month of the season provided for in WAC 220-52-072 regardless of whether harvest activity occurred during the month, and all shellfish harvesters must submit a log that must be received by the tenth day following the termination of commercial fishing activity showing that shellfish harvest has terminated for the year.

(1) Vessel operators engaged in commercial harvest of shrimp or crawfish with shellfish pot or ring net gear must record the vessel Washington department of fisheries boat registration number, number of pots or ring nets pulled, date pulled, soak time, and gear location before leaving the catch area where taken, and weights must be recorded upon landing or sale. In addition, vessel operators engaged in commercial harvest of shrimp in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas 27A, 27B, or 27C (Hood Canal) must record the total number of pots they have in the water and the total number of buoys attached to those pots, and the department's copy of the completed harvest log must be submitted weekly, postmarked no later than Friday and showing harvest activity for the period Thursday of the week previous to submission through Wednesday of the week the harvest log is submitted.

(2) Vessel operators engaged in commercial harvest of shrimp with beam trawl or shrimp trawl gear must record the vessel identity, date, location, duration and estimated weight of shrimp caught for each tow before leaving the catch area where taken.

(3) Vessel operators engaged in commercial harvest of sea urchins or sea cucumbers must record the vessel identity, date, location, and the approximate number of sea urchins or sea cucumbers before leaving the catch area where taken and the exact weight must be recorded upon landing or sale.

(4) Vessel operators engaged in commercial harvest of clams with mechanical digging devices must record the vessel identity, location, and date of harvest before the end of each day's fishing and the weights by clam species must be recorded upon landing or sale.

(5) Vessel operators engaged in commercial harvest of scallops with dredge or trawl gear must record the vessel identity, date, location, and duration of harvest and estimated weight of scallops caught for each tow before leaving the catch area where taken.

(6) Vessel operators engaged in commercial harvest of squid, except when taken incidental to any other lawful fishery, must record before leaving the Marine Fish-Shellfish Management and Catch Reporting Area where taken, the vessel WDF boat registration number, gear type, catch area, starting and ending time of fishing, and numbers of other species caught and returned. Weights of squid must be recorded on landing or sale.

(7) Vessel operators engaged in commercial harvest of octopus, except when taken incidental to any other lawful fishery, must record before leaving the Marine Fish-Shellfish Management and Catch Reporting Area where taken, the vessel WDF boat registration number, gear type and amount, catch area and hours fished. Weights of octopus must be recorded on landing or sale.

[Statutory Authority: RCW 75.08.080. 87-15-022 (Order 87-69), § 220-52-075, filed 7/8/87; 87-02-013 (Order 86-199), § 220-52-075, filed 12/30/86; 84-08-014 (Order 84-24), § 220-52-075, filed 3/27/84; 83-09-014 (Order 83-24), § 220-52-075, filed 4/12/83; 82-03-045 (Order 82-6), § 220-52-075, filed 1/19/82; 81-11-006 (Order 81-31), § 220-52-075, filed 5/11/81; 80-13-064 (Order 80-123), § 220-52-075, filed 9/17/80; 79-12-039 (Order 79-129), § 220-52-075, filed 11/20/79; 79-02-053 (Order 79-6), § 220-52-075, filed 1/30/79.]

**Chapter 220-55 WAC
PERSONAL-USE LICENSES**

- WAC
- 220-55-025 Signature required.
- 220-55-040 Prepaid license issuing procedures.
- 220-55-060 License redemption.
- 220-55-065 Expiration.
- 220-55-070 Valid catch record card.
- 220-55-075 Sport catch record validation stamp.
- 220-55-080 Validation date.
- 220-55-085 Repealed.
- 220-55-090 Personal use license dealer.
- 220-55-095 Repealed.
- 220-55-105 License issuing procedures.
- 220-55-110 Personal use license and validation stamp bond requirements.
- 220-55-115 License and stamp sales reporting and fee remittances.
- 220-55-120 Free personal use license issuing procedure.
- 220-55-125 Duties of a personal use license dealer.
- 220-55-130 Valid personal use license.
- 220-55-135 Stamp redemption.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 220-55-085 Fresh and saltwater angling. [Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-55-085, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-025.] Repealed by 88-05-002 (Order 88-03), filed 2/4/88. Statutory Authority: RCW 75.08.080.
- 220-55-095 Salmon angling license distribution agent. [Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-55-095, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-035.] Repealed by 88-05-002 (Order 88-03), filed 2/4/88. Statutory Authority: RCW 75.08.080.

WAC 220-55-025 Signature required. Each and every person obtaining a razor clam license under chapter 220-55 WAC must sign the license card before the validating overlay is fixed in place. A license issued to a juvenile unable to sign his name must be signed by a parent or guardian.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-55-025, filed 4/21/87; 79-09-021 (Order 79-58), § 220-55-025, filed 8/10/79.]

WAC 220-55-040 Prepaid license issuing procedures. Razor clam licenses will be distributed by the department or designated distribution agents to razor clam license dealers. The licenses will be sold to razor clam license dealers on a prepaid basis in multiples of five resident licenses and multiples of five nonresident licenses and the minimum order is fifteen resident licenses.

[Statutory Authority: RCW 75.08.080. 88-05-002 (Order 88-03), § 220-55-040, filed 2/4/88; 86-24-047 (Order 86-191), § 220-55-040, filed 11/26/86; 79-09-021 (Order 79-58), § 220-55-040, filed 8/10/79.]

WAC 220-55-060 License redemption. Nonvaluated razor clam licenses may be redeemed at face value by license dealers upon return to the license division of the department of fisheries, Olympia, Washington, not later than January 31 of the year following expiration,

or by returning them by mail to that office, provided they are postmarked no later than January 31st.

[Statutory Authority: RCW 75.08.080. 88-05-002 (Order 88-03), § 220-55-060, filed 2/4/88; 79-09-021 (Order 79-58), § 220-55-060, filed 8/10/79.]

WAC 220-55-065 Expiration. The expiration date of each resident or nonresident license and catch record card, unless otherwise provided, shall be December 31st of the year printed on the license or catch record card. In case of a free license, the license shall not expire, except a license issued to a person under 16 years of age shall expire on that person's 16th birthday. A two consecutive day combined license and catch record card shall expire at the close of the day after the validation date, except when the validation date is December 31st, in which case the expiration date is also December 31st.

[Statutory Authority: RCW 75.08.080. 88-05-002 (Order 88-03), § 220-55-065, filed 2/4/88; 87-09-066 (Order 87-16), § 220-55-065, filed 4/21/87; 80-13-064 (Order 80-123), § 220-55-065, filed 9/17/80; 79-09-021 (Order 79-58), § 220-55-065, filed 8/10/79.]

WAC 220-55-070 Valid catch record card. A catch record card shall be invalid unless:

(1) The appropriate validation stamp, if required, is affixed to the catch record card as defined in WAC 220-69-237 or WAC 220-69-238. A sport catch record validation stamp, issued by the department, is required to be affixed to the catch record card of persons who do not meet the qualifications for issuance of a free salmon catch record card as set out in RCW 75.25.110. Qualifications for a free sturgeon catch record card are identical to those for a free salmon catch record card.

(2) The angler has signed his name in ink across the face of the stamp, if a stamp is required.

(3) The validation date is legibly written in ink on the face of the stamp, if required.

If the signature or validation date is illegible or altered, or if the stamp has been mutilated, the catch record card is invalid. The department will not replace a lost or mutilated stamp.

[Statutory Authority: RCW 75.08.080. 88-05-002 (Order 88-03), § 220-55-070, filed 2/4/88; 80-03-064 (Order 80-12), § 220-55-070, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-010.]

WAC 220-55-075 Sport catch record validation stamp. A sport catch record validation stamp shall be a stamp issued by the department of fisheries to be affixed to a sport catch record card for validation purposes.

[Statutory Authority: RCW 75.08.080. 88-05-002 (Order 88-03), § 220-55-075, filed 2/4/88; 80-03-064 (Order 80-12), § 220-55-075, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-015.]

WAC 220-55-080 Validation date. On a two consecutive day combined license and catch record card, the validation date shall be the first day on which an angler may fish for or possess foodfish.

[Statutory Authority: RCW 75.08.080. 88-05-002 (Order 88-03), § 220-55-080, filed 2/4/88; 80-03-064 (Order 80-12), § 220-55-080, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-020.]

WAC 220-55-085 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-55-090 Personal use license dealer. A personal use license dealer is defined as any person, business, corporation, or governmental agency authorized by the director to issue licenses, catch record cards, and validation stamps.

[Statutory Authority: RCW 75.08.080. 88-05-002 (Order 88-03), § 220-55-090, filed 2/4/88; 80-03-064 (Order 80-12), § 220-55-090, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-030.]

WAC 220-55-095 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-55-105 License issuing procedures. Personal use licenses and validation stamps will be distributed and sold by the department to deputized distribution agents and to personal use license dealers. The stamps will be sold or issued in sheets of twenty-five stamps. Resident personal use licenses will be sold or issued in units of twenty-five licenses, and nonresident personal use licenses will be sold or issued in units of five licenses.

[Statutory Authority: RCW 75.08.080. 88-05-002 (Order 88-03), § 220-55-105, filed 2/4/88; 80-03-064 (Order 80-12), § 220-55-105, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-045.]

WAC 220-55-110 Personal use license and validation stamp bond requirements. Persons requesting authorization as a bonded dealer must post a minimum two thousand dollar surety bond. The total face value of licenses and stamps issued to bonded dealers at any one time shall not exceed that dealer's bond. Dealers who prepay licenses and stamps are not required to be bonded.

[Statutory Authority: RCW 75.08.080. 88-05-002 (Order 88-03), § 220-55-110, filed 2/4/88; 80-03-064 (Order 80-12), § 220-55-110, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-046.]

WAC 220-55-115 License and stamp sales reporting and fee remittances. Bonded dealers shall report license and stamp sales on forms provided by the department and remit receipts from those sales to the department no later than the tenth day of each month following the close of business for the previous calendar month.

[Statutory Authority: RCW 75.08.080. 88-05-002 (Order 88-03), § 220-55-115, filed 2/4/88; 80-03-064 (Order 80-12), § 220-55-115, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-047.]

WAC 220-55-120 Free personal use license issuing procedure. Upon request a free personal use license and valid catch record card shall be issued by license dealers to persons under sixteen years of age or seventy years of age or older. Upon request a free personal use license and valid catch record card shall be issued by the license supervisor of the Department of Fisheries, Olympia, Washington, to any other qualified applicant as provided for in RCW 75.25.110. A lost or illegible free license will be replaced by the license supervisor upon request and showing of proof.

[Statutory Authority: RCW 75.08.080, 88-05-002 (Order 88-03), § 220-55-120, filed 2/4/88; 84-05-046 (Order 84-11), § 220-55-120, filed 2/21/84; 80-03-064 (Order 80-12), § 220-55-120, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-050.]

WAC 220-55-125 Duties of a personal use license dealer. A license dealer shall, at the time of sale of a two consecutive day combined license and catch record card validation stamp, write the validation date in ink on the face of the stamp, and it shall be unlawful for him to fail to do so.

[Statutory Authority: RCW 75.08.080, 88-05-002 (Order 88-03), § 220-55-125, filed 2/4/88; 80-03-064 (Order 80-12), § 220-55-125, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-055.]

WAC 220-55-130 Valid personal use license. A personal use license shall be invalid unless the angler has signed his name in ink on the license or if the license is mutilated or altered. The department will not replace a mutilated license.

[Statutory Authority: RCW 75.08.080, 88-05-002 (Order 88-03), § 220-55-130, filed 2/4/88; 84-05-046 (Order 84-11), § 220-55-130, filed 2/21/84; 80-03-064 (Order 80-12), § 220-55-130, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-060.]

WAC 220-55-135 Stamp redemption. Unissued personal use licenses and nonvalidated stamps may be redeemed at face value by license dealers from the department of fisheries licensing division office in Olympia not later than January 31 following the year printed on the license or stamp, or post marked no later than January 31st if returned by mail.

[Statutory Authority: RCW 75.08.080, 88-05-002 (Order 88-03), § 220-55-135, filed 2/4/88; 80-03-064 (Order 80-12), § 220-55-135, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-065.]

**Chapter 220-56 WAC
PERSONAL-USE FISHERY**

WAC

- 220-56-105 River mouth definitions.
- 220-56-115 Angling—Lawful and unlawful acts.
- 220-56-116 Salmon—Barbless hooks.
- 220-56-120 Closed areas—Angling.
- 220-56-128 Food fish fishing closures—Areas and seasons.
- 220-56-175 Salmon and sturgeon catch record cards.
- 220-56-180 Bag limit codes.
- 220-56-185 Marine area codes.
- 220-56-190 Saltwater seasons and bag limits—Salmon.
- 220-56-195 Closed areas—Saltwater salmon angling.
- 220-56-199 Closed areas—Chinook salmon angling.
- 220-56-205 Hook regulations—Freshwater salmon angling.
- 220-56-235 Possession limits—Bottomfish.
- 220-56-240 Daily bag limits—Other food fish.
- 220-56-245 Halibut—Bag and possession limits.
- 220-56-255 Halibut—Season.
- 220-56-265 Baitfish—Lawful gear.
- 220-56-285 Shad and sturgeon—Areas and seasons.
- 220-56-295 Sturgeon—Unlawful acts.
- 220-56-310 Shellfish—Daily bag limits.
- 220-56-320 Shellfish gear—Unlawful acts.
- 220-56-335 Crab—Unlawful acts.
- 220-56-350 Hardshells, cockles, mussels—Areas and seasons.
- 220-56-355 Clams—Unlawful acts.
- 220-56-360 Razor clams—Areas and seasons.

- 220-56-372 Razor clam sanctuaries.
- 220-56-380 Oysters—Areas and seasons.

WAC 220-56-105 River mouth definitions. When pertaining to food fish angling, unless otherwise defined, any reference to the mouths of rivers or streams shall be construed to include those waters of any river or stream including sloughs and tributaries upstream and inside of a line projected between the outermost uplands at the mouth. The term "outermost upland" shall be construed to mean those lands not covered by water during an ordinary high tide. The following river mouths are hereby otherwise defined:

- Abernathy Creek – Highway 4 Bridge.
- Bear River – Highway 101 Bridge.
- Bone River – Highway 101 Bridge.
- Chehalis River – U.P. Railway Bridge in Aberdeen.
- Chinook River – The tide gates at the Highway 101 Bridge.
- Cowlitz River – A line projected across the river between two fishing boundary markers set on each bank of the river approximately one-half mile downstream from the lowermost railroad bridge crossing the Cowlitz River.
- Dakota Creek – A line from the outermost headland of the south bank to a house at 1285 Runge Avenue, Blaine, Washington, approximately one-quarter mile downstream from the Blaine Road Bridge.
- Duwamish River – First Avenue South Bridge.
- Elk River – Highway 105 Bridge.
- Entiat River – Highway 97 Bridge.
- Germany Creek – Highway 4 Bridge.
- Hoquiam River – Highway 101 Bridge.
- Humtulsips River – Mouth of Jessie Slough.
- Johns River – Highway 105 Bridge.
- Lake Washington Ship Canal – Line 400 feet below the fish ladder at the Chittenden Locks.
- Lewis River – A straight line running from a marker on Austin Point south across the Lewis River to a marker on the opposite shore.
- Methow River – Highway 97 Bridge.
- Mill Creek – Highway 4 Bridge.
- Naselle River – Highway 101 Bridge.
- North Nemah River – Line from markers approximately one-half mile below the Highway 101 Bridge.
- Niawiakum River – Highway 101 Bridge.
- North River – Highway 105 Bridge.
- Palix River – Highway 101 Bridge.
- Puyallup River – 11th Street Bridge.
- Samish River – The Samish Island Bridge (Bayview-Edison Road).
- Sammamish River – Kenmore Highway Bridge.

Skagit River – A line projected from the terminus of the jetty with McGlenn Island to the white monument on the easterly end of Ika Island, then to a white monument on the westerly end of Craft Island, then to a white monument near the corner of the levee on the westerly side of Dry Slough, and then to a white monument on the easterly side of Tom Moore Slough.

Skamokawa Creek – Highway 4 Bridge.

Snohomish River – Burlington Northern Railway Bridges crossing main river and sloughs.

South Nemah River – Lynn Point 117 degrees true to the opposite shore.

Tucannon River – State Highway 261 Bridge.

Washougal River – A straight line from the Crown Zellerbach pumphouse southeasterly across the Washougal River to the east end of the Highway 14 Bridge near the upper end of Lady Island.

White Salmon River – Highway 14 Bridge.

Little White Salmon River – At boundary markers on river bank downstream from the federal salmon hatchery.

Willapa River – Highway 101 Bridge.

Yakima River – Highway 240 Bridge.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-56-105, filed 4/26/88; 85-09-017 (Order 85-20), § 220-56-105, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-105, filed 4/11/84; 82-13-040 (Order 82-61), § 220-56-105, filed 6/9/82; 81-05-027 (Order 81-13), § 220-56-105, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-105, filed 2/27/80, effective 4/1/80.]

WAC 220-56-115 Angling--Lawful and unlawful acts. (1) It is unlawful for any person to use more than one line with one lure at any one time while angling for food fish for personal use except:

(a) It is lawful to use two natural baits per line while angling in freshwater.

(b) It is lawful to use two lures per line while angling in marine waters for food fish other than salmon or baitfish.

(c) A second line using baitfish jigger gear is lawful while angling in the Strait of Juan de Fuca east of the mouth of the Sekiu river, Georgia Strait, the San Juan Islands, and Puget Sound.

(2) It shall be unlawful for any person to take, fish for or possess food fish for personal use by any means other than angling with a line attached to a pole held in hand while landing the fish or with a hand-operated line without rod or reel not utilizing power to retract the line in either case, except as provided in subsections (3), (4), and (5) of this section.

(3) It shall be lawful, while angling for food fish from shore, piers, jetties or docks, for an individual to:

(a) Leave the pole in a pole holder while playing or landing the fish. The pole holder may be affixed to a bench, pier railing, wheelchair or other solid object.

(b) Use a power-operated reel attached to a pole.

(4) It is lawful, while in possession of a disability power reel permit, to use a power operated reel while

angling for food fish from a vessel, and leave the pole in a pole holder while playing or landing the fish. A disability power reel permit for boat angling will be issued by the department's licensing division to any person who is physically handicapped to the extent the person is unable to engage in angling using a hand operated reel. For purposes of this section, physically handicapped means an obvious permanent disability involving the loss or incapacity of one hand. The disability power reel permit must be with the angler while the power operated reel is being used and must be presented to authorized officials of the department upon request.

(5) It shall be unlawful to take, fish for or possess salmon taken for personal use with hand lines (lines not attached to a handheld pole) in those waters west of the mouth of the Sekiu River, Pacific Ocean, Washington waters at the mouth of the Columbia River west of a line projected true north and south through Buoy 10, Grays Harbor, and Willapa Bay.

(6) It shall be unlawful for any person while angling for food fish to fail to keep his angling gear under his direct and immediate physical control.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-56-115, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-115, filed 4/21/87; 85-09-017 (Order 85-20), § 220-56-115, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-115, filed 4/11/84; 82-13-040 (Order 82-61), § 220-56-115, filed 6/9/82; 82-07-047 (Order 82-19), § 220-56-115, filed 3/18/82; 80-12-040 (Order 80-107), § 220-56-115, filed 8/29/80; 80-03-064 (Order 80-12), § 220-56-115, filed 2/27/80, effective 4/1/80.]

WAC 220-56-116 Salmon--Barbless hooks. (1) Barbless hooks are hooks on which the barb has been filed off, removed, pinched down, or deleted when manufactured.

(2) It is unlawful to use barbed hooks while angling:

(a) For salmon in all marine waters of Puget Sound, the Pacific Ocean, Grays Harbor, Willapa Bay, and waters at the mouth of the Columbia River westerly of a line drawn true north-south through Buoy 10.

(b) For salmon in Lake Washington north of the Evergreen Point Floating Bridge when using nonbuoyant lures (see WAC 220-56-105).

[Statutory Authority: RCW 75.08.080. 88-10-012 (Order 88-14), § 220-56-116, filed 4/26/88; 85-09-017 (Order 85-20), § 220-56-116, filed 4/9/85; 83-07-043 (Order 83-16), § 220-56-116, filed 3/17/83; 82-13-040 (Order 82-61), § 220-56-116, filed 6/9/82.]

WAC 220-56-120 Closed areas--Angling. It is unlawful to fish for or possess food fish taken from the following areas during the times indicated.

(1) Waters of Budd Inlet at Olympia south of the Fourth Avenue Bridge are closed to food fish angling at all times.

(2) The waters of Percival Cove are closed to food fish angling at all times.

(3) Those waters of Hood Canal within 100 feet of the Seabeck Highway Bridge over Big Beef Creek are closed to food fish angling from 12:01 a.m. August 1 through 11:59 p.m. November 30.

(4) Those waters of Elliott Bay southerly and upstream from lines described as a 1,000 foot radius north of a point midway between Port of Seattle Pier 37 and

the Crowley Maritime Corporation Pier 18 and a 1,000 foot radius north of a point midway between the Todd Shipyard Pier 13 and the Lockheed Shipyard Pier 4 to the First Avenue South Bridge over the Duwamish River are closed to angling for food fish from 12:01 a.m. August 1 through 11:59 p.m. September 18.

(5) Those waters of the Columbia River downstream from the Vernita Bridge to the old Hanford townsite wooden power line towers are closed to angling for food fish from 12:01 a.m. October 16 to 11:59 p.m. June 15.

(6) Those waters of the Duwamish River downstream from the Highway 99 Bridge (the Pacific Highway South Bridge) to the First Avenue South Bridge are closed to angling for food fish from 12:01 a.m. July 1 to 11:59 p.m. October 5.

[Statutory Authority: RCW 75.08.080, 88-10-012 (Order 88-14), § 220-56-120, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-120, filed 4/21/87; 80-03-064 (Order 80-12), § 220-56-120, filed 2/27/80, effective 4/1/80.]

WAC 220-56-128 Food fish fishing closures--Areas and seasons. (1) It is unlawful to fish for or possess food fish taken for personal use in waters lying within one mile below any fish rack, fishway, dam or other artificial or natural obstruction, either temporary or permanent, unless otherwise provided.

(2) It is unlawful to fish for or possess food fish taken for personal use in waters inside of or upstream from the following described Puget Sound marine water lines:

(a) Hood Canal:

(i) Waters within a radius of one hundred feet from the confluence of Finch Creek with tidewater adjacent to the Hood Canal Salmon Hatchery.

(ii) Waters within a radius of 100 yards from the Enetai Hatchery Outfall Creek where it enters saltwater.

(b) Sinclair Inlet: A line fifty yards from the pierhead line of the Puget Sound Naval Shipyard at Bremerton.

(c) Budd Inlet: The Fourth Avenue Bridge at Olympia.

(d) Shilshole Bay: For salmon, the line shall be the Burlington Northern Railroad Bridge. For bottomfish or other food fish, the line shall be 400 feet below the fish ladder at the Chittenden Locks from October 1 through May 31; and below the Burlington Northern Railroad Bridge all year.

(e) Chinook River: The tide gate at the Highway 101 Bridge.

(3) It is unlawful to fish for or possess food fish taken for personal use from those waters of the Columbia River:

(a) Between the Vernita Bridge and the Hanford power line crossing (wooden towers at S24, T13N, R27E) from October 16 through June 30.

(b) Between the upstream line of Bonneville Dam to a point 600 feet below the fish ladder at the new Bonneville Dam Powerhouse.

[Statutory Authority: RCW 75.08.080, 88-10-012 (Order 88-14), § 220-56-128, filed 4/26/88; 85-09-017 (Order 85-20), § 220-56-128, filed 4/9/85; 82-07-047 (Order 82-19), § 220-56-128, filed 3/18/82; 80-03-064 (Order 80-12), § 220-56-128, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-065.]

WAC 220-56-175 Salmon and sturgeon catch record cards. It is unlawful for any person to fail to comply with the salmon or sturgeon catch record requirements as provided for in this section:

(1) In order to take or possess for personal use anadromous salmon or Columbia River, Grays Harbor, or Willapa Harbor sturgeon (including sturgeon taken from any tributary) a fisherman must obtain and have in his possession the appropriate catch record card (also referred to as punch card in chapter 75.25 RCW) as described in WAC 220-69-237 and 220-69-238 except for commercially caught salmon retained for personal use as provided for in WAC 220-20-016 and commercially caught sturgeon retained for personal use as provided for in WAC 220-20-021.

(2) Any angler, when obtaining a catch record card shall completely, accurately, and legibly complete all information in ink on the catch record stub prior to detaching the catch record card from the stub, and enter his name, address, and personal identification information in ink on the catch record card.

(3) Immediately upon catching and possessing a salmon or sturgeon, the angler shall enter in the appropriate space the place, date of catch, species, and, for sturgeon, length.

(4) Every person possessing a catch record card shall by January 31 of the year following the year printed on the card return such card to the department of fisheries.

(5) Any person possessing a catch record card shall, upon demand of any law enforcement officer or authorized fisheries department employee, exhibit said card to such officer or employee for inspection.

(6) A catch record card shall not be transferred, borrowed, altered, or loaned to another person.

[Statutory Authority: RCW 75.08.080, 88-05-002 (Order 88-03), § 220-56-175, filed 2/4/88; 85-11-020 (Order 85-43), § 220-56-175, filed 5/10/85; 80-03-064 (Order 80-12), § 220-56-175, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-023.]

WAC 220-56-180 Bag limit codes. (1) Code A: In waters having this code designation, the bag limit in any one day is six salmon not less than 10 inches in length, not more than two of these six salmon may be any combination of the following:

Chinook over 24 inches in length

Coho over 20 inches in length

Pink, chum or sockeye over 10 inches in length.

(2) Code C: In waters having this code designation, the bag limit in any one day is six chinook and coho salmon in the aggregate not less than 10 inches in length or more than the following:

24 inches in length for chinook; 20 inches in length for coho.

(3) Code D: In waters having this code designation, the bag limit in any one day is six salmon not less than 10 inches in length not more than two of which may be sockeye salmon; all chinook salmon greater than 24 inches in length and all coho salmon greater than 20 inches in length must be released.

(4) Code F: In waters having this code designation, the bag limit in any one day is two salmon provided that:

(a) Chinook salmon must be not less than 24 inches in length, coho salmon must be not less than 16 inches, but there is no minimum size on other salmon.

(b) During the period April 15 through June 15 in waters of the Strait of Juan de Fuca between the mouth of the Sekiu River and a line from the most westerly point on Cape Flattery to the Tatoosh Island Light then to Bonilla Point on Vancouver Island, it is unlawful to take and retain chinook salmon greater than 30 inches in length.

(5) Code H: In waters having this code designation, the bag limit in any one day is three salmon provided that:

(a) Chinook salmon must be not less than 22 inches in length, but there is no minimum size for other salmon.

(b) During the period April 15 through June 15 in Catch Record Card Areas 5, 6, 7, 9, 10, 11, and 13, it is unlawful to retain or possess chinook salmon greater than 30 inches in length.

(c) In contiguous marine waters of Puget Sound east of the mouth of the Sekiu River, no more than two of the three salmon daily bag limit may be chinook, except the daily bag limit in Catch Record Card Area 12 is three salmon of any species.

(6) Code I: In waters having this code designation, the bag limit, size restrictions, and opening and closing dates are the same as those for gamefish as regulated under Title 77 RCW by the Washington wildlife commission. Salmon angling catch record card is not required, but a gamefish license is required to take, fish for or possess gamefish.

(7) The possession limit in all waters regulated under Bag Limits A, C, D, F, H, and special bag limits shall not exceed the equivalent of two daily bag limits of fresh salmon, and additional salmon may be possessed in frozen or processed form. The possession limit in waters regulated under Bag Limit I is the same as the possession limit for gamefish as regulated under Title 77 RCW by the Washington wildlife commission.

[Statutory Authority: RCW 75.08.080, 88-10-013 (Order 88-15), § 220-56-180, filed 4/26/88; 87-08-006 (Order 87-19), § 220-56-180, filed 3/23/87; 86-09-020 (Order 86-08), § 220-56-180, filed 4/9/86; 85-09-017 (Order 85-20), § 220-56-180, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-180, filed 4/11/84; 83-07-043 (Order 83-16), § 220-56-180, filed 3/17/83; 82-13-040 (Order 82-61), § 220-56-180, filed 6/9/82; 82-07-047 (Order 82-19), § 220-56-180, filed 3/18/82; 80-03-064 (Order 80-12), § 220-56-180, filed 2/27/80, effective 4/1/80.]

WAC 220-56-185 Marine area codes. The term "marine area code numbers" is defined as the catch area for the salmon catch record card. The following is a list of the catch areas:

(1) Area 1 (Ilwaco): West of the Megler-Astoria Bridge - north to Leadbetter Point. Effective January 1, 1989, Area 1 includes only waters west of the Buoy 10 Line and north to Leadbetter Point.

(2)(a) Area 2 (Westport-Ocean Shores): From Leadbetter Point north to the Queets River. Effective January 1, 1989, Area 2 excludes waters of Willapa Bay and Grays Harbor.

(b) Effective January 1, 1989, Area 2-1: Willapa Bay.

(c) Effective January 1, 1989, Area 2-2: Grays Harbor east of a north-south line through Grays Harbor Channel Marker 13.

(3) Area 3 (La Push): From the Queets River north to Cape Alava.

(4) Area 4 (Neah Bay): From Cape Alava north and inside Juan de Fuca Strait to the Sekiu River.

(5) Area 5 (Sekiu and Pillar Point): From mouth of Sekiu River east to Low Point, mouth of the Lyre River.

(6) Area 6 (East Juan de Fuca Strait): From Low Point east to the Partridge Point-Point Wilson line north to the line from Trial Island (near Victoria, B.C.) - Navigation Buoy BW "R" - Smith Island - the most northeasterly of the Lawson Reef lighted buoys (RB1 QK Fl Bell) - Northwest Island - the Initiative 77 marker on Fidalgo Island.

(7) Area 7 (San Juan Islands): All marine waters north of the line described under Area 6 to the United States-Canadian boundary.

(8)(a) Area 8 (Deception Pass, Hope and Camano Islands): Line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island east through Deception Pass, including all waters east of Whidbey Island to the Possession Point - Shipwreck Line.

(b) Effective January 1, 1989, Area 8-1 (Deception Pass and Hope Island): East of a line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island, south of the Burlington Northern Railroad Bridge at the north end of Swinomish Slough, north of the Highway 532 Bridge between Camano Island and the mainland, and westerly of a line from the East Point Light on Whidbey Island to the Saratoga Pass Light #2 on Camano Island (Fl red 4 sec.).

(c) Effective January 1, 1989, Area 8-2 (Port Susan and Port Gardner): East of a line from the East Point Light on Whidbey Island to the Saratoga Pass Light #2 on Camano Island (Fl red 4 sec.) and north of a line from the south tip of Possession Point 110 degrees true to a shipwreck on the opposite shore.

(9) Area 9 (Admiralty Inlet): All waters inside and south of the Partridge Point-Point Wilson Line and a line projected from the southerly tip of Possession Point 110 degrees true to a shipwreck on the opposite shore and northerly of the Hood Canal Bridge and the Apple Cove Point-Edwards Point Line.

(10) Area 10 (Seattle-Bremerton): From the Apple Cove Point-Edwards Point Line to a line projected true east-west through the northern tip of Vashon Island.

(11) Area 11 (Tacoma-Vashon Island): From the northern tip of Vashon Island to the Tacoma Narrows Bridge.

(12) Area 12 (Hood Canal): All contiguous waters south of the Hood Canal Bridge and adjacent waters north of the Hood Canal Bridge when fishing from the pontoon beneath the bridge.

(13) Area 13 (South Puget Sound): All contiguous waters south of the Tacoma Narrows Bridge.

[Statutory Authority: RCW 75.08.080, 88-10-013 (Order 88-15), § 220-56-185, filed 4/26/88; 85-18-026 (Order 85-111), § 220-56-

185, filed 5/27/85; 85-09-017 (Order 85-20), § 220-56-185, filed 4/9/85; 80-03-064 (Order 80-12), § 220-56-185, filed 2/27/80, effective 4/1/80.]

WAC 220-56-190 Saltwater seasons and bag limits—Salmon. It shall be unlawful to take, fish for or possess salmon taken by angling for personal use except from the following areas, during the seasons, in the quantities, sizes and for the species designated in this section and as defined in the bag limit codes in WAC 220-56-180:

(1) Puget Sound contiguous marine waters east of the mouth of the Sekiu River – Bag Limit H – open the entire year, except as provided in WAC 220-56-120, 220-56-128, 220-56-130, and 220-56-195.

(2) Strait of Juan de Fuca from the mouth of the Sekiu River to the Bonilla-Tatoosh Line – Bag Limit F except during the period April 15 through June 15 maximum size limit of 30 inches on chinook salmon if the waters described in this subsection are open – open concurrently with the ocean, and these waters will remain open through October 31 or until the ocean salmon quota for any species is taken.

(3) Pacific Ocean coastal waters: All waters west of a line from Tatoosh Island Light to Bonilla Point, Pacific Ocean, and Washington waters at the mouth of the Columbia River west of a line projected true north and south through Buoy 10 – Bag Limit F – open on the Saturday preceding Memorial Day through Labor Day.

(4) Grays Harbor (waters east of a line from the outermost end of the north jetty to the outermost exposed end of the south jetty including the waters of the Westport Boat Basin) – (a) Open to salmon angling coincidentally with the season, bag limit, size, and gear restrictions in adjacent waters of the Pacific Ocean, but not to extend beyond August 15, unless otherwise provided, (b) Bag Limit A – September 16 through November 30: Waters east of the Buoy 13 line – barbless hooks and handheld poles required; chinook salmon greater than 28 inches in length must be released.

(5) Willapa Harbor (waters east of a line from Leadbetter Point to Cape Shoalwater Light and downstream from river mouths as defined in WAC 220-56-105) – (a) Open to salmon angling coincidentally with the season, bag limit, size, and gear restrictions in adjacent waters of the Pacific Ocean, (b) special bag limit – six salmon not less than 10 inches in length not more than two of which may be any combination of the following: Chinook over 24 inches in length; coho over 20 inches in length; pink, chum, or sockeye over 10 inches in length – open September 1 through November 30.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-56-190, filed 4/21/87; 86-09-020 (Order 86-08), § 220-56-190, filed 4/9/86; 85-09-017 (Order 85-20), § 220-56-190, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-190, filed 4/11/84; 83-07-043 (Order 83-16), § 220-56-190, filed 3/17/83; 82-13-040 (Order 82-61), § 220-56-190, filed 6/9/82; 82-07-047 (Order 82-19), § 220-56-190, filed 3/18/82; 80-03-064 (Order 80-12), § 220-56-190, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-064.]

WAC 220-56-195 Closed areas—Saltwater salmon angling. The following areas shall be closed to salmon angling during the times indicated:

(1) Skagit Bay: Those waters lying easterly of a line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island, northerly of a line projected from Polnell Point to Rocky Point, northerly of the state Highway 532 Bridge between Camano Island and the mainland and south of a line between the south end of McGlenn Island and the light at the south end of Fidalgo Island (Qk Fl) at the south end of Swinomish Slough shall be closed to salmon angling April 15 through June 30.

(2) Bellingham Bay: Those waters of Bellingham, Samish and Padilla Bays southerly of a line projected from the most westerly point of Gooseberry Point to Sandy Point, easterly of a line from Sandy Point to Point Migley thence along the eastern shoreline of Lummi Island to Carter Point, thence to the most northerly tip of Vendovi Island thence to Clark Point on Guemes Island following the shoreline to Southeast Point on Guemes Island thence to March Point on Fidalgo Island and north of the Burlington Railroad Bridges at the north end of Swinomish Slough shall be closed to salmon angling April 15 through July 15.

(3) Carr Inlet:

(a) Those waters north of a line from Green Point to Penrose Point are closed to salmon angling from June 16 through August 15.

(b) Those waters of Carr Inlet within 1,000 feet of the outer oyster stakes at the mouth of Minter Creek are closed to salmon angling March 15 through August 31.

(c) Those waters of Carr Inlet and Hale Passage north of a line from Penrose Point to the Carr Inlet Acoustic Range Naval Facility Pier and northwesterly of the Fox Island Bridge shall be closed to salmon angling from April 15 through June 15.

(4) Quilcene Bay: Those waters north of a line projected true east from Pulali Point are closed to salmon angling April 15 through August 15.

(5) Dungeness Bay: Those waters westerly of a line projected 155 degrees true from Dungeness Spit Light to Kulo Kala Point are closed to salmon angling April 15 through June 30.

(6) Samish Bay: Those waters southerly of a line projected true east from Fish Point are closed to salmon angling August 1 through October 14.

(7) Elliott Bay:

(a) Waters easterly of a line projected 187 degrees true from Pier 91 through the Duwamish Head Light to Duwamish Head are closed to salmon angling August 1 through September 9.

(b) Waters easterly and southerly of a line running approximately 72 degrees true from the Armeni Public Boat Ramp in West Seattle to the Columbia Sea-First Center in downtown Seattle are closed to salmon angling September 10 through September 11.

(8) Port Susan: Those waters of Port Susan north of a line from Camano Head to Hermosa Point are closed to salmon angling June 16 through September 30.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-56-195, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-195, filed 4/21/87; 86-09-020 (Order 86-08), § 220-56-195, filed 4/9/86; 85-09-017 (Order 85-20), § 220-56-195, filed 4/9/85; 83-07-043 (Order 83-16), § 220-56-195, filed 3/17/83; 82-13-040 (Order 82-

61), § 220-56-195, filed 6/9/82; 80-03-064 (Order 80-12), § 220-56-195, filed 2/27/80, effective 4/1/80.]

WAC 220-56-199 Closed areas--Chinook salmon angling. It is unlawful to take or possess chinook salmon from those waters of Port Susan lying northerly of a line projected from Camano Head to Hermosa Point during the period April 15 through June 15.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-56-199, filed 4/26/88; 85-09-017 (Order 85-20), § 220-56-199, filed 4/9/85.]

WAC 220-56-205 Hook regulations--Freshwater salmon angling. It is unlawful to fish for or to possess salmon taken for personal use from freshwater unless the hooks used meet the requirements of this section:

(1) Nonbuoyant lures are defined as lures that do not have enough buoyancy to float in freshwater. Nonbuoyant lures other than natural bait lures must have no more than one single hook and that hook must not exceed 3/4 inch from point to shank. Nonbuoyant natural bait lures may have up to two single hooks not exceeding 3/4 inch from point to shank.

(2) Buoyant lures are defined as lures that have enough buoyancy to float in freshwater and may have any number of hooks.

(3) No leads, weights or sinkers may be attached below or less than 12 inches above a nonbuoyant lure.

(4) All hooks must be attached within three inches of the bait or lure.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-56-205, filed 4/26/88; 86-09-020 (Order 86-08), § 220-56-205, filed 4/9/86; 82-07-047 (Order 82-19), § 220-56-205, filed 3/18/82; 81-05-027 (Order 81-13), § 220-56-205, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-205, filed 2/27/80, effective 4/1/80.]

WAC 220-56-235 Possession limits--Bottomfish. It is unlawful, unless otherwise provided, for any one person to take in any one day more than the following quantities of bottomfish for personal use. The possession limit at any one time shall not exceed the equivalent of two daily bag limits of fresh bottomfish. Additional bottomfish may be possessed in a frozen or processed form.

(1) Coastal (Punch Card Areas 1 through 4):

(a) Lingcod:

(i) 3 fish in Punch Card Areas 1 through 3 and Area 4 west of a line projected from the most westerly point on Cape Flattery to the Tatoosh Island light, thence to Bonilla Point;

(ii) 2 fish in Punch Card Area 4 east of a line projected from the most westerly point on Cape Flattery to the Tatoosh Island light, thence to Bonilla Point.

(b) Rockfish - 15 fish.

(c) All other species - no limit.

(2) Puget Sound:

(a) East of the mouth of the Sekiu River and west and north of a line from Point Partridge to Point Wilson and west of a line between west point on Whidbey Island and Reservation Head on Fidalgo Island. (Punch Card Areas 5 through 7) - 15 fish in the aggregate of all species of bottomfish, no more than 2 of which may be lingcod and

no more than 10 of which may be rockfish or surfperch. It is unlawful to possess lingcod less than 22 inches in length taken by angling. The daily bag limit taken by spear fishing may include no more than one lingcod in the 15 fish aggregate, with no size restriction.

(b) All contiguous marine waters east and south of a line from Point Partridge to Point Wilson and east of a line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island (Punch Card Areas 8 through 13) - 15 fish in the aggregate of all species of bottomfish, no more than 1 of which may be lingcod, no more than 5 of which may be rockfish and no more than 10 of which may be surfperch. It is unlawful to possess lingcod less than 22 inches in length taken by angling. There is no size restriction on the one lingcod allowed in the daily bag limit if taken by spear fishing.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-56-235, filed 4/26/88; 85-09-017 (Order 85-20), § 220-56-235, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-235, filed 4/11/84; 83-07-043 (Order 83-16), § 220-56-235, filed 3/17/83; 80-07-017 (Order 80-45), § 220-56-235, filed 6/11/80; 80-03-064 (Order 80-12), § 220-56-235, filed 2/27/80, effective 4/1/80.]

WAC 220-56-240 Daily bag limits--Other food fish. It is unlawful for any one person to take in any one day more than the following quantities and sizes of food fish taken for personal use:

(1) Sturgeon: 2 fish not less than 36 inches nor more than 72 inches in length state-wide, except:

(a) 2 fish not less than 48 inches nor more than 72 inches in length in the Columbia River and mainstem impoundments upstream from a line perpendicular to the river flow where the river ceases to be the Oregon/Washington boundary approximately 17.3 miles above McNary Dam to the United States/Canada border and those waters of the Snake River from its mouth upstream to the powerline crossing below Highway 12 Bridge at Clarkston.

(b) Effective April 30, 1988, 2 fish not less than 40 inches nor more than 72 inches in length in the Columbia River between Bonneville Dam and McNary Dam.

(c) The possession limit is two daily bag limits of fresh sturgeon. Additional sturgeon may be possessed in a frozen or processed form.

(d) Effective January 1, 1989, there is an annual personal use bag limit of 15 sturgeon.

(2) Smelt: 20 pounds. The daily bag limit and the possession limit are the same. It is unlawful for any person to possess more than 20 pounds of smelt at any time.

(3) Herring: 20 pounds fresh. Additional herring may be possessed in a frozen or processed form.

(4) All other food fish not otherwise provided for in this chapter: No limit.

[Statutory Authority: RCW 75.08.080. 88-10-012 (Order 88-14), § 220-56-240, filed 4/26/88; 86-09-020 (Order 86-08), § 220-56-240, filed 4/9/86; 85-09-017 (Order 85-20), § 220-56-240, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-240, filed 4/11/84; 80-03-064 (Order 80-12), § 220-56-240, filed 2/27/80, effective 4/1/80.]

WAC 220-56-245 Halibut--Bag and possession limits. (1) It is unlawful to fish for or possess more than:

(a) 2 halibut taken from Catch Record Card Areas 1, 2, 3, or those waters of Area 4 west of the Bonilla-Tatoosh Line in any one day.

(b) 1 halibut taken from those waters of Catch Record Card Area 4 east of the Bonilla-Tatoosh Line or Areas 5 through 13 in any one day.

(2) The possession limit shall not exceed one daily bag limit of fresh halibut.

[Statutory Authority: RCW 75.08.080. 88-10-012 (Order 88-14), § 220-56-245, filed 4/26/88; 80-03-064 (Order 80-12), § 220-56-245, filed 2/27/80, effective 4/1/80.]

WAC 220-56-255 Halibut--Season. It is unlawful to fish for or possess halibut taken for personal use except from:

(1) April 1 through September 30 in Catch Record Card Areas 1 and 2.

(2) May 1 through June 30 in Catch Record Card Area 3 and those waters of Catch Record Card Area 4 west of the Bonilla-Tatoosh line.

(3) March 1 through June 15 in those waters of Catch Record Card Area 4 east of the Bonilla-Tatoosh line and Catch Record Card Areas 5 through 13.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-56-255, filed 4/26/88; 85-10-062 (Order 85-39), § 220-56-255, filed 5/1/85; 80-03-064 (Order 80-12), § 220-56-255, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-071.]

WAC 220-56-265 Baitfish--Lawful gear. It shall be lawful to take, fish for and possess herring, candlefish, pilchards, anchovies and smelt taken for personal use with rake, hand dip net gear not exceeding 36 inches across the bag frame and baitfish jigger gear having not more than three treble or nine single hooks. Baitfish jigger gear hooks may not have a gap between the shank and the point exceeding 3/8 inch. Baitfish jigger gear as defined herein is considered as one lure.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-56-265, filed 4/26/88; 80-03-064 (Order 80-12), § 220-56-265, filed 2/27/80, effective 4/1/80.]

WAC 220-56-285 Shad and sturgeon--Areas and seasons. It is lawful the entire year to fish for or possess sturgeon and shad taken for personal use except in the following closed waters:

(1) Waters lying one mile downstream below any rack, dam or other obstruction concurrent with salmon angling boundaries provided for in chapter 220-57 WAC, except as provided in subsections (2) and (3) of this section.

(2) Waters lying 400 feet downstream below any dam, rack or obstruction in the Snake River.

(3) Columbia River waters between the upstream line of Bonneville Dam and the lowermost Bonneville power-line crossing, approximately 1-1/4 mile downstream from the dam, are closed to the fishing for or possession of sturgeon, except when fishing with hand-casted hook and line gear from the mainland shore in those waters lying downstream of a line running southerly from a fishing boundary marker on the Washington shore (approximately 3/4 mile downstream from the dam) to the downstream end of Cascade Island thence to the Oregon

angling boundary marker on Bradford Island (located approximately 600 feet downstream from the fish ladder entrance).

[Statutory Authority: RCW 75.08.080. 88-10-012 (Order 88-14), § 220-56-285, filed 4/26/88; 83-07-043 (Order 83-16), § 220-56-285, filed 3/17/83; 82-13-040 (Order 82-61), § 220-56-285, filed 6/9/82; 81-05-027 (Order 81-13), § 220-56-285, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-285, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-072.]

WAC 220-56-295 Sturgeon--Unlawful acts. (1) It is unlawful to possess in the field or transport for personal use any sturgeon from which either the head or tail or both have been removed or to possess sturgeon eggs without having retained the carcass of the fish from which the eggs have been removed.

(2) It is unlawful to use a gaff or other fish landing aid that penetrates the fish while restraining, handling or landing any sturgeon.

(3) It is unlawful to fail to immediately return to the water any sturgeon that is not of legal size.

(4) It is unlawful to fish for sturgeon with other than natural bait, using no more than two single hooks.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-56-295, filed 4/21/87; 86-09-020 (Order 86-08), § 220-56-295, filed 4/9/86; 84-09-026 (Order 84-22), § 220-56-295, filed 4/11/84; 81-05-027 (Order 81-13), § 220-56-295, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-295, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-072.]

WAC 220-56-310 Shellfish--Daily bag limits. It is unlawful for any one person to take in any one day for personal use more than the following quantities and sizes of shellfish:

(1) Cockles, borers and clams in the shell, other than razor clams, geoduck clams and horse clams, 40 clams in the aggregate, except:

(a) Skagit Bay, east of a line projected from Browns Point to Swinomish Slough entrance - diggers may additionally retain up to 20 pounds of eastern softshell clams in the shell.

(b) Willapa Bay - diggers may additionally retain up to twenty-four cockles.

(2) Razor clams: 15 clams.

(3) Geoduck clams: 3 clams.

(4) Horse clams: First 7 clams taken.

(5) Oysters: 18 oysters.

(6) Rock scallops: 12 scallops.

(7) Sea scallops: 12 scallops (over 4 inches).

(8) Common or pink scallops: 20 pounds or 10 quarts in the shell.

(9) Shrimp: 10 pounds, whole in the shell.

(10) Octopus: 2 octopus.

(11) Abalone (Kamschatka): 5 abalone, minimum size limit 3-1/2 inches measured in horizontal line across the longest portion of the shell.

(12) Crawfish: 10 pounds in the shell.

(13) Squid: 10 pounds or 5 quarts.

(14) Sea cucumbers: 25 sea cucumbers.

(15) Red sea urchins: 18 sea urchins.

(16) Purple sea urchins: 18 sea urchins.

(17) Green sea urchins: 36 sea urchins.

(18) Dungeness crabs: 6 male crabs.

- (19) Red rock crabs: 12 crabs.
- (20) Blue mussels and sea mussels: 10 pounds in the shell.
- (21) Goose barnacles: 10 pounds of whole barnacles or 5 pounds of barnacle stalks.
- (22) Ghost and mud shrimp: 10 dozen.

[Statutory Authority: RCW 75.08.080. 88-12-025 (Order 88-28), § 220-56-310, filed 5/25/88, effective 8/22/88; 88-10-013 (Order 88-15), § 220-56-310, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-310, filed 4/21/87; 86-24-046 (Order 86-190), § 220-56-310, filed 11/26/86; 86-09-020 (Order 86-08), § 220-56-310, filed 4/9/86; 85-12-046 (Order 85-57), § 220-56-310, filed 6/5/85; 84-09-026 (Order 84-22), § 220-56-310, filed 4/11/84; 83-04-027 (Order 83-06), § 220-56-310, filed 1/27/83; 82-07-047 (Order 82-19), § 220-56-310, filed 3/18/82; 80-03-064 (Order 80-12), § 220-56-310, filed 2/27/80, effective 4/1/80.]

WAC 220-56-320 Shellfish gear--Unlawful acts.

(1) It is unlawful for the owner or operator of any personal use shellfish gear to leave such gear unattended in the waters of the state unless said gear is marked with a buoy to which shall be affixed in a permanent visible and legible manner the first and last name and permanent mailing address of the operator, and in the case of Hood Canal shrimp gear, the name and address must appear exactly as it occurs on the shrimp license. It is unlawful for more than one person's name and address to appear on the same marker buoy. Unattended shellfish gear left in the waters of Puget Sound must have the line attaching the buoy to the pot weighted sufficiently to prevent the line from floating on the water's surface. The following additional requirements apply to buoys attached to unattended shellfish pots in Puget Sound waters:

(a) All buoys must consist of durable material and remain floating on the water's surface when at least 5 pounds of weight are attached. It is unlawful to use bleach, antifreeze or detergent bottles, paint cans or any other container.

(b) All buoys attached to shrimp gear must be yellow or fluorescent yellow in color. Flags and staff, if attached, may be any color.

(c) All buoys attached to crab gear must be half fluorescent red in color and half white in color. Flags and staff, if attached, may be any color.

(d) The number of pots attached to each buoy must be marked on the buoy in a manner that is visible and legible at all times.

(2) It is unlawful for any person using shellfish traps for personal use shellfishing to allow said traps to become uncovered by water.

(3) It is unlawful to take, fish for or possess crab taken with shellfish pot gear that are equipped with tunnel triggers or other devices which prevent free exit of crabs under the legal limit unless such gear is equipped with not less than one escape ring not less than 4-1/8 inches inside diameter located in the upper half of the crab pot.

(4) It is unlawful to take, fish for or possess shrimp taken for personal use with shellfish pot gear in the waters of Hood Canal southerly of the site of the Hood Canal Floating Bridge unless such gear meets the following requirements:

(a) The entire top, bottom, and sides of the shellfish pots must be constructed of mesh material and except for the entrance tunnels have the minimum mesh opening size defined below.

(b) The minimum mesh opening size for Hood Canal shrimp pots is defined as a mesh that a 7/8-inch square peg will pass through each mesh without changing the shape of the mesh opening.

(c) All entrance tunnels must open into the pot from the side.

(d) Effective January 1, 1985, the sum of the maximum widths of all entrance tunnels must not exceed 1/2 the perimeter of the bottom of the pot.

(5) It is unlawful to salvage or attempt to salvage shellfish pot gear from Hood Canal that has been lost without first obtaining a permit authorizing such activity issued by the director, and it is unlawful to fail to comply with all provisions of such permit.

(6) It is unlawful to fish for or possess crab taken for personal use with shellfish pot or ring net gear from the waters of Fidalgo Bay within 25 yards of the Burlington Northern Railroad trestle connecting March Point and Anacortes except from one hour before official sunrise to one hour after official sunset.

(7) It is unlawful to fish for or possess crab taken for personal use with shellfish pot or ring net gear from the waters of Padilla Bay or Swinomish Slough within 25 yards of the Burlington Northern Railroad crossing the northern end of Swinomish Slough except from one hour before official sunrise to one hour after official sunset.

(8) It is unlawful to dig for or possess ghost or mud shrimp taken for personal use by any method except hand operated suction devices or dug by hand.

[Statutory Authority: RCW 75.08.080. 88-12-025 (Order 88-28), § 220-56-320, filed 5/25/88, effective 8/22/88; 87-09-066 (Order 87-16), § 220-56-320, filed 4/21/87; 85-09-017 (Order 85-20), § 220-56-320, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-320, filed 4/11/84; 82-07-047 (Order 82-19), § 220-56-320, filed 3/18/82; 81-05-027 (Order 81-13), § 220-56-320, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-320, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-088.]

WAC 220-56-335 Crab--Unlawful acts. (1) It is unlawful for any person to take or possess for personal use any female Dungeness crabs.

(2) It is unlawful to take or possess any male Dungeness crabs which measure less than 6 1/4 inches taken for personal use except for those waters of Hood Canal south of the Hood Canal Floating Bridge, when the minimum size is 6 inches.

(3) All measurement shall be made horizontally across the back (caliper measurement) immediately in front of the points.

(4) It is unlawful to possess in the field any crab or parts thereof without retaining the back shell.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-56-335, filed 4/26/88; 86-09-020 (Order 86-08), § 220-56-335, filed 4/9/86; 85-07-023 (Order 85-18), § 220-56-335, filed 3/13/85; 80-03-064 (Order 80-12), § 220-56-335, filed 2/27/80, effective 4/1/80.]

WAC 220-56-350 Hardshells, cockles, mussels--Areas and seasons. (1) It is lawful to take, dig for and

possess clams, cockles, borers and mussels taken for personal use on Puget Sound the entire year except that it is unlawful to take, dig for or possess such shellfish taken for personal use:

(a) West of the tip of Dungeness Spit from April 1 through October 31.

(b) Garrison Bay: All state-owned and federally-owned tidelands of Guss Island and those tidelands south of a boundary marker located approximately 1,010 yards southerly of Bell Point are closed to clam digging the entire year. Those tidelands north of the above-described boundary marker are open to harvest the entire year.

(c) Saltwater State Park—All state-owned tidelands at Saltwater State Park shall be closed to the personal use harvest of all species of clams from June 16 through December 31.

(d) Twanoh State Park—All state-owned tidelands at Twanoh State Park shall be closed to the personal use harvest of all species of clams from June 16 through December 31.

(e) Kayak Point County Park—All county-owned tidelands at Kayak Point County Park are closed the entire year except county tidelands north of the county fishing pier are open April 1 to June 15, 1988 and county tidelands south of the pier are open January 1 to June 15, 1989.

(f) State oyster reserves are closed to clam digging the entire year.

(2) It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams, taken for personal use in Grays Harbor and Willapa Harbor the entire year, except from state oyster reserves, which are closed to clam digging the entire year.

(3) It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams taken for personal use from the Pacific Ocean beaches from November 1 through March 31.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-56-350, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-350, filed 4/21/87; 86-09-020 (Order 86-08), § 220-56-350, filed 4/9/86; 85-12-046 (Order 85-57), § 220-56-350, filed 6/5/85; 83-07-043 (Order 83-16), § 220-56-350, filed 3/17/83; 81-05-027 (Order 81-13), § 220-56-350, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-350, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-082.]

WAC 220-56-355 Clams--Unlawful acts. (1) It shall be unlawful for any person digging hardshell clams for personal use to fail to fill in holes created during the digging operation. Beach terrain must be returned to approximately its original condition by clam diggers before leaving the scene.

(2) All broken hardshell clams must be retained as part of the bag limit.

(3) It shall be unlawful to maim, injure or attempt to capture a geoduck by thrusting any instrument through its siphon or to possess only the siphon or neck portion of a geoduck.

(4) Except as otherwise provided for in this section, it is unlawful to possess Manila, native, or butter clams taken for personal use which measure less than 1-1/2

inches across the longest dimension of the shell, except prior to culling it is lawful to possess smaller clams on the intertidal beach where the clams were taken. All unbroken undersized clams must be returned to the beach at the same tide height where taken.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-56-355, filed 4/26/88; 80-03-064 (Order 80-12), § 220-56-355, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-082.]

WAC 220-56-360 Razor clams--Areas and seasons. (1) It is unlawful to take, dig for or possess razor clams taken for personal use from any beaches in Razor Clam Areas 1, 2, and 3 except as provided for by emergency regulation adopted by the director.

(2) It is unlawful to dig for razor clams at any time in the Long Beach or Copalis Beach Razor Clam Sanctuaries as defined in WAC 220-56-372.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-56-360, filed 4/21/87; 85-19-067 (Order 85-134), § 220-56-360, filed 9/17/85; 85-12-007 (Order 85-51), § 220-56-360, filed 5/23/85; 83-07-043 (Order 83-16), § 220-56-360, filed 3/17/83; 83-04-026 (Order 83-05), § 220-56-360, filed 1/27/83; 83-01-025 (Order 82-220), § 220-56-360, filed 12/8/82; 82-07-047 (Order 82-19), § 220-56-360, filed 3/18/82; 80-03-064 (Order 80-12), § 220-56-360, filed 2/27/80, effective 4/1/80.]

WAC 220-56-372 Razor clam sanctuaries. The following areas are hereby set aside for experimental purposes by the department of fisheries razor clam enhancement project. As need arises in the future, specific sections of these areas will be closed to public use.

(1) Long Beach - from a line extending westward from the middle of the Oysterville approach - north for one quarter mile (1,320 feet).

(2) Twin Harbors Beach - from a line extending westward from the middle of the county line approach south for one quarter mile (1,320 feet).

(3) Copalis Beach - from a point beginning two-tenths of a mile south of the Copalis Beach approach (Heath Street) and extending south for one quarter mile (1,320 feet).

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-56-372, filed 4/21/87; 83-07-043 (Order 83-16), § 220-56-372, filed 3/17/83; 82-07-047 (Order 82-19), § 220-56-372, filed 3/18/82; 80-13-064 (Order 80-123), § 220-56-372, filed 9/17/80.]

WAC 220-56-380 Oysters--Areas and seasons. (1) It is unlawful to take oysters for any purpose from state oyster reserves without written permission of the director of fisheries.

(2) It is unlawful to take or possess oysters for personal use from public tidelands from July 15 through September 15.

(3) It is unlawful to take or possess oysters for personal use from federally-owned tidelands at Seal Rock Forest Service campground except during the period May 16 through July 14.

(4) It is unlawful to take or possess oysters for personal use from tidelands of Kitsap Memorial State Park except during the period May 16 through June 15.

(5) It is unlawful to take or possess oysters for personal use from tidelands at Scenic Beach State Park through April 14, 1989.

(6) It is unlawful to take or possess oysters for personal use from department of fisheries tidelands at Hoodsport Salmon Hatchery except during the period May 16 through July 14.

(7) It is unlawful to take or possess oysters for personal use from state tidelands at Bywater Bay except during the period May 16 through July 14.

(8) It is unlawful to pick or take oysters for personal use from waters measuring more than two feet in depth at the time of removal.

[Statutory Authority: RCW 75.08.080. 88-10-012 and 88-10-013 (Orders 88-14 and 88-15), § 220-56-380, filed 4/26/88; 87-09-066 (Order 87-16), § 220-56-380, filed 4/21/87; 86-09-020 (Order 86-08), § 220-56-380, filed 4/9/86; 84-09-026 (Order 84-22), § 220-56-380, filed 4/11/84; 82-13-040 (Order 82-61), § 220-56-380, filed 6/9/82; 82-07-047 (Order 82-19), § 220-56-380, filed 3/18/82; 81-05-027 (Order 81-13), § 220-56-380, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-380, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-086.]

Chapter 220-57 WAC

FRESH WATER ANGLING--OPEN AREAS AND SEASONS

WAC

220-57-130	Bogachiel River.
220-57-135	Calawah River.
220-57-155	Clearwater River (Jefferson County).
220-57-160	Columbia River.
220-57-175	Cowlitz River.
220-57-200	Dickey River.
220-57-215	Dungeness River.
220-57-220	Duwamish River.
220-57-230	Elk River.
220-57-235	Elochoman River.
220-57-240	Elwha River.
220-57-250	Grays River.
220-57-270	Hoh River.
220-57-280	Hoquiam River.
220-57-290	Icicle River.
220-57-300	Johns River.
220-57-310	Kalama River.
220-57-315	Klickitat River.
220-57-327	McLane Creek.
220-57-335	Naselle River.
220-57-380	Quilcene (Big Quilcene) River.
220-57-385	Quillayute River.
220-57-410	Sammamish River (Slough).
220-57-415	Satsop River.
220-57-445	Snake River.
220-57-460	Soleduck River.
220-57-473	Tilton River.
220-57-495	Washougal River.
220-57-505	White Salmon River.
220-57-510	Willapa River.
220-57-515	Wind River.
220-57-520	Wishkah River.
220-57-525	Wynoochee River.

WAC 220-57-130 Bogachiel River. (1) Bag Limit C – July 1 through August 31: Downstream from the Highway 101 Bridge.

(2) Bag Limit A – September 1 through November 30: Downstream from the Highway 101 Bridge.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-130, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-130, filed 4/21/87; 85-09-017 (Order 85-20), § 220-57-130, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57-130, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-130, filed 3/17/83; 82-07-047 (Order 82-

19), § 220-57-130, filed 3/18/82; 80-03-064 (Order 80-12), § 220-57-130, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-130, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-130, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-130, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-004.]

WAC 220-57-135 Calawah River. (1) Bag Limit C – July 1 through August 31: Downstream from the Highway 101 Bridge.

(2) Bag Limit A – September 1 through November 30: Downstream from the Highway 101 Bridge.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-135, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-135, filed 4/21/87; 85-09-048 (Order 85-33), § 220-57-135, filed 4/16/85; 84-09-026 (Order 84-22), § 220-57-135, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-135, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-135, filed 3/18/82; 80-03-064 (Order 80-12), § 220-57-135, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-135, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-135, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-135, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-006.]

WAC 220-57-155 Clearwater River (Jefferson County). (1) Bag Limit C – July 1 through August 31: Downstream from the mouth of the Snahapish River.

(2) Bag Limit A – September 1 through November 30: Downstream from the mouth of the Snahapish River, except coho salmon over 20 inches must be released immediately.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-155, filed 4/21/87; 84-09-026 (Order 84-22), § 220-57-155, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-155, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-155, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-155, filed 2/17/81, effective 4/1/81; 79-02-052 (Order 79-7), § 220-57-155, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-155, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-155, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-010.]

WAC 220-57-160 Columbia River. (1) Bag Limit D – June 1 through December 31: Downstream from Chief Joseph Dam to Rocky Reach Dam. The following are closed waters:

(a) Chief Joseph Dam – waters between the upstream line of Chief Joseph Dam to a line perpendicular to the thread of the stream from a point 400 feet downstream from the west end of the tailrace deck.

(b) Wells Dam – waters between the upstream line of Wells Dam and a point 400 feet below the spawning channel discharge stream.

(2) Rocky Reach Dam to Priest Rapids Dam: Bag Limit D – June 1 through September 15; Bag Limit A – September 16 through December 31. The following are closed waters: Rocky Reach, Rock Island and Wanapum Dams – waters between the upstream lines of these dams and points 400 feet downstream.

(3) Priest Rapids Dam to the Vernita Bridge: Bag Limit D – June 1 through August 15; Bag Limit A – August 16 through October 31; Bag Limit C – November 1 through December 31. The following are closed waters:

(a) Priest Rapids Dam – waters between the upstream line of Priest Rapids Dam and a point 400 feet downstream.

(b) Jackson (Moran) Creek – waters out to mid-stream between markers located approximately 500 feet both upstream and downstream of the mouth.

(4) Vernita Bridge to old Hanford townsite wooden power line towers; Bag Limit D – June 16 through August 15; Bag Limit A – August 16 through October 15.

(5) Old Hanford townsite wooden power line towers to Highway 395 Bridge connecting Pasco and Kennewick; Bag Limit D – June 1 through August 15; Bag Limit A – August 16 through December 31.

(6) Highway 395 Bridge connecting Pasco and Kennewick to the Interstate 5 Bridge: Bag Limit A – January 1 through March 15; Bag Limit C – March 16 through March 31; Bag Limit D – June 16 through July 31; Bag Limit A – August 1 through December 31.

The following waters are closed to fishing for food fish at all times:

(a) McNary Dam – waters between the upstream line of McNary Dam and a line across the river from the red and white marker on the Oregon shore to the downstream end of the wingwall of the boat lock near the Washington shore.

(b) John Day Dam – waters between the upstream line of John Day Dam and markers approximately 3,000 feet downstream, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(c) The Dalles Dam – waters between the upstream line of the Dalles Dam and the upstream side of the Interstate 197 Bridge, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(d) Spring Creek – waters within 1/4 mile of the U.S. Fish and Wildlife Service Hatchery grounds between posted boundary markers located 1/4 mile on either side of the fish ladder entrance.

(e) Bonneville Dam – waters between the upstream line of Bonneville Dam and a point 600 feet below the fish ladder at the new Bonneville Dam powerhouse.

(7) Interstate 5 Bridge to the Megler–Astoria Bridge: Bag Limit A – January 1 through March 31; Bag Limit D – May 16 through July 31; Bag Limit A – August 1 through December 31. During the month of September, it is unlawful to fish for or possess salmon taken for personal use in those waters of the Columbia River extending to midstream between a line projected perpendicular to the stream flow from Abernathy Point Light to a line projected perpendicular to the stream flow from a boundary marker east of the mouth of Abernathy Creek.

(8) Megler–Astoria Bridge to the Buoy 10 Line: Bag Limit A – August 16 through March 31, except that during the period August 16 through September 30 size and bag limit regulations shall conform with the most recent ocean fishing regulations for adjacent waters of Punch Card Area 1.

(9) North Jetty (mouth of Columbia River): Open to angling from the bank only concurrent with the Buoy 10 fishery. Bag limit and gear requirement will be identical with those in the Buoy 10 fishery.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-160, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-160, filed 4/21/87; 86-09-020 (Order 86-08), § 220-57-160, filed 4/9/86; 85-09-017 (Order 85-20), § 220-57-160, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57-160, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-160, filed 3/17/83; 82-13-040 (Order 82-61), § 220-57-160, filed 6/9/82; 82-07-047 (Order 82-19), § 220-57-160, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-160, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-160, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-160, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-160, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-160, filed 3/15/76 and 3/24/76, effective 5/1/76. Formerly WAC 220-57-011.]

WAC 220-57-175 Cowlitz River. (1) Special bag limit – April 1 through July 31: Downstream from fishing boundary markers approximately 400 feet below barrier dam structures at the Cowlitz Salmon Hatchery Barrier Dam. Bag limit is six salmon per day not less than 10 inches in length, only three of which may exceed 24 inches in length.

(2) That portion of the Cowlitz River downstream from the mouth of Mill Creek is open to salmon angling 24 hours per day during the period April 1 to July 31.

(3) Bag Limit A – August 1 through March 31: Downstream from fishing boundary markers approximately 400 feet below the barrier dam structures except, during the period October 1 through December 31, chinook salmon over 28 inches in length taken upstream of the mouth of Blue Creek must be released.

(4) Salmon angling from boats is prohibited the entire year in designated open waters between the barrier dam and a line from the mouth of Mill Creek to a boundary marker on the opposite shore.

(5) Bag Limit A – open the entire year: From the confluence of the Muddy Fork and Ohanapecosh rivers downstream to Riffe (Davisson) Lake.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-175, filed 4/21/87; 86-09-020 (Order 86-08), § 220-57-175, filed 4/9/86; 85-09-017 (Order 85-20), § 220-57-175, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57-175, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-175, filed 3/17/83; 82-13-040 (Order 82-61), § 220-57-175, filed 6/9/82; 82-07-047 (Order 82-19), § 220-57-175, filed 3/18/82; 80-03-064 (Order 80-12), § 220-57-175, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-175, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-175, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-014.]

WAC 220-57-200 Dickey River. (1) Bag Limit C – July 1 through August 31: Downstream of the mouth of east fork of the Dickey River to the National Park boundary.

(2) Bag Limit A – September 1 through November 30: Downstream of the mouth of east fork of the Dickey River to the National Park boundary.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-200, filed 4/26/88; 86-09-020 (Order 86-08), § 220-57-200, filed 4/9/86; 84-09-026 (Order 84-22), § 220-57-200, filed 4/11/84; 79-02-052 (Order 79-7), § 220-57-200, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57-200, filed 2/21/78, effective 4/1/78; Order 76-14, § 220-57-200, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-023.]

WAC 220-57-215 Dungeness River. Special bag limit – six salmon per day not less than 10 inches in length. Chinook salmon greater than 24 inches in length

and pink salmon must be released immediately – October 1 through December 31: Downstream from markers at Duncan Road, the former Taylor Bridge site, approximately one mile below the state salmon hatchery rack. Chinook salmon over 24 inches must be released. Closed to the taking of pink salmon in odd-numbered years.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-215, filed 4/21/87; 85-09-017 (Order 85-20), § 220-57-215, filed 4/9/85; 83-07-043 (Order 83-16), § 220-57-215, filed 3/17/83; 82-13-040 (Order 82-61), § 220-57-215, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-215, filed 2/17/81, effective 4/1/81; 79-02-052 (Order 79-7), § 220-57-215, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-215, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-215, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-027.]

WAC 220-57-220 Duwamish River. (1) Bag Limit A – July 1 through November 30: Upstream from the Highway 99 Bridge (Pacific Highway South Bridge) to the Highway 405 Bridge except that all chinook salmon greater than 24 inches in length must be released immediately.

(2) Bag Limit A – October 6 through November 30: Upstream from the First Avenue South Bridge to the Oxbow Bridge except that all chinook salmon greater than 24 inches in length must be released.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-220, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-220, filed 4/21/87; 86-09-020 (Order 86-08), § 220-57-220, filed 4/9/86; 83-07-043 (Order 83-16), § 220-57-220, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-220, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-220, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-220, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-220, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-220, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-220, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-028.]

WAC 220-57-230 Elk River. Bag Limit C – July 1 through November 30: Downstream from the confluence of the west and the middle forks to the Highway 105 Bridge. Bag Limit A – October 1 through January 31: Downstream from the confluence of the west and middle forks to the Highway 105 Bridge, except that chinook salmon greater than 28 inches in length must be released.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-230, filed 4/26/88; 84-09-026 (Order 84-22), § 220-57-230, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-230, filed 3/17/83; 81-05-027 (Order 81-13), § 220-57-230, filed 2/17/81, effective 4/1/81; Order 77-3, § 220-57-230, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-230, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-030.]

WAC 220-57-235 Elochoman River. (1) Bag Limit A – September 1 through September 30: Downstream from the mouth of the west fork.

(2) Bag Limit A – October 1 through December 31: Downstream from the mouth of the west fork to the Foster Road Bridge. All chinook salmon greater than 28 inches in length must be released immediately.

(3) Bag Limit A – October 1 through December 31: Downstream from the Foster Road Bridge.

The following waters are closed to salmon angling at all times:

(a) From a point 100 feet above the upper hatchery rack to the Elokomin Salmon Hatchery Bridge located approximately 400 feet below the upper hatchery rack.

(b) From the department of fisheries temporary rack downstream to Foster (Risk) Road Bridge while this rack is installed in the river.

(c) Between points 50 feet above and 100 feet below the outlet pipes from the most downstream Elokomin Salmon Hatchery rearing pond and extending 30 feet out from the south bank of the river.

(d) From the Beaver Creek Bridge to 200 feet below the weir at Beaver Creek Hatchery.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-235, filed 4/21/87; 86-09-020 (Order 86-08), § 220-57-235, filed 4/9/86; 83-07-043 (Order 83-16), § 220-57-235, filed 3/17/83; 81-05-027 (Order 81-13), § 220-57-235, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-235, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-235, filed 1/30/79, effective 4/1/79; Order 76-14, § 220-57-235, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-031.]

WAC 220-57-240 Elwha River. (1) Special bag limit – six salmon per day not less than ten inches in length except that chinook salmon greater than 28 inches in length and pink salmon must be released – October 1 through December 31.

(2) It is unlawful to fish for or possess salmon from the waters of the Elwha River between markers located approximately 50 yards upstream and downstream from the tribal hatchery outfall or from the slough connecting the hatchery outfall to the mainstem of the river.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-240, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-240, filed 4/21/87; 82-13-040 (Order 82-61), § 220-57-240, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-240, filed 2/17/81, effective 4/1/81; 79-02-052 (Order 79-7), § 220-57-240, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-240, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-240, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-032.]

WAC 220-57-250 Grays River. Bag Limit A – September 1 through December 31: Open from mouth to 7000-line bridge. During the period October 1 through December 31, chinook salmon greater than 28 inches in length must be released immediately in those waters upstream from the covered bridge. West Fork Grays River closed to salmon angling.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-250, filed 4/21/87; 80-03-064 (Order 80-12), § 220-57-250, filed 2/27/80, effective 4/1/80; Order 76-14, § 220-57-250, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-036.]

WAC 220-57-270 Hoh River. (1) Bag Limit C – last Saturday in May through November 30: Downstream from the mouth of the south fork to the mouth of Willoughby Creek.

(2) Bag Limit A – last Saturday in May through November 30: Downstream from the mouth of Willoughby Creek except all coho salmon over 20 inches in length must be released immediately.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-270, filed 4/21/87; 84-09-026 (Order 84-22), § 220-57-270, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-270, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-270, filed 3/18/82;

81-05-027 (Order 81-13), § 220-57-270, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-270, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-270, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57-270, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57-270, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-270, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-040.]

WAC 220-57-280 Hoquiam River. Main Hoquiam River, west fork of Hoquiam River downstream from the bridge on the Dekay Road and east fork of Hoquiam River downstream from the abandoned flat car bridge below the mouth of Berryman Creek:

(1) Bag Limit C - July 1 through September 30;

(2) Bag Limit A - October 1 through January 31, except that chinook salmon greater than 28 inches in length must be released immediately.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-280, filed 4/21/87; 84-09-026 (Order 84-22), § 220-57-280, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-280, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-280, filed 3/18/82; Order 76-14, § 220-57-280, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-042.]

WAC 220-57-290 Icicle River. Bag Limit A - May 16 through June 30: Downstream from a point 400 feet below the Leavenworth National Fish Hatchery rack to a set of fishing boundary markers located at the mouth.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-290, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-290, filed 4/21/87; 86-09-020 (Order 86-08), § 220-57-290, filed 4/9/86; 83-07-043 (Order 83-16), § 220-57-290, filed 3/17/83; 80-03-064 (Order 80-12), § 220-57-290, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-290, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57-290, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57-290, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-290, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-044.]

WAC 220-57-300 Johns River. Open area: Downstream from Old M&B Logging Camp Bridge at upper boundary of Johns River Habitat Management Area to Highway 105 Bridge.

(1) Bag Limit C - July 1 through September 30.

(2) Bag Limit A - October 1 through January 31 except that chinook salmon greater than 28 inches in length must be released immediately.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-300, filed 4/21/87; 84-09-026 (Order 84-22), § 220-57-300, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-300, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-300, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-300, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-300, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-300, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-300, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-046.]

WAC 220-57-310 Kalama River. (1) Bag Limit A except minimum size limit is 12 inches in length - last Saturday in May through December 31: From Summers Creek upstream to the 6420 Road (approximately one mile above the gate at the end of the county road) is open to the taking of salmon with lawful fly fishing tackle only. Legal flies are limited to single-hook artificial flies measuring not more than 1/2 inches between shank and point.

(2) Bag Limit A except minimum size limit is 12 inches in length - last Saturday in May through December 31: Downstream from the mouth of Summers Creek to the markers at the Kalama Falls (Upper) Salmon Hatchery.

(3) Bag Limit A except minimum size limit is 12 inches in length - open the entire year: Downstream from a point 1,000 feet below the fishway at the upper salmon hatchery, with the following special gear restrictions: During the period September 1 through October 31, that portion of the Kalama River from markers at the Lower Kalama Hatchery pumphouse (intake) downstream to the natural gas pipeline crossing at Mahaffey's Campground will be open for fly fishing only and lawful salmon angling gear in those waters upstream from the fly fishing area to a point 1,000 feet below the fishway at the upper salmon hatchery and downstream from the fly fishing area to the Interstate 5 Bridge is limited to bait or lures with one single point hook only, measuring not more than 1/2 inch from point to shank.

October 1 through December 31: Chinook salmon over 28 inches caught in the area downstream from a point 1,000 feet below the fishway at the upper salmon hatchery to the natural gas pipeline must be released.

(4) During the time the department of fisheries temporary rack is installed just below the Modrow Bridge, that portion of the river from a point 200 feet above the temporary rack downstream to a set of markers 1,500 feet below the temporary rack is closed to salmon angling.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-310, filed 4/21/87; 85-09-017 (Order 85-20), § 220-57-310, filed 4/9/85; 82-07-047 (Order 82-19), § 220-57-310, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-310, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-310, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-310, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57-310, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57-310, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-310, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-048.]

WAC 220-57-315 Klickitat River. (1) Bag Limit A - April 1 through January 31: Downstream from the Fisher Hill Bridge approximately 1-1/2 miles above the mouth, except open to salmon angling only from 12:00 noon Thursdays to 12:00 noon Mondays from April 1 through May 31.

(2) Bag Limit C - May 30 through July 31 - downstream from fishing boundary markers at the downstream end of the Klickitat River Salmon Hatchery grounds to a point 400 feet above the No. 5 Fishway.

(3) Bag Limit A - August 1 through January 31: Downstream from fishing boundary markers at the downstream end of the Klickitat River Salmon Hatchery grounds to a point 400 feet above the No. 5 Fishway.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-315, filed 4/21/87; 83-07-043 (Order 83-16), § 220-57-315, filed 3/17/83; 82-14-090 (Order 82-75), § 220-57-315, filed 7/7/82; 82-07-047 (Order 82-19), § 220-57-315, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-315, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-315, filed 2/27/80, effective 4/1/80; Order 76-14, § 220-57-315, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-049.]

WAC 220-57-327 McLane Creek. Bag Limit A – July 1 through October 31: Open from a line 100 feet upstream and parallel to the south bridge of Highway 101 at Mud Bay to a line 50 feet north of and parallel to the Mud Bay Road Bridge, except waters within 400 feet of the outfall of the Allison Springs chinook rearing pond are closed to salmon angling.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-327, filed 4/26/88; 83-07-043 (Order 83-16), § 220-57-327, filed 3/17/83.]

WAC 220-57-335 Naselle River. (1) Bag Limit A – July 1 through September 30: Downstream from the Highway 4 Bridge to Highway 101 Bridge except only one chinook salmon greater than 28 inches in length may be retained as part of the daily bag limit.

(2) Special bag limit – six salmon per day not less than 10 inches in length, not more than four of which may be adult salmon, defined as chinook salmon greater than 24 inches in length, coho salmon greater than 20 inches in length and chum salmon greater than 10 inches in length. All chinook salmon over 28 inches in length must be released immediately – October 1 through October 14: Downstream from the Highway 4 Bridge to the Highway 101 Bridge.

(3) Special bag limit – six salmon per day not less than 10 inches in length, not more than four of which may be adult salmon, defined as chinook salmon greater than 24 inches in length, coho salmon greater than 20 inches in length and chum salmon greater than 10 inches in length. All chinook salmon greater than 28 inches in length must be released immediately – October 15 through November 30: Downstream from the Big Hill Bridge to the Highway 101 Bridge.

(4) Bag Limit A – December 1 through January 31: Downstream from the Big Hill Bridge to the Highway 101 Bridge.

(5) Waters within 400 feet both upstream and downstream from the entrance to the Naselle Salmon Hatchery Attraction Channel are closed to salmon angling at all times.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-335, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-335, filed 4/21/87; 86-09-020 (Order 86-08), § 220-57-335, filed 4/9/86; 85-09-017 (Order 85-20), § 220-57-335, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57-335, filed 4/11/84; 80-03-064 (Order 80-12), § 220-57-335, filed 2/27/80, effective 4/1/80; Order 76-14, § 220-57-335, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-057.]

WAC 220-57-380 Quilcene (Big Quilcene) River. Bag Limit A – September 1 through January 31: Downstream from Highway 101 Bridge. During the month of September chinook salmon greater than 24 inches in length must be released immediately.

[Statutory Authority: RCW 75.08.080. 88-10-012 (Order 88-14), § 220-57-380, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-380, filed 4/21/87; 82-07-047 (Order 82-19), § 220-57-380, filed 3/18/82; Order 77-3, § 220-57-380, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-380, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-069.]

[1988 WAC Supp—page 776]

WAC 220-57-385 Quillayute River. Bag Limit A – May 1 through November 30: Downstream from the confluence of the Soleduck and Bogachiel rivers including Olympic National Park waters. Terminal fishing gear is restricted to a single barbless hook during the month of May.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-385, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-385, filed 4/21/87; 85-09-048 (Order 85-33), § 220-57-385, filed 4/16/85; 84-09-026 (Order 84-22), § 220-57-385, filed 4/11/84; 82-07-047 (Order 82-19), § 220-57-385, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-385, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-385, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-385, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57-385, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57-385, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-385, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-070.]

WAC 220-57-410 Sammamish River (Slough). (1) Bag Limit A – August 1 through December 31: Downstream from the 102 Avenue NE Bridge to the Kenmore Highway Bridge. All sockeye salmon must be released.

(2) Bag Limit A – October 15 through December 31: Upstream from the 102 Avenue NE Bridge to Lake Sammamish. All sockeye salmon must be released immediately.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-410, filed 4/21/87; 82-13-040 (Order 82-61), § 220-57-410, filed 6/9/82; Order 77-3, § 220-57-410, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-410, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-077.]

WAC 220-57-415 Satsop River. (1) Bag Limit C – July 1 through September 30: Downstream from the bridge at Schafer State Park on east fork.

(2) Bag Limit A – October 1 through January 31: Downstream from the bridge at Schafer State Park on east fork. Chinook salmon over 28 inches in length must be released.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-415, filed 4/21/87; 83-07-043 (Order 83-16), § 220-57-415, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-415, filed 3/18/82; 80-03-064 (Order 80-12), § 220-57-415, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-415, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-415, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-078.]

WAC 220-57-445 Snake River. Bag Limit A – September 1 through November 30: Downstream from a point 400 feet below Little Goose Dam to Lower Monument Dam, except waters within 400 feet of the Lyons Ferry hatchery fishway are closed to salmon angling. Chinook salmon greater than 28 inches in length must be released immediately.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-445, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-445, filed 4/21/87; Order 77-3, § 220-57-445, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-445, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-085.]

WAC 220-57-460 Soleduck River. Bag Limit A – May 21 through November 30: Downstream from the

concrete pump station at the Soleduck Hatchery. Terminal fishing gear is restricted to a single barbless hook during the month of May.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-460, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-460, filed 4/21/87; 85-09-048 (Order 85-33), § 220-57-460, filed 4/16/85; 84-09-026 (Order 84-22), § 220-57-460, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-460, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-460, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-460, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-460, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-460, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57-460, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57-460, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-460, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-088.]

WAC 220-57-473 Tilton River. (1) Mainstem - Bag Limit A - last Saturday in May through December 31: Downstream from west fork Tilton River.

(2) North fork - Bag Limit A - last Saturday in May through October 31: Downstream from markers 400 feet above the 73 Road Bridge to the Tilton River (approximately lower two miles).

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-473, filed 4/21/87; 84-09-026 (Order 84-22), § 220-57-473, filed 4/11/84; 80-03-064 (Order 80-12), § 220-57-473, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-473, filed 1/30/79, effective 4/1/79.]

WAC 220-57-495 Washougal River. Bag Limit A - January 1 through December 31: Downstream from bridge at Salmon Falls to mouth. During the period October 1 through December 31, in waters upstream from the mouth of Little Washougal River, chinook salmon over 28 inches in length must be released. From September 1 to October 31, lawful salmon angling gear shall be restricted to bait or lures with one single point hook only, measuring no more than 1/2 inch from point to shank.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-495, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-495, filed 4/21/87; 85-09-017 (Order 85-20), § 220-57-495, filed 4/9/85; 83-07-043 (Order 83-16), § 220-57-495, filed 3/17/83; 80-03-064 (Order 80-12), § 220-57-495, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-495 (codified WAC 220-57-495), filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-495, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-098.]

WAC 220-57-505 White Salmon River. (1) Bag Limit C - January 1 through December 31: Upstream from a set of markers approximately 1/2 mile north of Highway 14 Bridge to a line 400 feet downstream from Condit Dam.

(2) Bag Limit A - January 1 through December 31: Downstream from a set of markers approximately 1/2 mile north of Highway 14 Bridge.

(3) (Little) White Salmon River (Drano Lake): Bag Limit A - August 1 through December 31: Downstream from markers on point of land downstream and across from Federal Salmon Hatchery.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-505, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57-505, filed 4/21/87; 85-09-017 (Order 85-20), § 220-57-505, filed 4/9/85; 82-07-047 (Order 82-19), § 220-57-505, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-505, filed 2/17/81, effective 4/1/81; 80-

03-064 (Order 80-12), § 220-57-505, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-505, filed 1/30/79, effective 4/1/79; Order 76-14, § 220-57-505, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-100.]

WAC 220-57-510 Willapa River. (1) Bag Limit A - July 1 through September 30: Downstream from Highway 6 Bridge, approximately 2 miles below the mouth of Trap Creek, to the Highway 101 Bridge.

(2) Bag Limit A - October 15 through January 31: Downstream from mouth of Fork Creek to the Highway 6 Bridge approximately 2 miles below the mouth of Trap Creek. Chinook salmon greater than 28 inches in length must be released immediately.

(3) Special bag limit - six salmon per day, not more than four of which may be any combination of chinook salmon greater than 24 inches in length, coho salmon greater than 20 inches in length, or chum salmon greater than 10 inches in length and all chinook salmon greater than 28 inches in length must be released immediately - October 1 through January 31: Downstream from the Highway 6 Bridge approximately two miles below the mouth of Trap Creek to the Highway 101 Bridge.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-510, filed 4/21/87; 85-09-017 (Order 85-20), § 220-57-510, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57-510, filed 4/11/84; 80-03-064 (Order 80-12), § 220-57-510, filed 2/27/80, effective 4/1/80; Order 76-14, § 220-57-510, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-102.]

WAC 220-57-515 Wind River. Bag Limit A - August 1 through October 31: Downstream from the Burlington Northern Railroad Bridge to the mouth.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57-515, filed 4/26/88; 83-07-043 (Order 83-16), § 220-57-515, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-515, filed 3/18/82; 80-03-064 (Order 80-12), § 220-57-515, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-515, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57-515, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57-515, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-515, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-103.]

WAC 220-57-520 Wishkah River. (1) Bag Limit C - July 1 through September 30: Downstream from the mouth of the west fork.

(2) Bag Limit A - October 1 through January 31: Downstream from the mouth of the west fork. Chinook salmon greater than 28 inches in length must be released immediately.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-520, filed 4/21/87; 84-09-026 (Order 84-22), § 220-57-520, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-520, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-520, filed 3/18/82; Order 76-14, § 220-57-520, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-104.]

WAC 220-57-525 Wynoochee River. (1) Bag Limit C - July 1 through September 30: Downstream from the mouth of Schafer Creek.

(2) Bag Limit A - October 1 through January 31: Downstream from the mouth of Schafer Creek. Chinook salmon greater than 28 inches in length must be released immediately.

[Statutory Authority: RCW 75.08.080. 87-09-066 (Order 87-16), § 220-57-525, filed 4/21/87; 84-09-026 (Order 84-22), § 220-57-525, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-525, filed 3/17/83; 82-14-090 (Order 82-75), § 220-57-525, filed 7/7/82; 82-07-047 (Order 82-19), § 220-57-525, filed 3/18/82; 80-03-064 (Order 80-12), § 220-57-525, filed 2/27/80, effective 4/1/80; Order 76-14, § 220-57-525, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-105.]

Chapter 220-57A WAC FRESH WATER LAKES

WAC

220-57A-175 Lake Washington.
220-57A-180 Washington Ship Canal, Lake (including Lake Union).

WAC 220-57A-175 Lake Washington. (1) Waters north of the Evergreen Point Floating Bridge - Bag Limit A - August 1 through December 31. Sockeye salmon must be released immediately.

(2) Waters south of the Evergreen Point Floating Bridge - Bag Limit A - October 15 through December 31. Sockeye salmon must be released immediately.

Waters within a 1,000-foot radius of the mouth of the Cedar River are closed to salmon angling at all times.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57A-175, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57A-175, filed 4/21/87; 82-13-040 (Order 82-61), § 220-57A-175, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57A-175, filed 2/17/81, effective 4/1/81; Order 77-3, § 220-57A-175, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-175, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-096.]

WAC 220-57A-180 Washington Ship Canal, Lake (including Lake Union). Bag Limit A - August 1 through December 31: West of University Bridge, to a line perpendicular to the north wing wall located 400 east of the eastern end of the north wingwall of the Chittenden Locks. Waters between the University Bridge and the concrete abutment ends east of the Montlake Bridge and waters between the line 400 east of eastern end of the north wingwall of the Chittenden Locks and the railroad bridge west of the locks are closed to salmon angling at all times.

[Statutory Authority: RCW 75.08.080. 88-10-013 (Order 88-15), § 220-57A-180, filed 4/26/88; 87-09-066 (Order 87-16), § 220-57A-180, filed 4/21/87; 83-07-043 (Order 83-16), § 220-57A-180, filed 3/17/83; 82-13-040 (Order 82-61), § 220-57A-180, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57A-180, filed 2/17/81, effective 4/1/81; Order 77-3, § 220-57A-180, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-180, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-097.]

Chapter 220-69 WAC

FISH RECEIVING TICKETS--WEIGHT DELIVERY SHEETS

WAC

220-69-238 Description of sturgeon catch record and required information.
220-69-245 Duties of sport salmon and sturgeon catch record card issuers.

WAC 220-69-238 Description of sturgeon catch record and required information. (1) There is hereby created a sturgeon catch record form to be prepared, printed, and distributed on request, by the department of fisheries.

(2) The sturgeon catch record stub shall contain space for the following information:

- (a) Name of angler.
- (b) Home address.
- (c) City, state, zip code.
- (d) Angler's birthdate, height, and weight.
- (e) Date of issue.

(3) The sturgeon catch record card shall contain space for the following information:

- (a) Name of angler.
- (b) Home address.
- (c) City, state, zip code.
- (d) Angler's birthdate, height, and weight.

(e) Angler's driver's license number, or, in the case the angler does not have a driver's license, the first five letters of the anglers last name and the initial for the angler's first and middle name. If the last name is less than five letters, enter the entire last name followed by the first and middle initial. If no middle name, leave blank the initial space.

- (f) Date of issue.
- (g) Number of days fished.
- (h) Month of catch.
- (i) Day of catch.
- (j) Marine code or stream: Location of catch.
- (k) Species: Catch type code.
- (l) Length of fish.

(4) The information in subsections (2) and (3)(a) through (f) of this section are required entries prior to fishing, and the information in subsection (3)(h) through (l) of this section are required entries if a person fishes or catches fish. The number of days fished, even if zero, must be entered in subsection (3)(g) of this section prior to returning the sturgeon catch record to the department.

[Statutory Authority: RCW 75.08.080. 88-05-002 (Order 88-03), § 220-69-238, filed 2/4/88.]

WAC 220-69-245 Duties of sport salmon and sturgeon catch record card issuers. Any person issuing catch record cards shall be subject to the following orders:

(1) Sport catch record cards shall be issued in numerical sequence starting with the lowest numbered record card in possession of the issuer.

(2) Sport catch record card books shall not be transferred from one issuer to another without written permission of the department of fisheries.

(3) Any issuer terminating business or closing for the year shall return any partially used sport catch record card books to the department of fisheries within thirty days after terminating business or closing for the year, and must return any complete unused books or report complete unused books by providing the department with a list of unused card numbers within thirty days of terminating business or closing for the year.

(4) All sport catch record cards that are void, lost, destroyed, or otherwise missing from a dealership, shall be accounted for in writing to the department of fisheries.

(5) All sport catch record card books in which all cards have been issued shall be returned to the department of fisheries within thirty days of the date of issuance of the last catch record card in each book.

(6) All sport catch record card books, whether used or unused, shall be returned to the department of fisheries by January 31 of the year following the year printed on the catch record cards, except unused catch record card books may be reported by providing the department with a list of unused card numbers by January 31st.

[Statutory Authority: RCW 75.08.080, 88-05-002 (Order 88-03), § 220-69-245, filed 2/4/88; 83-24-049 (Order 83-203), § 220-69-245, filed 12/2/83; Order 76-153, § 220-69-245, filed 12/17/76.]

Chapter 220-77 WAC AQUACULTURE DISEASE CONTROL

WAC

220-77-010	Intent.
220-77-020	Definitions—Aquaculture disease control.
220-77-030	Finfish aquaculture disease control.
220-77-040	Shellfish aquaculture disease control.
220-77-050	Amphibian aquaculture disease control.
220-77-060	Marine plant aquaculture disease control.
220-77-070	Aquaculture disease control—Emergency provisions.

WAC 220-77-010 Intent. The intent of this chapter is to establish rules to protect the aquaculture industry and wild stock fisheries from a loss of productivity due to aquatic diseases or maladies. These rules will identify the conditions that will be required for transfer and importation of live aquaculture products and the circumstances when action will be taken to control disease. These rules have been developed jointly by the department and the department of agriculture.

[Statutory Authority: RCW 75.58.010, 87-08-033 (Order 87-20), § 220-77-010, filed 3/27/87.]

WAC 220-77-020 Definitions—Aquaculture disease control. For purposes of this chapter, the following definitions apply:

(1) "Aquaculture products" are defined as private sector cultured aquatic products propagated, farmed, or cultivated on aquatic farms under the supervision and management of an aquatic farmer, or such products naturally set on lands under the active supervision and management of an aquatic farmer.

(2) "Disease" is defined as infection, contagious disease, parasite, or pest, occurring on or within the aquaculture product or on or within the water and substrate associated with the aquaculture product, or an occurrence of significant mortality suspected of being of an infectious or contagious nature.

(3) "Finfish" is defined as live fish, fish eggs, or fish gametes, but not to include aquaria species commonly sold in the pet store trade when raised in indoor containers, indigenous marine baitfish, or mosquito fish.

(4) "Shellfish" is defined as all members of the phyla mollusca, arthropoda, and echinodermata.

(5) "Epizootic" is defined as the occurrence of a specific disease which can be detected in fifty percent of the mortality or moribund individual fish in an affected container, and which results in an average daily mortality of at least one-half of one percent of the affected individual fish for five or more days in any thirty-day period.

(6) "Marine plant" is defined as nonvascular plants belonging to the phyla Chlorophyta, Phaeophyta, or Rhodophyta and vascular plants belonging to the family Zosteraceae when growing in marine or estuarine waters, and includes the seeds, spores, or any life-history phase of the plants. "Marine plants" do not include aquaria plants or phytoplankton.

(7) "Working day" is defined as any day other than Saturday, Sunday, or a Washington state holiday.

(8) "Department" is defined as the department of fisheries.

(9) "Quarantine" is defined as isolation of the organism in a department approved facility.

(10) "Pest" is defined as parasite, parasitoid, predator, or fouling agent.

[Statutory Authority: RCW 75.58.010, 87-08-033 (Order 87-20), § 220-77-020, filed 3/27/87.]

WAC 220-77-030 Finfish aquaculture disease control. (1) It is unlawful for any person to import into or transport within the state of Washington finfish aquaculture products without first having obtained a permit to do so issued by the department. A copy of the permit shall accompany the finfish aquaculture products at all times within the state of Washington, and must be presented upon request to department employees.

(2) The director may impose permit conditions as necessary to ensure the protection of aquaculture products and native finfish from disease when the director concludes that there is a reasonable risk of disease transmission associated with the finfish aquaculture products.

(3) Upon confirmed diagnosis of viral hemorrhagic septicemia, or confirmed diagnosis of whirling disease, infectious hematopoietic necrosis, or infectious pancreatic necrosis in a previously uninfected lot, the department must be notified by the end of the following working day after diagnosis by an accredited pathologist.

(4) The director will issue, upon request, a pamphlet containing policy guidelines for importers and transferors of finfish aquaculture products.

(5) The director will issue or deny a permit within thirty days after a completed application containing all requested information is received by the department.

(6) Violation of these rules or the conditions of the permit may result in the suspension or revocation of the permit.

(7) In the event of denial, suspension, or revocation of an importation or transfer permit, the affected person may appeal the decision to the director. Additional appeals may be made through the Administrative Procedure Act (chapter 34.04 RCW). A suspended or revoked

permit will remain suspended or revoked during the appellate process.

[Statutory Authority: RCW 75.58.010. 87-08-033 (Order 87-20), § 220-77-030, filed 3/27/87.]

WAC 220-77-040 Shellfish aquaculture disease control. (1) It is unlawful for any person to import into or transport within the state of Washington shellfish aquaculture products for planting in Washington waters, without first having obtained a permit to do so issued by the department. A copy of the permit shall accompany the shellfish aquaculture products at all times within the state of Washington, and must be presented upon request to department employees. Possession of an oyster transfer permit issued under RCW 74.24.110 will meet the requirements of this subsection.

(2) The director may impose permit conditions as necessary to ensure the protection of aquaculture products and native shellfish from disease when the director concludes that there is a reasonable risk of disease transmission associated with the shellfish aquaculture products.

(3) For established species and established routes of commerce, the department will issue import and transfer permits if the following criteria are met:

(a) A regular pattern of importation with no more than a one-year time lapse between importations.

(b) Documentation of recent mortality and disease history of the shellfish aquaculture product in the area of origin showing a lack of significant mortality.

(c) Verification that there has been no introduction of diseased stocks into the area of origin.

(d) Documentation that the shellfish aquaculture product proposed for import is from the approved area.

(4) For established species not from established routes of commerce, the department will additionally require the following before deciding whether to issue an import or transfer permit:

(a) Documentation of mortality and disease of the shellfish aquaculture product for the past ten years from the area of origin, together with similar information for closely related species, if deemed necessary.

(b) A history of those diseases in the area of origin that may affect aquaculture products or native fauna and flora.

(c) When applicable, documentation of an agreement with the appropriate governmental agency with management responsibility in the area of origin.

(5) For nonestablished species, the department will additionally consider the following criteria, which will require the importer to provide a detailed life history and comply with the requirements of SEPA:

(a) The capability of the receiving facility to hold the shellfish aquaculture product in quarantine.

(b) The ability of the shellfish aquaculture product to naturally reproduce or interbreed with endemic species in state waters.

(c) The ability of the shellfish aquaculture product to compete with or prey upon endemic species.

(6) For purposes of verification of the disease-free status of shellfish aquaculture products in subsections

(3), (4), and (5) of this section, the department may require sufficient samples for histological evaluation either prior to or after subjecting the shellfish aquaculture products to stress tests to detect latent disease conditions. In the event of failure to obtain permit approval, consideration will be given to introduction after hatchery production of a second generation stock.

(7) Violation of these rules or the conditions of the permit may result in the suspension or revocation of the permit.

(8) In the event of denial, suspension, or revocation of an importation or transfer permit, the affected person may appeal the decision to the director. Additional appeals may be made through the Administrative Procedure Act (chapter 34.04 RCW). A suspended or revoked permit will remain suspended or revoked during the appellate process.

[Statutory Authority: RCW 75.58.010. 87-08-033 (Order 87-20), § 220-77-040, filed 3/27/87.]

WAC 220-77-050 Amphibian aquaculture disease control. (1) It is unlawful to import into the state of Washington amphibian aquaculture products without having first obtained a permit to do so issued by the director.

(2) It is unlawful to possess African clawed frogs for aquaculture.

[Statutory Authority: RCW 75.58.010. 87-08-033 (Order 87-20), § 220-77-050, filed 3/27/87.]

WAC 220-77-060 Marine plant aquaculture disease control. (1) It is unlawful for any person to import into the state of Washington marine plant aquaculture products without having first obtained a permit to do so issued by the department. A copy of the permit shall accompany the imported marine plant aquaculture products at all times until the initial point of entry into the marine environment, and must be presented upon request to department employees.

(2) The director may impose permit conditions as necessary to ensure the protection of aquaculture products and native marine plants from disease or pests when the director concludes there is a reasonable risk of disease or pest transmission associated with marine plant aquaculture products.

(3) For *Porphyra yezoensis* and *P. tenera*, the director will issue import and transfer permits if the plants are in the form of:

(a) Unialgal conchocelis culture of free living material; or

(b) Conchocelis-phase culture in shells after the shells and conchocelis have been washed and soaked in fresh water for at least twenty-four hours; or

(c) Blade phase on netting after two weeks at a temperature of minus twenty degrees centigrade or lower.

(4) For import of other species, the department will consider at least the following criteria, which may require the importer to provide a detailed life history and comply with the requirements of SEPA:

(a) The ability of the marine plant aquaculture product to naturally reproduce or interbreed with existing species in state waters.

(b) The ability of the marine plant aquaculture product to compete with existing species.

(5) Importation of marine plant aquaculture products for scientific study in a laboratory or under other controlled conditions is allowed without having obtained a permit when measures are taken to prevent release of the products or release of their gametes, spores, or tissue fragments into state waters. The director may inspect facilities to ensure appropriate control measures.

(6) For purposes of verification of the disease-free status of the marine plant aquaculture product in subsections (3), (4), and (5) of this section, the department may require sufficient samples for evaluation. In event of failure to obtain permit approval, consideration will be given to introduction after laboratory production of a second generation.

(7) It is unlawful to transfer marine plant aquaculture products between any of the following geographic areas without having first obtained a transfer permit: Columbia River; Pacific Ocean waters; Willapa Harbor; Grays Harbor; Puget Sound. No transfer permit is necessary for transfer within any of the geographic regions described above. When required, a copy of the transfer permit shall accompany the marine plant aquaculture products at all times until the products are reintroduced into state waters, and the transfer permit must be presented upon request to department employees.

(8) Violation of these rules, or the condition of any permit may result in suspension or revocation of the permit.

(9) In the event of denial, suspension, or revocation of an importation or transfer permit, the affected person may appeal the decision to the director. Additional appeals may be made through the Administrative Procedure Act (chapter 34.04 RCW). A suspended or revoked permit will remain suspended or revoked during the appellate process.

[Statutory Authority: RCW 75.58.010. 87-08-033 (Order 87-20), § 220-77-060, filed 3/27/87.]

WAC 220-77-070 Aquaculture disease control--Emergency provisions. (1) The director may take the following emergency enforcement actions when evidence indicates these actions are necessary to protect aquaculture products and native stocks from disease or severe mortality from an unexplained source:

(a) Deny issuance of an import or transfer permit.

(b) Quarantine the aquaculture products.

(c) Confiscate or order the destruction of the aquaculture products.

(d) Require removal of the aquaculture product from state waters.

(2) Confiscation or destruction will be ordered without a hearing if confirmed diagnosis by an accredited pathologist is made that finfish aquaculture products are infected with the causative agent of viral hemorrhagic septicemia (Egtved virus).

(3) For finfish, shellfish, amphibian, and marine plant aquaculture products:

(a) Isolation may be ordered without a hearing when aquaculture products are transferred without appropriate inspections or permits or transferred in violation of the conditions of a permit.

(b) Isolation may be ordered without a hearing when evidence demonstrates that aquaculture products, previously imported, may introduce a disease not known to occur in Washington.

(4) For finfish aquaculture products, an epizootic of whirling disease, infectious hematopoietic necrosis or infectious pancreatic necrosis may result in quarantine, confiscation, or destruction, subject to the aquatic farmer's right to an emergency departmental hearing, if confiscation or destruction are ordered.

(5) For shellfish aquaculture products, an outbreak of serious mortality in which contagious disease is suspected may result in quarantine or require removal of the suspected diseased shellfish aquaculture products from state waters, subject to the aquatic farmer's right to an emergency departmental hearing, if removal from state waters is ordered.

(6) When there is evidence that continued presence of aquaculture products in state waters may cause disease that would harm other aquaculture products or native fauna or flora, the director may order quarantine, confiscation, destruction, or removal from state waters. Except as provided for in subsections (2) and (3) of this section, the aquatic farmer has a right to a departmental hearing. In the event the director has ordered emergency action of confiscation, destruction, or removal from state waters, the director shall give notice to the affected aquatic farmer. At the time of notice of emergency action, the affected aquatic farmer may request an emergency departmental hearing. If requested, the hearing will take place no later than the third working day after notice is received by the aquatic farmer. The hearing will be presided over by a hearing officer appointed by the director, who will consider the severity of the disease outbreak, remedies, and alternate courses of action. The hearing officer shall present a recommendation to the director. The director will then review the emergency action and, if appropriate, order confiscation, destruction, or removal from state waters. If so ordered, the emergency action will take place no sooner than forty-eight hours after the order. If no request for an emergency departmental hearing is received, the emergency action of confiscation, destruction, or removal from state waters, may take place immediately after the third working day after the notice is received by the aquatic farmer.

(7) If the department refuses to issue an import or transfer permit, or orders quarantine or isolation of aquaculture products, the aquatic farmer has a right to a hearing under the Administrative Procedure Act (chapter 34.04 RCW).

[Statutory Authority: RCW 75.58.010. 87-08-033 (Order 87-20), § 220-77-070, filed 3/27/87.]

Chapter 220-87 WAC
PUGET SOUND WHITING

WAC	
220-87-010	Puget Sound whiting endorsement validation procedure.
220-87-020	Puget Sound whiting endorsement—Transfer.

WAC 220-87-010 Puget Sound whiting endorsement validation procedure. (1) A Puget Sound whiting endorsement for the current year will be issued to a natural person who meets the following qualifications:

- (a) Is the possessor of a valid trawl license.
- (b) Submits proof of landing as required by RCW 75.30.170.
- (c) Submits proof of ownership or lease, as of January 1, 1986, of an otter trawl vessel and otter trawl net, which may be either a pelagic trawl net or a bottom trawl net.

(2) The possessor of the Puget Sound whiting endorsement must be aboard the vessel at all times while the vessel is fishing for whiting or has whiting aboard, except during unloading.

(3) Only a natural person may obtain a yearly Puget Sound whiting endorsement. A corporation or partnership that meets the qualifications in subsection (1) of this section may designate one natural person to receive the endorsement. The designation is irrevocable.

(4) The Puget Sound whiting endorsement is valid for one person and one vessel. An individual may not possess more than one endorsement.

[Statutory Authority: RCW 75.08.080. 87-04-003 (Order 87-03), § 220-87-010, filed 1/22/87.]

WAC 220-87-020 Puget Sound whiting endorsement—Transfer. (1) A person may transfer a Puget Sound whiting endorsement to that person's spouse or natural or step-child only. The person making the transfer is required to show proof of the relationship. Acceptable proof is a marriage certificate, birth certificate, or decree of adoption. A Puget Sound whiting endorsement will only be transferred to a person who has a valid trawl license, and transfer must be documented at the department's licensing division.

(2) A person may transfer a Puget Sound whiting endorsement from one vessel to another vessel by making application at the department's licensing division for a transfer of the person's trawl license from the first vessel to the second vessel, and informing the licensing division, in writing, that the person is additionally transferring the Puget Sound whiting endorsement. In the case of an individual having more than one trawl license, the transfer of the Puget Sound whiting endorsement from one vessel to a second vessel will be made in substantially the same form as if a trawl license was being transferred.

[Statutory Authority: RCW 75.08.080. 87-04-003 (Order 87-03), § 220-87-020, filed 1/22/87.]

Chapter 220-110 WAC
HYDRAULIC CODE RULES

WAC	
220-110-010	Purpose.
220-110-020	Definitions.
220-110-030	Hydraulic project approvals—Procedures.
220-110-040	Freshwater technical provisions.
220-110-050	Bank protection.
220-110-060	Bridge, pier, and piling construction.
220-110-080	Channel change—Temporary and permanent.
220-110-090	Channel realignment.
220-110-100	Conduit crossing.
220-110-110	Culvert installation.
220-110-120	Temporary bypass culvert or flume.
220-110-140	Gravel removal.
220-110-190	Water diversions.
220-110-200	Mineral prospecting (panning).
220-110-210	Mineral prospecting (sluicing).
220-110-220	Mineral prospecting (dredging).
220-110-320	Dredging.
220-110-340	Informal appeal of adverse administrative decisions.
220-110-350	Formal appeal of adverse administrative decisions.

WAC 220-110-010 Purpose. Pursuant to RCW 75.20.100, 75.20.103, 75.20.106, 75.20.130, and 75.20.140, this chapter establishes regulations for the construction of any form of hydraulic project or performance of other work that will use, divert, obstruct, or change the natural flow or bed of any of the salt or fresh waters of the state, and sets forth procedures for obtaining a hydraulic project approval. In addition, this chapter incorporates criteria and guidelines generally used by the department of fisheries and the department of game for project review and conditioning hydraulic project approvals. It is not intended that the technical provisions will automatically apply to each hydraulic project approval. Rather, each application will be reviewed on an individual basis.

[Statutory Authority: RCW 75.08.080. 87-15-086 (Order 87-48), § 220-110-010, filed 7/20/87. Statutory Authority: RCW 75.08.012, 75.08.080 and 75.20.100. 84-04-047 (Order 84-04), § 220-110-010, filed 1/30/84. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-010, filed 4/13/83.]

WAC 220-110-020 Definitions. As used in this chapter, unless the context clearly requires otherwise:

- (1) "Beach area" means the beds between the ordinary high water line and extreme low tide.
- (2) "Bed" means the land below the ordinary high water lines of state waters. This definition shall not include irrigation ditches, canals, storm-water run-off devices, or other artificial watercourses except where they exist in a natural watercourse that has been altered by man.
- (3) "Bed materials" means natural-occurring material found in the beds of waters of the state.
- (4) "Cofferdam" means a temporary enclosure used to keep water from a work area.
- (5) "Departments" means the department of fisheries and the department of game.
- (6) "Dredging" means removal of bed material.
- (7) "Emergency" means an immediate threat to life, public or private property, or an immediate threat of serious environmental degradation, arising from weather or stream flow conditions or other natural conditions.

(8) "Equipment" means any device powered by internal combustion; hydraulics; electricity, except less than one horsepower; or livestock used as draft animals, except saddle horses; and the lines, cables, arms, or extensions associated with the device.

(9) "Established ford" means a crossing place in a river or stream which has existed for at least three years and has an identifiable approach on the stream bank.

(10) "Extreme low tide" means the lowest level reached by a receding tide.

(11) "Filter blanket" means a layer or combination of layers of pervious materials (mineral or man-made) designed and installed in such a manner as to provide drainage, yet prevent the movement of soil particles due to flowing water.

(12) "Fish life" means all fish species, including but not limited to food fish, shellfish, and game fish, and all stages of development of those species.

(13) "Food fish" means those species of the classes Osteichthyes, Agnatha, and Chondrichthyes that shall not be fished for except as authorized by rule of the director of the department of fisheries.

(14) "Freshwater area" means those state waters and associated beds below the ordinary high water line that are upstream of river mouths including all lakes, ponds, and streams.

(15) "Game fish" means those species of the class Osteichthyes that shall not be fished for except as authorized by rule of the state game commission.

(16) "General provisions" means those provisions that are contained in every hydraulic project approval.

(17) "Hand-held tools" means tools that are held by hand and are not powered by internal combustion, hydraulics, pneumatics, or electricity. Examples are shovels, rakes, and hammers, etc.

(18) "Hydraulic project" means construction or performance of other work that will use, divert, obstruct, or change the natural flow or bed of any of the salt or fresh waters of the state.

(19) "Hydraulic project application" means a form provided by and submitted to the department of fisheries or the department of game accompanied by plans and specifications of the proposed hydraulic project.

(20) "Hydraulic project approval" (HPA) means:

(a) A written approval for a hydraulic project signed by the director of the department of fisheries or the director of the department of game, or by employees designated and authorized to do so; or

(b) A verbal approval for an emergency hydraulic project from the director of the department of fisheries or the director of the department of game, or by employees designated and authorized to do so.

(21) "Mean lower low water" or "MLLW" means the 0.0 tidal elevation. It is determined by averaging each days' lowest tide at a particular location over a period of 18.6 years. It is the datum base for tide levels and vertical references in the saltwater area.

(22) "Mitigation" means:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action; and/or

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation; and/or

(c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment; and/or

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and/or

(e) Compensating for the impact by replacing or providing substitute resources or environments; and/or

(f) Monitoring the impact and taking appropriate corrective measures.

(23) "Natural conditions" means those conditions which arise in or are found in nature. This is not meant to include artificial or manufactured conditions.

(24) "Ordinary high water line" means the mark on the shores of all waters that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual and so long continued in ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation: *Provided*, That in any area where the ordinary high water line cannot be found the ordinary high water line adjoining saltwater shall be the line of mean higher high water and the ordinary high water line adjoining freshwater shall be the line of mean high water.

(25) "Person" means an individual or a public or private entity or organization. The term "person" includes local, state, and federal government agencies, and all business organizations.

(26) "River or stream" means waters in which fish may spawn, reside, or through which they may pass. This includes watercourses which exist on an intermittent basis or which fluctuate in level during the year and applies to the entire bed of such watercourse whether or not the water is at peak level. This also includes any natural watercourses which have been altered by man. This definition is not meant to include irrigation ditches, canals, storm water run-off devices, or other entirely artificial watercourses except where they exist in a natural watercourse which has been altered by man.

(27) "Saltwater area" means those state waters and associated beds below the ordinary high water line and downstream of river mouths.

(28) "Shellfish" means those species of marine and freshwater invertebrates that shall not be taken except as authorized by rule of the director of the department of fisheries. The term "shellfish" includes all stages of development and the bodily parts of shellfish species.

(29) "Special provisions" means those conditions that are a part of the hydraulic project approval, but are site or project specific, and are used to supplement or amend the technical provisions.

(30) "Technical provisions" means those conditions that are a part of the hydraulic project approval and apply to most projects of that nature.

(31) "Watercourse" means any portion of a channel, bed, bank, or bottom within the ordinary high water line of waters of the state. This definition is not meant to include irrigation ditches, canals, storm water run-off devices, or other entirely artificial watercourses, except

where they exist in a natural watercourse which has been altered by man.

(32) "Waters of the state" means all marine waters and fresh waters within ordinary high water lines and within the territorial boundaries of the state.

(33) "Wetted perimeter" means the areas of a watercourse covered with water, flowing or nonflowing.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-020, filed 7/20/87. Statutory Authority: RCW 75.08.012, 75.08.080 and 75.20.100, 84-04-047 (Order 84-04), § 220-110-020, filed 1/30/84. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-020, filed 4/13/83.]

WAC 220-110-030 Hydraulic project approvals--Procedures. (1) A person shall secure a hydraulic project approval before conducting a hydraulic project.

(2) A person seeking hydraulic project approval shall submit to the department of fisheries or the department of game general plans for the overall project, complete plans and specifications for the proposed construction or work below the ordinary high water line of state waters, and complete plans and specifications for the proper protection of fish life.

(3) Application for hydraulic project approval shall be submitted to the department of fisheries or department of game. The department having jurisdiction of a particular site will cooperate with the other department to protect all species of fish. If either department receives an application concerning a site not in its jurisdiction, it will transmit the application to the other department within three days, and the applicant will be notified.

(a) For projects located in the following areas, an application shall be submitted to the Department of Fisheries, Habitat Management Division, 115 General Administration Building, Olympia, WA 98504, (206) 753-6650:

(i) Western Washington, which includes all lands lying west of the summit of the Cascade Mountains;

(ii) The mainstem Snake River and the mainstem Columbia River downstream from Chief Joseph Dam.

(b) For projects located in the following areas, an application shall be submitted to the Department of Game, Habitat Management Division, 600 North Capitol Way, Olympia, WA 98504, (206) 753-5897:

Eastern Washington, which includes all lands lying east of the summit of the Cascade Mountains, including Klickitat County except those areas in (a)(ii) of this subsection.

(c) The departments reserve the right to exchange jurisdiction on individual projects.

(d) Receipt of any one of the following documents at the addresses listed in (a) and (b) of this subsection constitutes application for a hydraulic project approval:

(i) A completed hydraulic project application submitted to the department of fisheries or department of game;

(ii) A completed forest practice application submitted to the department of natural resources, if the hydraulic project is part of a forest practice as defined in WAC 222-16-010(19); or

(iii) A section 10 or 404 public notice circulated by the Army Corps of Engineers or United States Coast Guard.

(4) The appropriate department shall grant or deny approval within forty-five calendar days of the receipt of a complete application and notice of compliance with any applicable requirements of the State Environmental Policy Act (chapter 43.21C RCW). The departments shall strive to process hydraulic project applications in less than thirty days. The forty-five day requirement shall be suspended if:

(a) An incomplete application is received;

(b) The site is physically inaccessible for inspection;

(c) After ten working days of receipt of the application, the applicant remains unavailable or unable to arrange for a timely field evaluation of the proposed project;

(d) The applicant requests delay.

(5) Immediately upon determination that the forty-five day period is suspended, the appropriate department shall notify the applicant in writing of the reasons for the delay.

(6) Verbal approval shall be granted immediately upon request for emergency work to repair existing structures, move obstructions, restore banks, or protect property that is subject to immediate danger by weather, flow, or other natural conditions. Verbal approval shall be granted immediately upon request for driving across a stream during an emergency, as defined in WAC 220-110-020(7).

(7) The departments may accept written or verbal requests for time extensions, renewals, or alterations of an existing approval.

(8) Each approval is usually specific to a watercourse, stating the exact location of the project site, and usually consists of general, technical, and special provisions.

(9) The written hydraulic project approval, or an exact copy, shall be on the project site when work is being conducted and shall be immediately available for inspection.

(10) All hydraulic project approvals may be granted for a period of up to five years. However, approvals issued under RCW 75.20.103 for work of a seasonal nature that diverts water for irrigation or stock watering purposes shall remain in effect without need for periodic renewal, provided the permittee notifies the agency that issued the approval before commencing the work each year. All permittees must demonstrate substantial progress on construction of that portion of the project relating to the hydraulic approval within two years of the date of issuance.

(11) A hydraulic project application will be denied when, in the judgment of the department of fisheries or department of game, the project is directly or indirectly harmful to fish life unless adequate mitigation can be assured by conditioning the approval or modifying the proposal. If approval is denied, the department of fisheries or department of game will provide the applicant, in writing, a statement of the specific reason(s) why and how the proposed project would adversely affect fish life.

(12) Protection of fish life shall be the only ground upon which an approval may be denied or conditioned.

(13) Hydraulic project approvals may have specific time limitations on project activities to protect fish life.

(14) Hydraulic project approvals do not exempt the applicant from obtaining other appropriate permits and following the rules or regulations of local, other state, and federal agencies.

(15) Administration of this chapter shall be conducted in compliance with the State Environmental Policy Act, chapter 43.21C RCW, chapters 197-11, 220-100 or 232-19 WAC.

(16) If a person commences any activity subject to RCW 75.20.100 or 75.20.103 without having first obtained approval of the department of fisheries or department of game or if any person fails to follow or carry out any of the requirements or provisions as are made a part of such approval, that person is guilty of a gross misdemeanor. In lieu of gross misdemeanor charges, at the discretion of the department of fisheries or the department of game, the person who violates RCW 75.20.100, 75.20.103, or chapter 220-110 WAC may be subject to a civil penalty of up to one hundred dollars per day. The amount of the civil penalty will be imposed by notice in writing, either by certified mail or personal service to the person incurring the penalty. The notice will describe the violation, the amount of the penalty, how to pay the penalty, and the appeal rights of the person incurring the penalty.

(17) In addition to hydraulic project approval, mechanical or hydraulic clam harvesters shall be governed by the provisions of WAC 220-52-018 and shall obtain and comply with the provisions of the department of fisheries' permit to operate a clam harvesting machine.

(18) The hydraulic code cannot be used to limit the amount or timing of water diverted under a water right. However, construction of structures or placement of devices or other work within waters of the state which will use, divert, obstruct or change the natural flow or bed of any river or stream, or that will utilize any of the waters of the state in order to take water allowed by a water right requires a hydraulic project approval. Regulation of water flow from a permanent irrigation structure by operating valves, or manipulating stop logs, check boards or head boards, does not require hydraulic project approval.

(19) Persons who have historically used and are currently using a gravel berm dam as the method of diversion shall be permitted to continue to do so. The departments can, however, condition the approval of gravel berms.

(20) The following general provisions apply to and are found on each hydraulic project approval:

(a) This approval is to be available on the job site at all times and its provisions followed by the permittee and operator performing the work.

(b) The person(s) to whom this approval is issued may be held liable for any loss or damage to fish life or fish habitat which results from failure to comply with the provisions of this approval.

(c) Failure to comply with the provisions of this approval could result in a civil penalty of up to one hundred dollars per day or a gross misdemeanor charge, possibly punishable by fine and/or imprisonment.

(d) All hydraulic project approvals issued pursuant to RCW 75.20.100 are subject to additional restrictions, conditions, or revocation if the department of fisheries or department of game determine that new biological or physical information indicates the need for such action. The permittee has the right pursuant to chapter 34.04 RCW, to appeal such decisions. All hydraulic project approvals issued pursuant to RCW 75.20.103 may be modified by the department of fisheries or department of game due to changed conditions after consultation with the permittee: *Provided however*, That such modifications shall be subject to appeal to the hydraulic appeals board established in RCW 75.20.130.

(e) This approval pertains only to the provisions of the fisheries and game codes. Additional authorization from other public agencies may be necessary for this project.

(21) Cleaning, adjusting, operating, and maintaining existing irrigation diversion structures or maintaining established fords, by use of hand-held tools, may be accomplished without first securing a written hydraulic project approval. For these purposes, this subsection, or the latest edition of the *Irrigation and Fish* pamphlet issued by the departments of fisheries and game, shall serve as the hydraulic project approval. This does not include the use of equipment as defined in WAC 220-110-020(8). If adverse impacts to fish life occur, the project shall immediately cease, and an application for approval shall be made in accordance with WAC 220-110-030 (1), (2), and (3).

(22) Aquatic weed control by hand pulling or hand tools does not require hydraulic project approval. This does not include the use of equipment as defined in WAC 220-110-020(8).

(23) Driving a vehicle, or operating equipment, on or across an established ford does not require a hydraulic project approval. However, ford repair with equipment or construction work within the ordinary high water lines requires a hydraulic project approval. Driving a vehicle or operating equipment on or across wetted stream beds at areas other than established fords requires a hydraulic project approval.

(24) The installation, by hand or hand tools, of small scientific markers, oyster stakes, boundary markers, or property line markers does not require a hydraulic project approval.

(25) The installation and operation of portable boat hoists in lakes does not require a hydraulic project approval, provided:

(a) Equipment is not operated below the ordinary high water line during installation;

(b) The hoist is not installed at the mouth of any river or stream; and

(c) Dredging, filling, or pile driving is not conducted as part of the project.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-030, filed 7/20/87. Statutory Authority: RCW 75.08.012, 75.08.080 and 75.20.100, 84-21-060 (Order 84-176), § 220-110-030,

filed 10/15/84; 84-04-047 (Order 84-04), § 220-110-030, filed 1/30/84. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-030, filed 4/13/83.]

WAC 220-110-040 Freshwater technical provisions. WAC 220-110-050 through 220-110-220 set forth technical provisions that typically apply to freshwater hydraulic projects. Certain technical provisions may be required depending upon the individual proposal and site specific characteristics. Additional special provisions may be included. Those provisions, where applicable, shall be contained in the hydraulic project approval, as necessary to protect fish life.

[Statutory Authority: RCW 75.08.080. 87-15-086 (Order 87-48), § 220-110-040, filed 7/20/87. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-040, filed 4/13/83.]

WAC 220-110-050 Bank protection. The following technical provisions may apply to bank protection projects:

- (1) Bank protection work shall be confined to damaged banks.
- (2) Watercourse encroachment shall be held to a minimum.
- (3) Bank protection material shall not appreciably reduce normal watercourse capacity or configuration.
- (4) The toe shall be designed to protect the integrity of bank protection material.
- (5) Bank sloping shall be accomplished in a manner that will prevent the release of overburden material into the water.
- (6) Bank protection material shall be clean, angular rock or other material of a sufficient size to prevent its being washed away by water action. River gravels shall not be used as exterior armor.
- (7) Bank protection and filter blanket material shall be placed from the bank or a barge. Dumping onto the bank face shall be permitted only if the toe is established and the material can be confined to the bank face.
- (8) Filter blanket material shall be placed prior to placement of bank protection material.
- (9) Alteration or disturbance of the bank and bank vegetation shall be held to a minimum.
- (10) Overburden material resulting from this project shall be deposited so as not to reenter the water.

[Statutory Authority: RCW 75.08.080. 87-15-086 (Order 87-48), § 220-110-050, filed 7/20/87. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-050, filed 4/13/83.]

WAC 220-110-060 Bridge, pier, and piling construction. The following technical provisions may apply to bridge, pier, and piling construction projects:

- (1) Excavation for the footings, piers, or abutments shall be isolated from the wetted perimeter by a dike, cofferdam, or similar mechanism.
- (2) Wastewater discharged to receiving waters shall not adversely impact fish life.
- (3) Structures containing concrete or wood preservatives shall be cured or dried prior to water encroachment.

(4) Abutments, piers, piling, sills, etc., shall not restrict the flow so as to cause any appreciable increase in backwater elevation or scour and shall be aligned to cause the least effect on the hydraulics of the body of water.

(5) Riprap materials used for structure protection shall be clean and of sufficient size to prevent their being washed away.

(6) Backfilling and armoring around each structure shall take place prior to removal of cofferdams.

(7) The bridge shall be constructed high enough to pass the fifty-year flood level. Exception shall be granted if applicant provides design criteria to support a more appropriate level.

(8) Alteration or disturbance of bank or bank vegetation shall be held to a minimum, and all disturbed areas shall be protected from erosion and revegetated.

[Statutory Authority: RCW 75.08.080. 87-15-086 (Order 87-48), § 220-110-060, filed 7/20/87. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-060, filed 4/13/83.]

WAC 220-110-080 Channel change—Temporary and permanent. The following technical provisions may apply to channel change—Temporary and permanent projects:

- (1) Permanent new channels shall be similar in length, width, depth, gradient, and meander configuration as the old channel.
- (2) The new channel shall provide fish habitat similar to that which previously existed in the old channel.
- (3) During construction, the new channel shall be isolated from the flowing stream by plugs at the upstream and downstream ends of the new channel.
- (4) Diversion of flow into a new channel shall be accomplished by: (a) First removing the downstream plug; (b) removing the upstream plug; and (c) closing the upstream end of the old channel.
- (5) Filling of the old channel shall begin from the upstream closure and the fill material compacted. Water discharging from the fill shall not adversely impact fish life.
- (6) Before water is diverted into a permanent new channel, the banks shall be armored to prevent erosion.
- (7) The angle of the structure used to divert the water into the new channel shall allow a smooth transition of water flow.

(8) After completion of the permanent new channel and filling of the old channel, all unprotected banks shall be revegetated or otherwise protected to prevent erosion.

(9) If fish may be endangered as a result of this project, the permittee will be required to capture and safely transport game and food fish from the job site to the nearest free-flowing water. The permittee may request the department of fisheries or department of game to assist in capturing and safely transporting game and food fish from the job site to free-flowing water, and assistance may be granted if personnel are available.

[Statutory Authority: RCW 75.08.080. 87-15-086 (Order 87-48), § 220-110-080, filed 7/20/87. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-080, filed 4/13/83.]

WAC 220-110-090 Channel realignment. The following technical provisions may apply to channel realignment projects:

(1) The realigned channel shall provide fish habitat similar to that which previously existed.

(2) All material removal from the new channel shall take place before any filling operations within the existing channel. Material removal shall proceed from mid-stream toward the bank and be completed prior to filling.

(3) Excavation and filling may take place simultaneously if excavated materials are to be used in the filling operation.

(4) Prior to filling, an armored dike or other approved mechanism shall be constructed to divert the flowing stream and isolate the fill area.

(5) Filling shall begin at the upstream end and proceed downstream.

(6) Water discharging from the fill area shall not adversely impact fish life.

(7) If fish may be endangered as a result of this project, the permittee will be required to capture and safely transport game and food fish from the job site to the nearest free-flowing water. The permittee may request the department of fisheries or department of game to assist in capturing and safely transporting game and food fish from the job site to free-flowing water, and assistance may be granted if personnel are available.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-090, filed 7/20/87. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-090, filed 4/13/83.]

WAC 220-110-100 Conduit crossing. The following technical provisions may apply to conduit crossing projects:

(1) Conduit alignment shall be as nearly perpendicular to the watercourse as possible.

(2) The conduit shall be installed at sufficient depth so that subsequent disturbance of the bed of the watercourse is avoided.

(3) If the method used is boring or jacking:

(a) Pits shall be isolated from surface water flow;

(b) All drainage water removed from the boring or jacking pit shall not adversely impact fish life; and

(c) Provisions of subsection (4)(a), (b), (c), and (d) of this section shall not apply.

(4) If the method used is trench excavation:

(a) Trenches shall be excavated in the dry or shall be isolated from the flowing watercourse by the installation of a cofferdam, culvert, flume, or other approved method;

(b) Plowing, placement, and covering shall occur in a single pass of the equipment;

(c) Disturbance of the bed as a result of the plowing operation shall be held to a minimum; and

(d) Provisions of subsection (3)(a), (b), and (c) of this section shall not apply.

(5) Trenches shall be backfilled with approved materials and the bed shall be returned to preproject condition.

(6) Excess spoils shall be disposed of so as not to re-enter the watercourse.

(7) The conduit approach trench shall be isolated from the watercourse until laying of the conduit across the watercourse takes place.

(8) Alteration or disturbance of banks or bank vegetation shall be held to a minimum and all denuded areas shall be revegetated or otherwise protected from erosion.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-100, filed 7/20/87. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-100, filed 4/13/83.]

WAC 220-110-110 Culvert installation. The following technical provisions may apply to culvert installation projects:

(1) Culverts shall be designed and constructed so as not to impede fish passage.

(2) The culvert shall be of a sufficient size to pass the fifty-year flood level. Exception shall be granted if applicant provides design criteria to support a more appropriate level.

(3) Disturbance of the bed of a watercourse shall be held to a minimum and affected bed areas shall be restored to preproject condition following installation of the culvert.

(4) Fill associated with the culvert installation shall be protected from erosion.

(5) Culverts shall be designed and constructed to avoid inlet and outlet scouring.

(6) The culvert facility shall be maintained, in perpetuity, by the owner(s), such that fish passage is not impeded.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-110, filed 7/20/87. Statutory Authority: RCW 75.08.012, 75.08.080 and 75.20.100, 84-04-047 (Order 84-04), § 220-110-110, filed 1/30/84. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-110, filed 4/13/83.]

WAC 220-110-120 Temporary bypass culvert or flume. The following technical provisions may apply to temporary bypass culvert or flume projects:

(1) The temporary bypass culvert or flume shall be in place prior to initiation of other work in the wetted perimeter.

(2) A sandbag revetment or similar device shall be installed at the inlet to divert the entire flow through the culvert or flume.

(3) A sandbag revetment or similar device shall be installed at the downstream end of the culvert or flume to prevent backwater from entering the work area.

(4) Culvert or flume shall be of sufficient size to pass flows and debris occurring during the project.

(5) Prior to releasing the water flow to the project area, all bank protection or armoring shall be completed.

(6) Upon completion of the project, all material used in the temporary bypass shall be removed from the site and the site returned to preproject conditions.

(7) If fish may be endangered as a result of this project, the permittee will be required to capture and safely transport game and food fish from the job site to

the nearest free-flowing water. The permittee may request the department of fisheries or department of game to assist in capturing and safely transporting game and food fish from the job site to free-flowing water, and assistance may be granted if personnel are available.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-120, filed 7/20/87. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-120, filed 4/13/83.]

WAC 220-110-140 Gravel removal. The following technical provisions may apply to gravel removal projects:

(1) An excavation line shall be established. "Excavation line" means a line on the dry bed, parallel to the water's edge; two feet vertically above the existing water level, unless otherwise stated, and changes with water level fluctuations.

(2) Bed material shall not be removed from the water side of the excavation line.

(3) Excavation shall begin at the excavation line and proceed toward the bank, perpendicular to the alignment of the watercourse.

(4) The maximum distance of excavation toward the bank from the excavation line shall be approximately equal throughout the excavation zone. "Excavation zone" means the area between the excavation line and the bank.

(5) The excavation zone shall be identified by boundary markers.

(6) A minimum two percent gradient upward from the excavation line shall be maintained in the excavation zone.

(7) At the end of each days' operation the excavation zone shall not contain pits or potholes.

(8) Excavated materials shall not be stockpiled or spoiled within the ordinary high water line.

(9) Equipment shall not enter the wetted perimeter of the watercourse.

(10) Debris in the excavation zone shall be disposed of so as not to reenter the watercourse.

(11) Gravel washing or crushing operations shall not take place below the ordinary high water line.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-140, filed 7/20/87. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-140, filed 4/13/83.]

WAC 220-110-190 Water diversions. The following technical provisions may apply to water diversions:

(1) Gravel berm dams shall be constructed of gravels available on site. No dirt from outside the ordinary high water line shall be used to seal them and no logs or woody debris presently in the river may be utilized for their construction.

(2) Logs and woody debris may be removed from the river or stream only if they block water flow into the ditch or inhibit construction.

(3) As long as the applicant or permittee can divert enough water to satisfy the water right, the gravel berm dam shall be constructed so that it does not hinder upstream and downstream adult and juvenile fish passage.

If passage problems develop, department of fisheries or department of game personnel may, after consultation, require modification of the gravel berm dam.

(4) At pump stations, a backhoe may be used to remove accumulated silts and gravel from the pumping sump. Material removed shall be placed so it will not be washed back into the river.

(5) A diversion device used for conducting water from a lake, river, stream or other watercourse for any purpose shall be equipped with a fish guard (screen) approved by the department of fisheries pursuant to RCW 75.20.040 and the department of game pursuant to RCW 77.16.220 to prevent the passage of fish into the diversion device.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-190, filed 7/20/87. Statutory Authority: RCW 75.08.012, 75.08.080 and 75.20.100, 84-04-047 (Order 84-04), § 220-110-190, filed 1/30/84. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-190, filed 4/13/83.]

WAC 220-110-200 Mineral prospecting (panning). The following technical provisions may apply to mineral prospecting (panning) projects:

(1) Gold pans, mini-rocker boxes, and nonmotorized sluice boxes are allowed. Sluice box size shall not exceed one-foot width by three-foot length in the riffle area, and not to exceed fifty percent of the width of the wetted perimeter.

(2) All work will be performed by hand or hand tools only.

(3) There shall be no disturbance of graveled spawning areas.

(4) There shall be no streambank excavation.

(5) There shall be no disturbance of rooted or embedded woody plants (trees, shrubs, etc.).

(6) Materials too large to be moved by hand will not be disturbed.

(7) There shall be no damming of the flowing stream.

(8) All pits, furrows, potholes and diversions must be filled, leveled, or removed prior to leaving the project site, to prevent fish entrapment.

(9) No motorized, tracked or wheeled vehicles will be allowed within the wetted perimeter of the stream.

(10) Any siltation in excess of state water quality standards resulting from this project may be considered damaging to fish life, causing operations to be terminated.

(11) Entry onto private property or removal of minerals from an existing mining claim is not authorized. It is the applicant's responsibility to determine if a claim has been issued. The department of natural resources or bureau of land management should be contacted regarding this.

(12) A copy of the current *Gold and Fish Pamphlet* shall be on the job site at all times and shall serve as a formal approval.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-200, filed 7/20/87. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-200, filed 4/13/83.]

WAC 220-110-210 Mineral prospecting (sluicing). The following technical provisions may apply to mineral prospecting (sluicing) projects:

(1) Nonmotorized sluice boxes are allowed. Sluice boxes shall not be wider than two feet in the riffle area and not to exceed fifty percent of the wetted perimeter.

(2) Suction removal of aggregate from sluice or sluice tailings may be performed by a suction device powered by an engine of not more than 3 HP with a maximum intake nozzle size of 1.5 inches.

(3) There shall be no stream bank excavation.

(4) There shall be no disturbance of graveled spawning areas.

(5) All excavations shall be performed by hand or hand-held tools only.

(6) Materials too large to be moved by hand or hand-held tools shall not be disturbed.

(7) Diversion of the flowing stream shall be only that necessary to direct water into a sluice box.

(8) There shall be no damming of the flowing stream.

(9) All pits, furrows, potholes and diversions must be filled, leveled, or removed prior to leaving the project site, to prevent fish entrapment.

(10) No motorized, tracked or wheeled vehicles shall be allowed within the wetted perimeter of the stream.

(11) Any siltation in excess of state water quality standards resulting from this project may be considered damaging to fish life, causing operations to be terminated and the hydraulics project approval cancelled.

(12) This approval does not authorize entry onto private property or removal of minerals from an existing mining claim. It is the applicant's responsibility to determine if a claim has been issued. The department of natural resources or bureau of land management should be contacted regarding this.

(13) A copy of the current *Gold and Fish Pamphlet* shall be on the job site at all times.

(14) There shall be no disturbance of rooted or imbedded woody plants (trees, shrubs, etc.).

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-210, filed 7/20/87. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-210, filed 4/13/83.]

WAC 220-110-220 Mineral prospecting (dredging). The following technical provisions may apply to mineral prospecting (dredging) projects:

(1) This approval authorizes the use of a suction dredge having a nozzle intake size not to exceed that allowed in the stream listing section of the current *Gold and Fish Pamphlet* for the area in which it is operated.

(2) There shall be no hydraulicing (jet or nozzle) outside of the wetted perimeter.

(3) There shall be no streambank excavation.

(4) There shall be no disturbance of rooted or embedded woody plants (trees, shrubs, etc.).

(5) There shall be no disturbance of graveled spawning areas.

(6) All pits, furrows, and potholes must be filled or leveled prior to leaving the project site, to prevent fish entrapment.

(7) Damming or diversion of the stream shall be allowed only to the extent necessary to operate a dredge, and shall be removed prior to leaving the site.

(8) No motorized, tracked, or wheeled vehicles shall be allowed within the wetted perimeter of the stream.

(9) Motorized tools shall not be used to move materials offering fish cover (boulders, logs, stumps, etc.) too large to be moved by hand.

(10) Stable woody debris jams shall not be disturbed.

(11) Extreme care shall be taken to assure that no petroleum products or other deleterious material is allowed to fall, be wasted into, or otherwise deposited so as to enter surface waters.

(12) Any siltation in excess of state water quality standards resulting from this project may be considered damaging to fish life, causing operations to be terminated and the hydraulic project approval cancelled.

(13) This approval does not authorize entry onto private property or removal of minerals from an existing mining claim. It is the applicant's responsibility to determine if a claim has been issued. The department of natural resources or the bureau of land management should be contacted regarding this.

(14) A copy of the current *Gold and Fish Pamphlet* shall be on the job site at all times.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-220, filed 7/20/87. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-220, filed 4/13/83.]

WAC 220-110-320 Dredging. The following technical provisions commonly apply to dredging projects.

(1) Dredging in Tidal Reference Areas 1 through 13 is limited to the period June 16 through March 15.

(2) Dredging in Tidal Reference Area 14 is permitted year-round.

(3) Dredging in Tidal Reference Area 15 in water shallower than the minus twenty (-20.0) foot contour (MLLW = 0.0) is limited to the period May 1 through February 28.

(4) Dredging in Tidal Reference Area 16 in water shallower than the minus twenty (-20.0) foot contour (MLLW = 0.0) is limited to the period June 16 through February 15.

(5) Dredging in Tidal Reference Area 17 in water shallower than the minus twenty (-20.0) foot contour (MLLW = 0.0) is limited to the period May 1 through February 15.

(6) Floatable materials such as debris and piling shall not be disposed of in the water.

(7) Dredging shall stop if distressed or dead fish are observed in the work area, and the departments shall be notified immediately.

(8) A hydraulic dredge shall not be operated with the intake above the surface of the material being removed. The intake may be raised not over 3 feet above the bed for brief periods of purging or flushing the intake system. This provision does not apply to hopper dredges.

(9) Dredged bed materials shall be disposed of at department of natural resources deep water disposal sites or approved upland sites.

(10) Dredging shall be conducted to a depth not greater than the channel depth at the seaward end.

(11) Dredging is prohibited on herring spawning beds.

(12) Dredging shall be conducted with dredge types that cause the least adverse impact on fish and shellfish and their habitat.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-320, filed 7/20/87. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-320, filed 4/13/83.]

WAC 220-110-340 Informal appeal of adverse administrative decisions. Any person who has received a civil penalty notice of violation of any provision of RCW 75.20.100 or 75.20.103, any person who, upon proper application pursuant to RCW 75.20.100 or 75.20.103, is denied a requested hydraulic project approval, any person who wishes to contest a condition placed in a granted approval, or any person who is aggrieved by a hydraulic project approval or the conditions thereon issued pursuant to RCW 75.20.100 or 75.20.103 may initiate an informal agency review of any such decision by notifying a field representative of the department having jurisdiction over the project site. Upon the receipt of a request for informal agency review, the department having jurisdiction over the site shall coordinate a comprehensive review of the agency decision by the chief of the habitat management division whose ultimate decision shall be approved or disapproved by the director or designee. If, following this informal agency review process, any person still feels aggrieved by the agency decision, a formal appeal may be taken pursuant to WAC 220-110-350. All parties are encouraged to take advantage of this informal appeal process prior to initiating a formal appeal.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-340, filed 7/20/87. Statutory Authority: RCW 75.08.012, 75.08.080 and 75.20.100, 84-04-047 (Order 84-04), § 220-110-340, filed 1/30/84. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-340, filed 4/13/83.]

WAC 220-110-350 Formal appeal of adverse administrative decisions. (1) Any person issued a civil penalty pursuant to RCW 75.20.106 for being in violation of RCW 75.20.100 or 75.20.103, any person denied a hydraulic project approval requested pursuant to RCW 75.20.100, any person wishing to contest a condition placed in an approval granted pursuant to RCW 75.20.100, or any person aggrieved by a hydraulic project approval or the conditions thereon issued pursuant to RCW 75.20.100 is entitled to an opportunity for hearing, pursuant to the Administrative Procedure Act, chapter 34.04 RCW. To obtain a hearing, a written request must be filed with the department that issued or denied the approval or levied the civil penalty. The mailing addresses are: Department of Fisheries, Habitat Management Division, Room 115, General Administration Building, Olympia, WA 98504; Department of Game, Habitat Management Division, 600 North Capitol Way, Olympia, WA 98504. Requests must be received within thirty days from the date of denial of a

hydraulic approval or issuance of an approval with contested conditions. Hearings are conducted pursuant to the Uniform Procedure Rules, chapter 1-08 WAC, unless modified in writing and by agreement of the parties. Ordinarily, it is expected that an aggrieved party seeking administrative review will waive the notice of hearing requirements provided by RCW 34.04.090(1) in order to provide an expeditious decision. An administrative law judge will hear all evidence; subsequently, proposed findings of fact, conclusions of law, proposed order, and exceptions and replies thereto, and written argument, if any, shall be prepared and presented to the director, together with a tape of the contested case hearing, for final decision. All final decisions are appealable as provided by the Administrative Procedure Act, chapter 34.04 RCW. Administrative law judges will be provided by the office of administrative hearings.

(2) Any person denied a hydraulic project approval requested pursuant to RCW 75.20.103, any person wishing to contest a condition or modification of an approval granted pursuant to RCW 75.20.103, or any person aggrieved by a hydraulic project approval or the conditions thereon issued pursuant to RCW 75.20.103 is entitled to an opportunity for hearing before the hydraulic appeals board established in RCW 75.20.130 and outlined in chapter 259-04 WAC.

[Statutory Authority: RCW 75.08.080, 87-15-086 (Order 87-48), § 220-110-350, filed 7/20/87. Statutory Authority: RCW 75.08.012, 75.08.080 and 75.20.100, 84-04-047 (Order 84-04), § 220-110-350, filed 1/30/84. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-350, filed 4/13/83.]

Title 222 WAC FOREST PRACTICES BOARD

Chapters

222-08	Practices and procedures.
222-12	Policy and organization.
222-16	Definitions.
222-20	Application and notification procedures.
222-24	Road construction and maintenance.
222-30	Timber harvesting.
222-34	Reforestation.
222-38	Forest chemicals.
222-50	Relationship to other laws and regulations.

Chapter 222-08 WAC PRACTICES AND PROCEDURES

WAC

222-08-035	Continuing review of forest practices regulations.
222-08-040	Regular meetings.

WAC 222-08-035 Continuing review of forest practices regulations. *(1) Annual evaluations. The department, after consulting with affected state agencies, Indian tribes, forest landowners, fisheries, wildlife, natural resources, and environmental interest groups, shall beginning July 1, 1988, report annually to the forest