

Title 220 WAC

FISH AND WILDLIFE, DEPARTMENT OF (FISHERIES)

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DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 220-64 SEALS AND SEA LIONS

- 220-64-001 Promulgation. [Order 236 (part), filed 3/1/60.] Repealed by Order 988, filed 4/28/72.
- 220-64-010 Taking or killing lawful. [Order 236, § 1, filed 3/1/60.] Repealed by Order 988, filed 4/28/72.
- 220-64-020 Fetuses and the unborn excluded. [Order 236, § 5, filed 3/1/60.] Repealed by Order 988, filed 4/28/72.
- 220-64-030 Amount of bounty. [Order 236, § 2, filed 3/1/60.] Repealed by Order 988, filed 4/28/72.
- 220-64-040 Application for bounty—Proof of kill. [Order 236, §§ 3, 4 and 6, filed 3/1/60.] Repealed by Order 988, filed 4/28/72.
- 220-64-050 Bounty payments only for Washington kills. [Order 236, § 7, filed 3/1/60.] Repealed by Order 988, filed 4/28/72.
- 220-64-060 Disposal of evidence by director. [Order 236, § 8, filed 3/1/60.] Repealed by Order 988, filed 4/28/72.

Chapter 220-68 FISH RECEIVING TICKET BOOKS

- 220-68-001 Promulgation. [Order 282, Promulgation, filed 3/1/60.] Repealed by Order 640, filed 4/30/65. Later promulgation, see chapter 220-69 WAC.
- 220-68-010 Tickets—Issuance, applicability, licenses, taxes and reports. [Order 282, § 1, subsections 1-7, filed 3/1/60.] Repealed by Order 640, filed 4/30/65. Later promulgation, see chapter 220-69 WAC.
- 220-68-020 Ticket data—Signatures. [Order 282, § 2, subsections 1-11, filed 3/1/60.] Repealed by Order 640, filed 4/30/65. Later promulgation, see chapter 220-69 WAC.
- 220-68-030 Ticket copies—Fisherman to furnish data. [Order 282, § 3, subsections 1-3, filed 3/1/60.] Repealed by Order 640, filed 4/30/65. Later promulgation, see chapter 220-69 WAC.
- 220-68-040 Duties of receivers and purchasers. [Order 282, § 4, filed 3/1/60.] Repealed by Order 640, filed 4/30/65. Later promulgation, see chapter 220-69 WAC.
- 220-68-050 Ticket books. [Order 282, § 5, filed 3/1/60.] Repealed by Order 640, filed 4/30/65. Later promulgation, see chapter 220-69 WAC.
- 220-68-060 Misrepresentations—Forms. [Order 282, § 6, filed 3/1/60.] Repealed by Order 640, filed 4/30/65. Later promulgation, see chapter 220-69 WAC.
- 220-68-070 Fishermen's cooperatives. [Order 282, § 7, filed 3/1/60.] Repealed by Order 640, filed 4/30/65. Later promulgation, see chapter 220-69 WAC.

Chapter 220-105 SALMON ANGLING LICENSE REGULATIONS

- 220-105-010 Salmon angling license. [Order 77-121, § 220-105-010, filed 10/19/77.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-070.
- 220-105-015 Salmon angling license validation stamp. [Order 77-121, § 220-105-015, filed 10/19/77.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-075.
- 220-105-020 Validation date. [Order 77-121, § 220-105-020, filed 10/19/77.] Repealed by 80-03-064 (Order 80-12), filed

- 220-105-025 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-080. Fresh and saltwater angling. [Order 77-121, § 220-105-025, filed 10/19/77.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-085.
- 220-105-030 Salmon angling license dealer. [Order 77-121, § 220-105-030, filed 10/19/77.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-090.
- 220-105-035 Salmon angling license distribution agent. [Order 77-121, § 220-105-035, filed 10/19/77.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-095.
- 220-105-040 Blind person. [Order 77-121, § 220-105-040, filed 10/19/77.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-100.
- 220-105-045 License issuing procedures. [Statutory Authority: RCW 75.08.080. 78-03-034 (Order 78-8), § 220-105-045, filed 2/21/78, effective 4/1/78; Order 77-121, § 220-105-045, filed 10/19/77.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-105.
- 220-105-046 Bond requirements. [Statutory Authority: RCW 75.08.080. 78-03-034 (Order 78-8), § 220-105-046, filed 2/21/78, effective 4/1/78.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-110.
- 220-105-047 Stamp sales reporting and fee remittances. [Statutory Authority: RCW 75.08.080. 78-03-034 (Order 78-8), § 220-105-047, filed 2/21/78, effective 4/1/78.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-115.
- 220-105-050 Free license issuing procedure. [Order 77-121, § 220-105-050, filed 10/19/77.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-120.
- 220-105-055 Duties of a salmon angling license dealer. [Order 77-121, § 220-105-055, filed 10/19/77.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-125.
- 220-105-060 Valid license required. [Order 77-121, § 220-105-060, filed 10/19/77.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-130.
- 220-105-065 Stamp redemption. [Order 77-121, § 220-105-065, filed 10/19/77.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-55-135.

Chapter 220-12 WAC

FOOD FISH AND SHELLFISH—CLASSIFIED

WAC

- 220-12-010 Food fish—Classification.
- 220-12-020 Shellfish—Classification.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 220-12-001 Food fish and shellfish—Promulgation. [Order 807, § 220-12-001, filed 1/2/69, effective 2/1/69; Order 677, Promulgation, filed 3/31/66; Order 256, Promulgation, filed 3/1/60.] Repealed by 83-24-024 (Order 83-200), filed 11/30/83, effective 1/1/84. Statutory Authority: RCW 75.08.080.
- 220-12-002 Food fish and shellfish—Classification and preamble. [Order 807, § 220-12-002, filed 1/2/69, effective 2/1/69; Order 677, Preamble, filed 3/31/66; Order 256, Preamble, filed 3/1/60.] Repealed by 83-24-024 (Order 83-200), filed 11/30/83, effective 1/1/84. Statutory Authority: RCW 75.08.080.

WAC 220-12-010 Food fish—Classification. The following fishes are classified as food fish under RCW 75.08.080 and are subject to the provisions of this title:

- | | |
|---|-----------------------------------|
| Barracuda | <i>Sphyræna argentea</i> |
| Pacific barracuda | |
| Cyprinids | |
| Carp | <i>Cyprinus carpio</i> |
| Cods and hake | |
| Pacific hake or whiting | <i>Merluccius productus</i> |
| Walleye pollock | <i>Theragra chalcogrammus</i> |
| Pacific Tomcod | <i>Microgadus proximus</i> |
| Pacific Cod or true cod | <i>Gadus macrocephalus</i> |
| Flounder, sole and halibut | |
| Butter sole or Bellingham sole | <i>Isopsetta isolepis</i> |
| C-O sole | <i>Pleuronichthys coenosus</i> |
| Dover sole | <i>Microstomus pacificus</i> |
| English sole | <i>Parophrys vetulus</i> |
| Flathead sole | <i>Hippoglossoides elassodon</i> |
| Pacific halibut | <i>Hippoglossus stenolepis</i> |
| Petræ sole | <i>Eopsetta jordani</i> |
| Rex sole | <i>Glyptocephalus zachirus</i> |
| Rock sole | <i>Lepidopsetta bilineata</i> |
| Pacific sand dab | <i>Citharichthys sordidus</i> |
| Sand sole | <i>Psettichthys melanostictus</i> |
| Slender sole | <i>Lyopsetta exilis</i> |
| Speckled sand dab | <i>Citharichthys stigmæus</i> |
| Starry flounder | <i>Platichthys stellatus</i> |
| Turbot or Arrowtooth flounder | <i>Atheresthes stomias</i> |
| All other species of sole and flounder | (Pleuronectiformes) |
| Giant wrymouth | <i>Delolepis gigantea</i> |
| Greenling | |
| Lingcod | <i>Ophiodon elongatus</i> |
| Rock greenling | <i>Hexagrammos decarcilius</i> |
| Kelp greenling | <i>Hexagrammos decagrammus</i> |
| All other species of greenling | (Hexagrammidae) |
| Herring and herring-like fishes | |
| Northern anchovy | <i>Engraulis mordax</i> |
| Pacific sand lance or candlefish | <i>Ammodytes hexapterus</i> |
| Pacific herring | <i>Clupea harengus pallasii</i> |
| Pacific sardine or pilchard | <i>Sardinops sagax</i> |
| American shad | <i>Alosa sapidissima</i> |
| Mackerels, tunas and jacks (carangids) | |
| Pacific bonito | <i>Sarda chiliensis</i> |
| Pacific mackerel | <i>Scomber japonicus</i> |
| Jack mackerel | <i>Trachurus symmetricus</i> |
| Monterey Spanish mackerel | <i>Scomberomorus concolor</i> |
| Spanish mackerel | <i>Scomberomorus maculatus</i> |
| Yellowtail | <i>Seriola dorsalis</i> |
| Albacore | <i>Thunnus alalunga</i> |
| Bluefin tuna | <i>Thunnus thynnus</i> |
| Skipjack tuna | <i>Euthynnus pelamis</i> |
| Yellowfin tuna | <i>Thunnus albacares</i> |
| All other species of tunas and mackerels | (Scombridae) |
| Pacific pomfret | <i>Brama japonica</i> |
| Pacific pompano | <i>Pephrilus simillimus</i> |

Plainfin midshipman	<i>Parichthys notatus</i>
Ratfish	<i>Hydrolagus collieri</i>
Rattails, all species	(Coryphaenoididae)
Skates	
Longnose skate	<i>Raja rhina</i>
Big skate	<i>Raja binoculata</i>
All other species of skates	(Rajidae)
Rockfish	
Bocaccio	<i>Sebastes paucispinis</i>
Black rockfish	<i>Sebastes melanops</i>
Brown rockfish	<i>Sebastes auriculatus</i>
Copper rockfish	<i>Sebastes caurinus</i>
Greenstriped rockfish	<i>Sebastes elongatus</i>
Canary rockfish	<i>Sebastes pinniger</i>
Pacific Ocean perch	<i>Sebastes alutus</i>
Yelloweye or raspehead rockfish	<i>Sebastes ruberrimus</i>
Rosefish or splitnose rockfish	<i>Sebastes diploproa</i>
Silvergray rockfish	<i>Sebastes brevispinis</i>
Quillback rockfish	<i>Sebastes maliger</i>
Yellowtail rockfish	<i>Sebastes flavidus</i>
All other species of rockfish	(Scorpaenidae)
Sablefish	<i>Anoplopoma fimbria</i>
Salmon	
Chinook or King salmon	<i>Oncorhynchus tshawytscha</i>
Chum or dog salmon	<i>Oncorhynchus keta</i>
Pink or humpback	<i>Oncorhynchus gorbuscha</i>
Coho or silver	<i>Oncorhynchus kisutch</i>
Sockeye or blue back	<i>Oncorhynchus nerka</i>
Masu	<i>Oncorhynchus masu</i>
Sculpins	
Brown Irish lord	<i>Hemilepidotus spinosus</i>
Buffalo sculpin	<i>Enophrys bison</i>
Cabezon	<i>Scorpaenichthys marmoratus</i>
Great sculpin	<i>Myoxocephalus polyacanthocephalus</i>
Pacific Staghorn sculpin	<i>Leptocottus armatus</i>
Red Irish lord	<i>Hemilepidotus hemilepidotus</i>
Seabass and drums	
White seabass	<i>Cynoscion nobilis</i>
All other seabass and drums	(Sciaenidae and Serranidae)
Sharks	
Sixgill shark	<i>Hexanchus griseus</i>
Southern shark	<i>Galeorhinus zyopterus</i>
Dogfish or spiny dogfish	<i>Squalus acanthias</i>
All other species of sharks	(Squaliformes and Hexanchiformes)
Smelts	
Eulachon or Columbia River smelt	<i>Thaleichthys pacificus</i>
Longfin smelt	<i>Spirinchus dilatatus</i>
Surf smelt	<i>Hypomesus pretiosus</i>
All other species of smelt	(Osmeridae)
Sturgeons	
Green sturgeon	<i>Acipenser medirostris</i>
White sturgeon	<i>Acipenser transmontanus</i>
Surfperches	
Blue perch or striped seaperch	<i>Embiotoca lateralis</i>
Kelp perch	<i>Brachyistius frenatus</i>
Redtail surfperch	<i>Amphistichus rhodoterus</i>
Shiner perch	<i>Cymatogaster aggregata</i>
Pile perch	<i>Rhacochilus vacca</i>
Walleye surfperch	<i>Hyperprosopon argenteum</i>
White seaperch	<i>Phanerodon furcatus</i>
All other species of perch	(Embiotocidae)
Wolf-eel	<i>Anarrhichthys ocellatus</i>
Hagfishes	
Pacific hagfish	<i>Eptatretus stouti</i>
Black hagfish	<i>Eptatretus deani</i>

[Statutory Authority: RCW 75.08.080. 89-14-010 (Order 89-48), § 220-12-010, filed 6/22/89; 83-24-024 (Order 83-200), § 220-12-010, filed 11/30/83, effective 1/1/84; 82-07-047 (Order 82-19), § 220-12-010, filed 3/18/82; Order 1057, § 220-12-010, filed 5/22/73; Order 807, § 220-12-010, filed 1/2/69, effective 2/1/69; Order 677, Food fish classification, filed 3/31/66; Order 256, Food fish classification, filed 3/1/60.]

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>Mytilus edulis</i>
California mussel	<i>Mytilus californianus</i>
Scallops	
Pacific pink scallop	<i>Chlamys rubida</i>
Rock scallop	<i>Crassadoma gigantea</i>
Spiny scallop	<i>Chlamys hastata</i>
Weatherwane 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>Cloacardium nuttalli</i>
Geoduck	<i>Panope abrupta</i>
Horse or Gaper clam	<i>Tresus nuttalli</i> , <i>Tresus capax</i> , <i>Mya arenaria</i>
Mud or soft shell clam	<i>Tapes philippinarum</i>
Manila clam	<i>Zirfaea pilsbryi</i>
Piddock	<i>Siliqua patula</i>
Razor clam	<i>Protothaca staminea</i>
Rock or native little neck clam	
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 bartramai</i>
All other squid	Sepioidea or Teuthoiden
Octopus	
Octopus	<i>Octopus dolfini</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 crab	<i>Cancer magister</i>
Red rock 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. 91-10-024 (Order 91-22), § 220-12-020, filed 4/23/91; 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.]

220-16-450
220-16-460

Light 26 Line.
Titlow Beach Marine Preserve Area.

Chapter 220-16 WAC DEFINITIONS

WAC

220-16-010 Definitions—Fishing gear.
220-16-015 General definitions—Trawl gear.
220-16-025 Definitions—Brush weir.
220-16-028 Definitions—Dip bag net.
220-16-035 Definitions—Drag seine.
220-16-040 Definitions—Drift gill net—Drift net.
220-16-046 Definitions—Skiff gill net—Skiff net.
220-16-051 Definitions—Commercial jig.
220-16-065 Definitions—Lampara.
220-16-075 Definitions—Purse seine.
220-16-080 Definitions—Reef net.
220-16-085 Definitions—Ring net.
220-16-090 Definitions—Set line.
220-16-095 Definitions—Set net.
220-16-100 Definitions—Shellfish pot.
220-16-105 Definitions—Snag line.
220-16-110 Definitions—Snag net.
220-16-120 Definitions—Trammel net.
220-16-125 Definitions—Troll line.
220-16-126 Troll spread.
220-16-140 Definitions—Herring rake.
220-16-145 Definitions—Bottom fish pot.
220-16-200 Geographical definitions—District 1.
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220-16-210 Geographical definitions—Puget Sound.
220-16-211 Geographical definitions—Puget Sound tributaries.
220-16-215 Geographical definitions—Grays Harbor.
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220-16-235 Geographical definitions—Inside Initiative 77 line.
220-16-240 Geographical definitions—Coastal waters.
220-16-245 Geographical definitions—River mouths.
220-16-250 Geographical definitions—Mile measurement.
220-16-255 Geographical definitions—Razor clam areas.
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220-16-260 Geographical definitions—Skagit Bay shrimp fishing area.
220-16-265 Geographical definitions—Lopez Island shrimp fishing area.
220-16-270 Geographical definitions—Skagit River.
220-16-275 Geographical definitions—Village Point.
220-16-280 Geographical definitions—Clam and oyster districts.
220-16-300 General definitions—Personal use.
220-16-305 General definitions—Commercial purposes.
220-16-310 General definitions—Net length measurement.
220-16-315 General definitions—Net mesh measurement.
220-16-320 General definitions—Fish length measurement.
220-16-325 General definitions—Dressed fish length measurement.
220-16-330 General definitions—Dressed fish.
220-16-335 General definitions—Spawning salmon.
220-16-340 General definitions—Bottomfish.
220-16-345 General definitions—Time.
220-16-350 General definitions—Jack salmon.
220-16-355 General definitions—Soft-shelled crab.
220-16-360 General definitions—Bait purposes.
220-16-370 General definitions—Sac-rope herring purposes.
220-16-375 Westport Boat Basin.
220-16-380 English Camp Tidelands.
220-16-395 Buoy 13 line.
220-16-400 Definition—Lower Columbia River.
220-16-405 Definition—SMCRA.
220-16-410 Definition—Extenuating circumstances.
220-16-420 Explosive substance.
220-16-430 Spawn on kelp.
220-16-440 San Juan Islands Marine Preserve Area.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-16-018 Definitions—Bottom sink set net. [Order 810, § 220-16-018, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by Order 1193, filed 3/4/75.
220-16-020 Definitions—Geographical districts. [Order 726, § 1 (part), filed 4/26/67; subsections 1-3, 5-9, 11 from Orders 355 and 256, filed 3/1/60; subsection 4 from Order 544, filed 4/3/62; Orders 355 and 256, filed 3/1/60; subsection 10 from Order 507, filed 4/13/60; Orders 355 and 256, filed 3/1/60; subsections 12-14 from Orders 414 and 256, filed 3/1/60; subsection 15 from Order 507, filed 4/13/60; subsection 16 from Order 547, filed 7/5/62; Order 256, filed 3/1/60.] Repealed by filing of later enactment. See WAC 220-16-200 through 220-16-275.
220-16-030 Definitions—General definitions. [Order 726, § 1, (part), filed 4/24/67; subsections 1, 2, 5, 7, 9, 10 from Orders 355 and 256, filed 3/1/65; subsections 3, 8, 12 from Orders 452 and 256, filed 3/1/60; subsection 4 from Order 635, filed 3/31/65; Order 568, filed 3/26/63; Orders 452 and 256, filed 3/1/60; subsection 6 from Orders 385 and 256, filed 3/1/60.] Repealed by filing of later enactment. See WAC 220-16-300 through 220-16-355.
220-16-045 Definitions—Hand dip net. [Order 1105, § 220-16-045, filed 12/28/73; Order 810, § 220-16-045, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 83-24-024 (Order 83-200), filed 11/30/83, effective 1/1/84. Statutory Authority: RCW 75.08.080.
220-16-050 Definitions—Hand line. [Order 810, § 220-16-050, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 79-03-014 (Order 79-11), filed 2/15/79. Statutory Authority: RCW 75.08.080.
220-16-055 Definitions—Hook and line—Angling. [Statutory Authority: RCW 75.08.080. 82-13-040 (Order 82-61), § 220-16-055, filed 6/9/82; Order 810, § 220-16-055, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 91-08-053 (Order 91-18), filed 4/2/91, effective 5/3/91. Statutory Authority: RCW 75.08.080.
220-16-060 Definitions—Jigger. [Order 810, § 220-16-060, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 79-03-014 (Order 79-11), filed 2/15/79. Statutory Authority: RCW 75.08.080.
220-16-070 Definitions—Otter trawl. [Statutory Authority: RCW 75.08.080. 79-05-007 (Order 79-20), § 220-16-070, filed 4/11/79; Order 810, § 220-16-070, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.
220-16-115 Definitions—Suspension set net. [Order 810, § 220-16-115, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by Order 1193, filed 3/4/75.
220-16-130 Definitions—Shrimp trawl. [Statutory Authority: RCW 75.08.080. 80-13-064, (Order 80-123), § 220-16-130, filed 9/17/80; Order 77-145, § 220-16-130, filed 12/13/77; Order 945, § 220-16-130, filed 8/16/71; Order 810, § 220-16-130, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.
220-16-132 Scallop dredge. [Statutory Authority: RCW 75.08.080. 82-03-045 (Order 82-6), § 220-16-132, filed 1/19/82.] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.
220-16-135 Definitions—Smelt rake. [Order 810, § 220-16-135, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 83-24-024 (Order 83-200), filed 11/30/83, effective 1/1/84. Statutory Authority: RCW 75.08.080.
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 220-16-010 Definitions—Fishing gear. It shall be unlawful to operate in any area of the state of Washington or any area over which the state of Washington has concurrent jurisdiction any of the types of fishing gear defined hereinafter in this section for any purpose or by any means whatsoever except at the times, places and in the manners and for the species, quantities, sizes and sexes of food fish and shellfish or fish for food fish and shellfish with any type of fishing appliance not defined hereinafter in this section.

[Order 810, § 220-16-010, filed 4/17/69; subsections 2, 7 rescinded by Order 758, § 1, filed 10/16/67; subsection 14 amended by Order 758, § 2, filed 10/16/67; subsections 1-28 amended by Order 726, filed 4/24/67; subsections 1-4, 6, 7, 10, 12, 15-21, 23-25 from Order 256, filed 3/1/60; subsection 15 amended by Order 677, filed 3/31/66; subsection 25 amended by Order 672, filed 12/28/65; subsections 5 and 9 from Order 569, filed 4/11/63; Orders 313 and 256, filed 3/1/60; subsection 9 amended by Order 635, filed 3/31/65; subsection 8 from Orders 406 and 256, filed 3/1/60; subsection 11 from Order 525, filed 5/3/61; Order 256, filed 3/1/60; subsection 13 from Orders 285 and 256, filed 3/1/60; subsection 14 from Order 591, filed 10/28/63; Orders 480 and 256, filed 3/1/60; subsection 22 from Order 543, filed 3/20/62; Order 256, filed 3/1/60; subsection 26 from Orders 480 and 256, filed 3/1/60; subsections 27, 28 from Order 525, filed 5/3/61.]

WAC 220-16-015 General definitions—Trawl gear.

(1) "Otter trawl" shall be defined as a cone or funnel-shaped net which is towed or drawn through the water by one or two vessels. Otter trawl nets may be used both on and off the seabed. Otter trawl nets may be fished with or without trawl doors, and may employ warps or cables to direct fish. Otter trawl nets are restricted to the following three categories:

(a) "Bottom trawl" means an otter trawl in which the otter boards or the footrope of the net contact the seabed, and includes Danish and Scottish seine gear.

(b) "Roller trawl" or "bobbin trawl" are identical, and mean an otter trawl with footropes equipped with rollers or bobbins made of wood, steel, rubber, plastic, or other hard material which protects the net during fishing on the seabed.

(c) "Pelagic trawl" means an otter trawl in which the otter boards may be in contact with the seabed but the footrope of the net remains above the seabed. Pelagic trawl nets may not have footropes protected at the trawl mouth with rollers, bobbins, or discs.

(2) "Beam trawl" shall be defined as a type of bottom trawl, consisting of a bag-shaped trawl net utilizing a beam to spread the mouth of the net horizontally as it is towed and not having weighted otter frames or otter doors. The minimum mesh size for beam trawl nets is four and one-half inches in a food fish fishery and one and one-half inches in a shrimp fishery, unless otherwise provided.

(3) "Shrimp trawl" shall be defined as a tapered, funnel-shaped trawl net in which the mesh size is two inches or less in the intermediate and codend sections of the trawl. Otter doors, otter boards, or a beam may be used to spread the mouth of the net horizontally as it is towed. The mouth of the net is formed on the upper edge by a line to which floats are attached (headrope) and on the lower edge by a line which is usually weighted (footrope). Additional webbing is

frequently attached to the codend section to prevent the net from chafing.

(4) "Scallop dredge" shall be defined as trawl gear with a leading rigid frame opening with a trailing bag of metal rings or net mesh, which is legal gear for harvest of scallops.

(5) "Codend" shall be defined as the terminal, closed end of a trawl net.

(a) Single-walled codend is a codend constructed of a single wall of webbing knitted with single-ply mesh, or with double-ply mesh (double twine tied into a single knot).

(b) Double-walled codend is a codend constructed of two walls of webbing. The double-walled portion of the codend must be tied knot-to-knot to the trawl net, and may not be longer than twenty-five trawl meshes or twelve feet, whichever is greater. The use of double-walled codends is unlawful in pelagic trawls, roller trawls, and bobbin trawls.

(6) "Chafing gear" shall be defined as webbing or other material attached to the bottom (underside) or around the codend of a trawl net to protect the codend from wear. Chafing gear must not be connected to the terminal (closed) end of the codend.

(7) "Trawl riblines" shall be defined as heavy ropes or lines that run down the sides, top or underside of a trawl net from the mouth of the net to the terminal end of the codend to strengthen the net during fishing.

(8) "Trawl mesh size" shall be defined as the distance between the inside of one knot and the inside of the opposite vertical knot in trawl mesh. Minimum trawl mesh size requirements are met if a wedge of legal size can be passed without undue force through sixteen of twenty sets of two meshes each of wet mesh in the codend.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-16-015, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-16-015, filed 7/14/93, effective 8/14/93; 82-14-056 (Order 82-72), § 220-16-015, filed 7/1/82; Order 810, § 220-16-015, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-025 Definitions—Brush weir. "Brush weir" shall be defined as a stationary impounding net constructed on piling, with one lead and not to exceed two hearts, and constructed according to specifications of the director.

[Statutory Authority: RCW 75.08.080. 79-03-014 (Order 79-11), § 220-16-025, filed 2/15/79; Order 810, § 220-16-025, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-028 Definitions—Dip bag net. "Dip bag net" shall be defined as a section of netting distended by a rigid frame and includes hand dip nets and smelt rakes.

[Statutory Authority: RCW 75.08.080. 83-24-024 (Order 83-200), § 220-16-028, filed 11/30/83, effective 1/1/84; 79-03-014 (Order 79-11), § 220-16-028, filed 2/15/79; Order 1105, § 220-16-028, filed 12/28/73; Order 810, § 220-16-028, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-035 Definitions—Drag seine. "Drag seine" shall be defined as fishing gear consisting of a lead line, cork line, auxiliary lines and a mesh net webbing fashioned in such a manner that it can be used to encircle fish in waters adjacent to any beach, with the catch landed directly on the beach. It shall include gear commonly known as "beach seine" and "smelt drag bag net."

[Order 810, § 220-16-035, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-040 Definitions—Drift gill net—Drift net. "Drift 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. 92-15-105 (Order 92-47), § 220-16-040, filed 7/20/92, effective 8/20/92; 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 220-16-046 Definitions—Skiff gill net—Skiff net. "Skiff gill net" or "skiff net" is defined as a gill net of single web construction with floats along the corkline sufficient to float the net. A skiff gill net may be laid in part on shore, but may not be anchored, tied, or staked, nor have a lead line so heavily weighted that the net cannot drift.

[Statutory Authority: RCW 75.08.080. 92-15-105 (Order 92-47), § 220-16-046, filed 7/20/92, effective 8/20/92.]

WAC 220-16-051 Definitions—Commercial jig. Commercial jig gear shall be defined as a line or lines hand held or attached to poles or machines, and to which may be attached any number of hooks or lures. The gear shall be fished from a single vessel that is not under power.

[Statutory Authority: RCW 75.08.080. 83-24-024 (Order 83-200), § 220-16-051, filed 11/30/83, effective 1/1/84; 79-03-014 (Order 79-11), § 220-16-051, filed 2/15/79.]

WAC 220-16-065 Definitions—Lampara. Lampara gear shall be defined as fishing gear having no purse line or rings, but employing a lead line, cork line, special tag or auxiliary lines attached to the lead line and webbing in such a manner that the fish are encircled in open water. This gear is not lawful for the taking of salmon.

[Order 76-148, § 220-16-065, filed 12/2/76; Order 817, § 220-16-065, filed 5/29/69; Order 810, § 220-16-065, 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 220-16-080 Definitions—Reef net. "Reef net" shall be defined as a non self-fishing open bunt square or rectangular section of mesh netting suspended between two

anchored boats fashioned in such a manner that to impound salmon passing over the net, the net be raised to the surface. The lead or leads of any "reef net" must be floating at all times, except under stress of tidal conditions, and shall not be fixed to any piling whatsoever, nor shall the lead or leads be constructed of any kind of mesh webbing. In the construction of any "reef net" no principle of a fyke net or fish trap may be employed.

[Order 810, § 220-16-080, 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 220-16-090 Definitions—Set line. "Set line" shall be defined as a stationary, buoyed, and anchored ground line with hooks attached.

[Statutory Authority: RCW 75.08.080. 82-14-056 (Order 82-72), § 220-16-090, filed 7/1/82; Order 810, § 220-16-090, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-095 Definitions—Set net. "Set net" shall be defined as a gill net which is anchored, tied, staked, laid in part on shore or whose lead line is so heavily weighted that it cannot drift.

[Order 810, § 220-16-095, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-100 Definitions—Shellfish pot. "Shellfish pot" shall be defined as a movable trap with one or more entrance tunnels used to entrap shellfish in a live condition.

[Statutory Authority: RCW 75.08.080. 84-08-014 (Order 84-24), § 220-16-100, filed 3/27/84; Order 1179, § 220-16-100, filed 11/19/74; Order 810, § 220-16-100, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-105 Definitions—Snag line. "Snag line" shall be defined as a line with one or more unbaited hooks attached thereto used to the purpose of snagging any species of food fish.

[Order 810, § 220-16-105, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-110 Definitions—Snag net. "Snag net" shall be defined as a single web gill net, constructed of webbing having mesh of not less than fourteen inches stretch measure and used for the purpose of clearing snags or similar obstructions from gill net drifts and operated in an area where a gill net fishery is from time to time lawful.

[Order 810, § 220-16-110, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-120 Definitions—Trammel net. "Trammel net" shall be defined as a gill net that is hung with two or more mesh webs substantially parallel to each other, suspended from a single common cork line and having either one or several lead lines.

[Order 810, § 220-16-120, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-125 Definitions—Troll line. "Troll line" when relating to its use for commercial purposes shall be defined as a fishing line used to drag a lure or lures behind a vessel that is under power.

[Statutory Authority: RCW 75.08.080. 83-24-024 (Order 83-200), § 220-16-125, filed 11/30/83, effective 1/1/84; Order 810, § 220-16-125, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-126 Troll spread. "Troll spread" shall be defined as a readily detachable line more than 4 inches in length, which has one or more lures attached to it, and is attached to the main troll line which cannot be removed from the vessel during its operation.

[Statutory Authority: RCW 75.08.080. 82-14-056 (Order 82-72), § 220-16-126, filed 7/1/82.]

WAC 220-16-140 Definitions—Herring rake. "Herring rake" shall be defined as a long-handled, stream-lined board, oar-like in shape, with a lower portion of the leading edge studded with sharp-pointed nails upon which the fish are impaled when the rake is forced through the water edgewise.

[Order 810, § 220-16-140, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-145 Definitions—Bottomfish pot. "Bottomfish pot" shall be defined as a portable, enclosed device with one or more gates or entrances and one or more lines attached to surface floats. Bottomfish pots must have biodegradable escape panels constructed with #21 or smaller untreated cotton twine in such a manner that an opening at least eight inches in diameter results when the twine deteriorates.

[Statutory Authority: RCW 75.08.080. 82-14-056 (Order 82-72), § 220-16-145, filed 7/1/82; Order 866, § 220-16-145, filed 6/12/70.]

WAC 220-16-200 Geographical definitions—District 1. The term "District 1" shall be construed to include the Strait of Juan de Fuca, and the waters of the Pacific Ocean over which the state of Washington has jurisdiction, exclusive of bays, inlets, canals, coves, sounds and estuaries.

[Order 817, § 220-16-200, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-205 Geographical definitions—District 2. The term "District 2" shall be construed to include all lands and waters over which the state of Washington has jurisdiction, excepting District 1.

[Order 817, § 220-16-205, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-210 Geographical definitions—Puget Sound. The term "Puget Sound" shall be construed to include all the waters of Puget Sound outside the mouth of any river or stream including the Strait of Juan de Fuca, Georgia Strait, and all bays and inlets thereof.

[Order 817, § 220-16-210, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-211 Geographical definitions—Puget Sound tributaries. The term "Puget Sound tributaries" shall be construed to include the waters of all fresh water rivers and streams tributary to Puget Sound as defined in WAC 220-15-210 and including all tributaries flowing into said rivers and streams.

[Order 920, § 220-16-211, filed 5/13/71.]

WAC 220-16-215 Geographical definitions—Grays Harbor. The term "Grays Harbor" shall be construed to include all the waters of Grays Harbor outside the mouth of any tributary river or stream inside and easterly of a line projected from the outermost end of the north jetty to the outermost end of the south jetty.

[Order 817, § 220-16-215, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-220 Geographical definitions—Willapa Bay. The term "Willapa Bay" shall be construed to include all the waters of Willapa Bay outside the mouth of any tributary river or stream inside and easterly of a line from Leadbetter Point to Willapa Bay Channel Marker 8 (Buoy 8) and then to the westerly most landfall on Cape Shoalwater.

[Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-16-220, filed 4/2/91, effective 5/3/91; Order 817, § 220-16-220, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-225 Geographical definitions—Columbia River. The term "Columbia River" shall be construed to include all the waters of the Columbia River, including sloughs tributary thereto, upstream and easterly of a line projected from the inshore end of the north jetty to the knuckle of the south jetty at the entrance to the river.

[Order 817, § 220-16-225, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-230 Geographical definitions—Outside Initiative 77 line. The term "outside Initiative 77 line" shall be construed to include all waters of Puget Sound lying westerly and northerly of the Initiative 77 line described in chapter 75.12 RCW.

[Order 817, § 220-16-230, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-235 Geographical definitions—Inside Initiative 77 line. The term "inside Initiative 77 line" shall be construed to include all waters of Puget Sound lying southerly and easterly of the Initiative 77 line described in chapter 75.12 RCW.

[Order 817, § 220-16-235, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-240 Geographical definitions—Coastal waters. The term "coastal waters" shall be construed to include those waters of the Pacific Ocean lying within the jurisdiction of the state of Washington, unless otherwise provided, and all streams tributary thereto, exclusive of the Grays Harbor, Willapa Harbor and Columbia River districts.

[Statutory Authority: RCW 75.08.080, 83-24-024 (Order 83-200), § 220-16-240, filed 11/30/83, effective 1/1/84; Order 817, § 220-16-240, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-245 Geographical definitions—River mouths. 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.

[Order 817, § 220-16-245, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-250 Geographical definitions—Mile measurement. Any reference to the term "mile" shall mean a nautical mile.

[Order 817, § 220-16-250, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-255 Geographical definitions—Razor clam areas. "Razor clam area 1" shall include the tidelands and waters of the Pacific Ocean and Willapa Harbor between Cape Disappointment and Cape Shoalwater; "razor clam area 2" shall include the tidelands and waters of the Pacific Ocean and Grays Harbor between Cape Shoalwater and Point Brown; "razor clam area 3" shall include the tidelands and waters of the Pacific Ocean between Point Brown and Cape Flattery.

[Order 817, § 220-16-255, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-257 Razor clam beds. "Razor clam beds" are defined as that portion of Pacific Ocean beaches westerly of a line 500 feet seaward and parallel to the base of the primary dune or cliff or any portion of Pacific Ocean beaches posted as a razor clam bed and marked with boundary markers. The detached Willapa Bay Spits that are north of Leadbetter Channel, west of Ellen Sands and south of the Willapa Ship Channel are also defined as "razor clam beds," as are those portions of the mouths of Grays Harbor and Willapa Bay which contain razor clams.

[Statutory Authority: RCW 75.08.080, 91-08-054 (Order 91-13), § 220-16-257, filed 4/2/91, effective 5/3/91; 82-07-047 (Order 82-19), § 220-16-257, filed 3/18/82; 80-13-064 (Order 80-123), § 220-16-257, filed 9/17/80.]

WAC 220-16-260 Geographical definitions—Skagit Bay shrimp fishing area. "Skagit Bay shrimp fishing area" shall include those waters of Puget Sound lying within the following lines. A line commencing at West Point on Whidbey Island projected True north to Fidalgo Island, and a line projected from Point Demock on Camano Island to Point Polnell on Whidbey Island.

[Order 817, § 220-16-260, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-265 Geographical definitions—Lopez Island shrimp fishing area. "Lopez Island shrimp fish area" shall include those waters of Puget Sound lying inside and southerly of a line projected from Spencer Spit on Lopez Island to Fauntleroy Point on Decatur Island and a line projected from Decatur Light across Lopez Pass to the nearest point of Lopez Island.

[Order 817, § 220-16-265, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-270 Geographical definitions—Skagit River. The term "Skagit River" shall be construed to mean those waters of the Skagit River upstream and inside of a line projected from white monument on the easterly point of Ika Island, across the Skagit River, to the terminus of the jetty with McGlenn Island.

[Order 817, § 220-16-270, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-275 Geographical definitions—Village Point. The term "Village Point," used in describing the Lummi Island reef net fishing area, shall be construed to mean a point of location on Village Point, Lummi Island, at the mean high tide on a true bearing 43 degrees 53 minutes a distance of 457 feet to the center of the chimney of a wood frame house on the east side of the county road. Said chimney and house being described as "Village Point Chimney" on page 612 of United States Coast and Geodetic Survey list of geographic positions No. G-5455, Rosario Strait.

[Order 817, § 220-16-275, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-280 Geographical definitions—Clam and oyster districts. The following clam and oyster districts are defined pursuant to RCW 75.28.280 and 75.28.281.

(1) Northern Puget Sound district shall include all waters and tidelands of Puget Sound northerly and westerly of lines drawn from Olele Point to the southern tip of Double Bluff on Whidbey Island and from Possession Point true east to the mainland.

(2) Southern Puget Sound district shall include all waters and tidelands of Puget Sound southerly of lines drawn from Olele Point to the southern tip of Double Bluff on Whidbey Island, thence following the shoreline to Possession Point and thence from Possession Point true east to the mainland.

(3) Grays Harbor District shall include all waters and tidelands of Grays Harbor inside and easterly of a line projected from the outermost end of the north jetty to the outermost end of the south jetty.

(4) Willapa Harbor district shall include all waters and tidelands of Willapa Harbor inside and easterly of a line projected from Leadbetter Point to Cape Shoalwater.

[Order 857, § 220-16-280, filed 12/11/69.]

WAC 220-16-300 General definitions—Personal use. The taking or possession of food fish or shellfish for personal use is defined as the taking or fishing for food fish and shellfish or parts thereof by angling or by such other means, with such gear and for such limits as the director may authorize for personal use, or possessing the same for the use of the person fishing for, taking or possessing the same, and not for sale or barter.

[Order 817, § 220-16-300, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-305 General definitions—Commercial purposes. The taking, fishing for, possession, processing, or otherwise dealing in or disposing of food fish and shellfish for commercial purposes is defined as the taking or fishing for food fish with any gear unlawful for fishing for personal use, or taking or possessing food fish and shellfish in excess of the limits permitted for personal use, or taking, fishing for, handling, processing, or otherwise disposing of or dealing in food fish with the intent of disposing of such food fish, shellfish or parts thereof for profit or by sale, barter, trade or in commercial channels.

[Order 817, § 220-16-305, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-310 General definitions—Net length measurement. The length of any net is defined as its measurement along the cork line.

[Order 817, § 220-16-310, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-315 General definitions—Net mesh measurement. The size of a mesh of any net except purse seine net, trawl net, and Hood Canal shrimp pot net shall be defined as the distance between the inside of one knot to the outside of the opposite vertical knot of one mesh when the mesh is stretched vertically, while wet, by using a tension of ten pounds on any three consecutive meshes, then measuring the middle mesh of the three while under tension; purse seine net mesh - see WAC 220-47-301; trawl net mesh - see WAC 220-16-015; Hood Canal shrimp pot net - see WAC 220-52-053.

[Statutory Authority: RCW 75.08.080. 86-13-038 (Order 86-46), § 220-16-315, filed 6/12/86; 83-24-024 (Order 83-200), § 220-16-315, filed 11/30/83, effective 1/1/84; 82-14-056 (Order 82-72), § 220-16-315, filed 7/1/82; 82-03-045 (Order 82-6), § 220-16-315, filed 1/19/82; Order 1105, § 220-16-315, filed 12/28/73; Order 817, § 220-16-315, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-320 General definitions—Fish length measurement. The length of a fish, unless otherwise provided, is defined as the shortest distance between the extreme tip of the tail and extreme tip of the snout or jaw, whichever extends the farthest, measured while the fish is lying in a prone and normal position.

[Order 817, § 220-16-320, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-325 General definitions—Dressed fish length measurement. The length of any dressed fish, unless otherwise provided, is defined as the shortest distance

between the posterior end of the gill opening and the fork of the tail.

[Order 817, § 220-16-325, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-330 General definitions—Dressed fish. A dressed fish is defined as one from which the viscera or the viscera and head has been removed.

[Order 817, § 220-16-330, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-335 General definitions—Spawning salmon. The term "spawning male salmon" is one from which the milt flows freely. The term "spawning female salmon" is one from which the eggs flow freely or has matured to the point that the eggs may be extruded by pressure applied to the abdomen of the salmon.

[Order 866, § 220-16-335, filed 6/12/70; Order 817, § 220-16-335, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-340 General definitions—Bottomfish. The term "bottomfish," unless otherwise provided, is defined as including Pacific cod, Pacific tomcod, Pacific hake, walleye pollock all species of dabs, sole and flounders (except Pacific halibut), lingcod and all other species of greenling, ratfish, sablefish, cabezon, buffalo sculpin, great sculpin, red Irish lord, brown Irish lord, Pacific staghorn sculpin, wolf-eel, giant wry mouth, plainfin midshipman, spiny dogfish, six gill shark, soupfin shark and all other species of shark, and all species of skate, rockfish, rattails and surfperches except shiner perch.

[Statutory Authority: RCW 75.08.080. 85-09-017 (Order 85-20), § 220-16-340, filed 4/9/85; 83-24-024 (Order 83-200), § 220-16-340, filed 11/30/83, effective 1/1/84; 82-07-047 (Order 82-19), § 220-16-340, filed 3/18/82; 79-05-007 (Order 79-20), § 220-16-340, filed 4/11/79; Order 77-147, § 220-16-340, filed 12/16/77; Order 817, § 220-16-340, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-345 General definitions—Time. All Times referred to in any order or regulation shall be Pacific Standard Time, except that during the period from the last Sunday in February to the last Sunday in October all times referred to shall be Pacific Daylight Time.

[Order 1193, § 220-16-345, filed 3/4/75; Order 817, § 220-16-345, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-350 General definitions—Jack salmon. A jack salmon is defined as any salmon which has matured and begun its spawning migration one or more years before the normal term of maturity of other members of its species, and which has visibly developed eggs or milt.

[Order 817, § 220-16-350, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-355 General definitions—Soft-shelled crab. A soft-shelled crab is defined as a crab whose shell, including shell covering of the legs, is not fully hardened and said shell is flexible and depresses to digital pressure.

[Order 817, § 220-16-355, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-360 General definitions—Bait purposes. The taking or possession of food fish for bait is defined as capturing food fish which will be used to entice or lure other fish or shellfish to a hook, lure, trap or other fishing gear for the purpose of capture for sport or commercial use and shall not include food fish or shellfish taken for feeding to zoo or domestic animals.

[Order 1105, § 220-16-360, filed 12/28/73.]

WAC 220-16-370 General definitions—Sac-roe herring purposes. Taking or possessing herring for sac-roe purposes is defined as capturing herring which will have the roe (eggs) removed for separate processing or resale. Sac-roe is *not* equivalent to human consumption even though the carcasses may subsequently be used for food.

[Order 76-148, § 220-16-370, filed 12/2/76.]

WAC 220-16-375 Westport boat basin. "Westport boat basin" shall include those waters of Grays Harbor inside the breakwater surrounding the boat basin and inside of lines drawn between lighted day markers 10 and 11 and between lighted day markers 1 and 2 which mark the two entrances to the boat basin.

[Statutory Authority: RCW 75.08.080. 84-09-026 (Order 84-22), § 220-16-375, filed 4/11/84.]

WAC 220-16-380 English Camp tidelands. "English Camp tidelands" includes those waters of Wescott Bay lying inside the boundaries of San Juan Island National Historical Park (English Camp).

[Statutory Authority: RCW 75.08.080. 84-09-026 (Order 84-22), § 220-16-380, filed 4/11/84.]

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.]

WAC 220-16-410 Definition—Extenuating circumstances. "Extenuating circumstances" for purposes of this title mean circumstances that lessen the seriousness or magnitude of an act, and which are to be considered in determining if an individual is to be granted extraordinary relief. Such personal characteristics as age, education,

fishing experience, and physical capability, as well as other personal characteristics, and such physical circumstances as weather, age of vessel, and vessel propulsion mechanism, as well as other physical circumstances, may be considered when reviewing a set of facts for extenuating circumstances.

[Statutory Authority: RCW 75.08.080. 90-03-068 (Order 90-05), § 220-16-410, filed 1/19/90, effective 2/19/90; 89-15-032 (Order 89-61), § 220-16-410, filed 7/14/89.]

WAC 220-16-420 Explosive substance. The term "explosive substance" includes, but is not limited to, any gaseous discharge that generates pressure waves capable of harming food fish or shellfish.

[Statutory Authority: RCW 75.08.080. 90-03-068 (Order 90-05), § 220-16-420, filed 1/19/90, effective 2/19/90.]

WAC 220-16-430 Spawn on kelp. "Spawn on kelp" is defined as herring eggs which have been deposited on any type of aquatic vegetation. It is unlawful to take spawn on kelp for commercial purposes unless a person has a spawn on kelp permit issued by the director.

[Statutory Authority: RCW 75.08.080 and 75.28.245. 90-07-003 (Order 90-17), § 220-16-430, filed 3/8/90, effective 4/8/90.]

WAC 220-16-440 San Juan Islands Marine Preserve Area. The following tidal and submerged lands are included within the definition of the "San Juan Islands Marine Preserve Area":

(1) False Bay: The tidelands and bedlands of False Bay on San Juan Island, including all University of Washington-owned tidelands beginning at a marker 400 feet east of the east entrance of False Bay and extending to the entrance of False Bay, all University of Washington-owned tidelands and bedlands within a line beginning at the University of Washington marker on the shore at the east entrance of False Bay, projected 500 yards offshore, thence northwesterly to a point 500 yards offshore along a line projected from a University of Washington marker on the shore at the west side of a small peninsula at the west entrance of False Bay, thence to shore along said line to the marker, and all University of Washington-owned tidelands west of the marker to a University of Washington marker 600 feet west of the small peninsula.

(2) Friday Harbor: Those tidelands and bedlands adjacent to San Juan Island within a line beginning on the shore 500 yards north of Point Caution, thence 500 yards offshore, thence south and east following the shoreline to the intersection with a line projected from a University of Washington marker located 100 feet north of the north entrance of the floating breakwater of the Port of Friday Harbor and projected towards Reid Island, thence along said line to shore on San Juan Island.

(3) Argyle Lagoon: Those University of Washington-owned tidelands and all bedlands enclosed by the inner spit of Argyle Lagoon on San Juan Island.

(4) Yellow and Low Islands: All tidelands and bedlands within 300 yards of Yellow Island and 300 yards of Low Island.

(5) Shaw Island: Those tidelands and bedlands within a line beginning at a University of Washington marker on

the shore at Hicks Bay, 122 degrees, 58 minutes, 15 seconds west longitude, thence due south 500 yards, thence north and west at a distance of 500 yards from shore to the intersection with a line projected 261 degrees true from a University of Washington marker on the shore of Parks Bay, which line passes just south of the unnamed island at the north end of Parks Bay, thence along said line to the shore of Shaw Island, including all tidelands and bedlands of Parks Bay south of said line.

[Statutory Authority: RCW 75.08.080. 90-06-026, § 220-16-440, filed 2/28/90, effective 3/31/90.]

WAC 220-16-450 Light 26 Line. The "Light 26 Line" is defined as a line in the Columbia River from the landward end of the Chinook Jetty following the jetty to Chinook Jetty Light No. 7, then southerly in a straight line to Desdemona Sands Light, then southeasterly in a straight line through Light 26 to the Oregon shore.

[Statutory Authority: RCW 75.08.080. 90-06-026, § 220-16-450, filed 2/28/90, effective 3/31/90.]

WAC 220-16-460 Titlow Beach Marine Preserve Area. The "Titlow Beach Marine Preserve Area" is defined as all waters and tidal and submerged lands within a line beginning at the mean high water line at the southernmost point of the Tacoma Outboard Association leasehold, then projected due west to the intersection with the outer harbor line, then following the outer harbor line to a line projected due west from the old ferry dock at the foot of the Sixth Avenue extension, then east on said line to the mean high water line, then following the mean high water line to the point of origin.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-16-460, filed 7/1/94, effective 8/1/94.]

Chapter 220-20 WAC GENERAL PROVISIONS

WAC

220-20-010	General provisions—Lawful and unlawful acts— Salmon, other food fish and shellfish.
220-20-012	Unlawful sale of food fish and shellfish.
220-20-015	Lawful and unlawful acts—Salmon.
220-20-016	Sale of commercial caught salmon.
220-20-019	Requirement to provide sales documents.
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220-20-021	Sale of commercially caught sturgeon and bottomfish.
220-20-025	General provisions—Shellfish.
220-20-026	Sale of commercially caught shellfish.
220-20-038	Shellfish—Import and transfer.
220-20-039	Live fish—Import and transfer.
220-20-040	General provisions—Rearing and planting food fish.
220-20-045	Scientific permits.
220-20-050	Display of registration, salmon guide, and angler per- mit decals.
220-20-051	Vessel designation requirements.
220-20-055	Commercial license conditions.
220-20-060	Commercial fishing license transfer—Notarization.
220-20-065	Commercial licensing—Business organizations— Operator designation.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-20-017	Commercial fishing licenses—Application and renewal. [Statutory Authority: RCW 75.08.080. 91-16-070 (Order 91-57), § 220-20-017, filed 8/2/91, effective 9/2/91; 89-13- 004 (Order 89-44), § 220-20-017, filed 6/8/89; 86-24-047 (Order 86-191), § 220-20-017, filed 11/26/86.] Repealed by 94-01-001, filed 12/1/93, effective 1/1/94. Statutory Authority: RCW 75.08.080.
220-20-030	General provisions—Off-reservation treaty Indian ceremo- nial fishing. [Order 866, § 220-20-030, filed 6/12/70.] Repealed by 85-13-032 (Order 85-60), filed 6/12/85. Statutory Authority: RCW 75.08.080.

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 pallasi</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 issued to the license, 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 or return any report required 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 either licensed by the department of fisheries or bringing food fish or shellfish into the state 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. 93-15-051, § 220-20-010, filed 7/14/93, effective 8/14/93; 91-08-054 (Order 91-13), § 220-20-010, filed 4/2/91, effective 5/3/91; 91-01-023, § 220-20-010, filed 12/10/90, effective 1/10/91; 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 220-20-012 Unlawful sale of food fish and shellfish. In order to prevent the sale of food fish or shellfish taken under personal-use fishing regulations, it shall

be unlawful to sell, or offer for sale or purchase, or offer to purchase, any food fish or shellfish unless taken with lawful commercial gear, in an area open to commercial fishing for that species, and the fisherman has in his possession at the time of sale a valid commercial fishing license.

[Statutory Authority: RCW 75.08.080. 81-02-053 (Order 81-3), § 220-20-012, filed 1/7/81; 79-11-069 (Order 79-111), § 220-20-012, filed 10/18/79.]

WAC 220-20-015 Lawful and unlawful acts—Salmon. (1) It is unlawful to operate in any river, stream or channel any gill net gear longer than three-fourths the width of the stream; this provision shall supersede all other regulations in conflict with it.

(2) It is unlawful to operate any net for removing snags from state waters without permit from the department of fisheries.

(3) It is unlawful to take, fish for or possess for commercial purposes chinook salmon less than 28 inches in length or coho salmon less than 16 inches in length except as follows:

(a) In the Puget Sound, Grays Harbor, Willapa Bay and Columbia River commercial salmon net fisheries there is no minimum size limit on salmon taken with gill net gear.

(b) In the Pacific Ocean commercial salmon troll fishery frozen chinook salmon, dressed heads off shall be 21 1/2 inches minimum and frozen coho salmon dressed heads off shall be 12 inches minimum, measured from the midpoint of the clavicle arch to the fork of the tail.

(c) This subsection does not apply to salmon raised in aquaculture.

(4) It is unlawful to set, maintain, or operate any reef net gear at any location which places the stern ends of either or both reef net boats of said gear less than a distance of 800 feet in front of or behind the head buoys of any row or reef net gear, within the boundaries of the Lummi Island Reef Net Fisheries Area, as described in RCW 75.12.140.

(5) It is lawful to possess salmon for any purpose which were lawfully obtained from state and federal government fish hatcheries and facilities. Subsections (3) and (12) of WAC 220-20-010 and subsection (3) of WAC 220-20-015 do not apply to salmon possessed under this subsection.

(6) It is unlawful to take or fish for food fish from a commercial salmon trolling vessel with gear other than lawful troll line gear while said vessel is engaged in commercial fishing or has commercially caught fish aboard.

(7) It shall be unlawful to angle for salmon for personal use from any vessel that is engaged in commercial salmon trolling or has commercially caught salmon aboard.

[Statutory Authority: RCW 75.08.080. 84-13-078 (Order 84-53), § 220-20-015, filed 6/21/84; 79-10-013 (Order 79-75), § 220-20-015, filed 9/7/79; 78-05-067 (Order 78-20), § 220-20-015, filed 4/27/78; Order 77-66, § 220-20-015, filed 8/5/77; Order 77-14, § 220-20-015, filed 4/15/77; Order 76-24A, § 220-20-015, filed 4/20/76; Order 1251, § 220-20-015, filed 8/18/75; Order 1210, § 220-20-015, filed 5/26/75; Order 1143, § 220-20-015, filed 8/8/74; Order 1116, § 220-20-015, filed 4/30/74; Order 1049, § 220-20-015, filed 4/11/73; Order 984, § 220-20-015, filed 2/17/72; Order 925, § 220-20-015, filed 6/3/71; Order 920, § 220-20-015, filed 5/13/71; Order 810, § 220-015, filed 4/17/69.]

WAC 220-20-016 Sale of commercial caught salmon. It is unlawful for any person licensed to take

salmon for commercial purposes as required under chapter 75.28 RCW to:

(1) Keep more than three salmon taken under such license for personal use, up to a maximum of six salmon in possession for multi-day trips. The daily limit and possession limit described in this subsection also apply to crew members of the licensed fishing vessel.

(2) Sell any salmon he takes under such license to anyone other than a licensed wholesale dealer located within or outside the state of Washington: *Provided*, That a person who is himself licensed as a wholesale dealer under the provisions of RCW 75.28.300 may sell his catch to individuals or corporations other than licensed wholesale dealers.

[Statutory Authority: RCW 75.08.080. 85-11-020 (Order 85-43), § 220-016, filed 5/10/85; 80-01-021 (Order 79-137), § 220-20-016, filed 12/14/79.]

WAC 220-20-019 Requirement to provide sales documents. It is unlawful for any individual, firm, or corporation to fail to show on demand to any authorized employee or enforcement officer of the department of fisheries state of Washington fish receiving tickets or sales documents pursuant to WAC 220-69-240.

[Statutory Authority: RCW 75.08.080. 82-17-040 (Order 82-105), § 220-20-019, filed 8/13/82.]

WAC 220-20-020 General provisions—Lawful and unlawful acts—Food fish other than salmon. (1) It is unlawful to fish for or possess for commercial purposes any round, undressed sturgeon less than 48 inches or greater than 66 inches in length.

(2) It is unlawful to fish for or possess for commercial purposes or possess aboard a commercial fishing vessel for any purpose any species of halibut (*Hippoglossus*) unless permitted by the current regulations of the International Pacific Halibut Commission.

(3) It is unlawful to fish for or possess for commercial purposes sturgeon taken from any of the waters of Puget Sound or tributaries, and any sturgeon taken with any type of commercial gear incidental to a lawful fishery shall immediately be returned to the water unharmed.

(4) It is unlawful to fish for food fish for commercial purposes in the waters of Shilshole Bay inland and inside a line projected in a southwesterly direction from Meadow Point to West Point.

(5) It is unlawful to fish for or possess for commercial purposes any starry flounder less than 14 inches in length taken by any commercial gear, in all Puget Sound Marine Fish-Shellfish Areas.

(6) It shall be unlawful to harvest herring eggs naturally deposited on marine vegetation or other substrate, unless a person has a permit issued by the director.

(7) It is unlawful to fish for or possess food fish other than salmon taken for commercial purposes from the San Juan Islands Marine Preserve, except that it is lawful to take herring.

[Statutory Authority: RCW 75.08.080. 93-14-042 (Order 93-54), § 220-020, filed 6/29/93, effective 7/30/93. Statutory Authority: RCW 75.08.080 and 75.28.245. 90-07-003 (Order 90-17), § 220-20-020, filed 3/8/90, effective 4/8/90. Statutory Authority: RCW 75.08.080. 90-06-045 (Order 90-15), § 220-20-020, filed 3/1/90, effective 4/1/90; 80-09-072 (Order 80-69), § 220-20-020, filed 7/18/80; 79-03-014 (Order 79-11), § 220-20-020, filed 2/15/79; Order 77-147, § 220-20-020, filed 12/16/77; Order 77-14, §

220-20-020, filed 4/15/77; Order 76-148, § 220-20-020, filed 12/2/76; Order 76-26, § 220-20-020, filed 4/20/76; Order 1193-A, § 220-20-020, filed 3/5/75; Order 1193, § 220-20-020, filed 3/4/75; Order 1143, § 220-20-020, filed 8/8/74; Order 1105, § 220-20-020, filed 12/28/73; Order 1057, § 220-20-020, filed 5/22/73; Order 1045, § 220-20-020, filed 3/8/73; Order 988, § 220-20-020, filed 4/28/72; Order 920, § 220-20-020, filed 5/13/71; Order 862, § 220-20-020, filed 4/16/70; Order 817, § 220-20-020, filed 5/29/69; Order 810, § 220-20-020, filed 4/17/69.]

WAC 220-20-021 Sale of commercially caught sturgeon and bottomfish. (1) It shall be unlawful for any person while engaged in commercial fishing for sturgeon or bottom fish to:

(a) Keep in excess of two sturgeon not less than 48 inches in length nor more than 66 inches in length or more than the equivalent of one limit of sport caught bottom fish for personal use. Any lingcod to be retained for personal use taken east of the mouth of the Sekiu River must be greater than 26 inches in length and may not exceed 40 inches in length.

(b) Sell any sturgeon or bottom fish taken under such license to anyone other than a licensed wholesale dealer within or outside the state of Washington, except that a person who is licensed as a wholesale dealer under the provisions of RCW 75.28.300 may sell to individuals or corporations other than licensed wholesale dealers.

(c) Sell, barter, or attempt to sell or barter sturgeon eggs that have been removed from the body cavity of any sturgeon taken under such license prior to the time that the sturgeon is sold under subsection (1)(b) of this section.

(2) It shall be unlawful for any wholesale dealer licensed under RCW 75.28.300 to purchase or attempt to purchase sturgeon eggs from sturgeon taken by any person licensed to take sturgeon for commercial purposes under chapter 75.28 RCW if the sturgeon eggs have been removed from the body cavity of the sturgeon prior to the sale of the sturgeon.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-021, filed 5/19/94, effective 6/19/94; 85-08-023 (Order 85-24), § 220-021, filed 4/1/85; 82-17-040 (Order 82-105), § 220-20-021, filed 8/13/82.]

WAC 220-20-025 General provisions—Shellfish. (1) It is unlawful to drive or operate any motor-propelled vehicle, land any airplane or ride or lead any horse on the razor clam beds of the state of Washington, as defined in WAC 220-16-257.

(2) It is unlawful to possess any soft-shelled crab for any purpose.

(3) It is unlawful to possess in the field any crab from which the back shell has been removed.

(4) It is unlawful to use any chemicals when taking or fishing for octopus except for persons granted a scientific collector's permit from the department for the harvest of octopus for display or scientific purposes.

(5) It is unlawful to willfully damage crab or other shellfish. Any crab taken incidentally to a net fishery must be immediately returned to the water with the least possible damage to the crab.

(6) It is unlawful to fish for or possess shellfish taken for commercial purposes from the San Juan Islands Marine Preserve, except it is lawful to fish for crab in Parks Bay.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-025, filed 5/19/94, effective 6/19/94; 90-06-045 (Order 90-15), § 220-025, filed 5/19/94, effective 6/19/94; 90-06-045 (Order 90-15), § 220-025, filed 5/19/94, effective 6/19/94; 90-06-045 (Order 90-15), § 220-025, filed 5/19/94, effective 6/19/94; 90-06-045 (Order 90-15), § 220-025, filed 5/19/94, effective 6/19/94.]

025, filed 3/1/90, effective 4/1/90; 80-13-064 (Order 80-123), § 220-20-025, filed 9/17/80; Order 1179, § 220-20-025, filed 11/19/74; Order 990, § 220-20-025, filed 5/11/72; Order 810, § 220-20-025, filed 4/17/69.]

WAC 220-20-026 Sale of commercially caught shellfish. It shall be unlawful for any person commercially fishing for shellfish in Washington state waters or delivering shellfish into a Washington state port that were taken in offshore waters to retain for personal use more than the equivalent of one daily sport bag limit for the area being fished. All shellfish taken under commercial license must be recorded on state of Washington fish receiving tickets.

[Statutory Authority: RCW 75.08.080. 93-17-021 (Order 93-77), § 220-20-026, filed 8/10/93, effective 9/10/93.]

WAC 220-20-038 Shellfish—Import and transfer. It shall be unlawful to import, transfer, ship or otherwise cause live shellfish of any kind or form or associated pest, predators or disease organisms, to be introduced into the marine waters of the state of Washington without first obtaining written permission from the director of fisheries or his authorized agent. The permit shall accompany the shellfish during transit and at the point of introduction. It shall be unlawful for the permit holder to fail to comply with all terms, conditions and provisions of the permit or to perform any act in connection with the permit that is not specifically authorized in the permit.

[Statutory Authority: RCW 75.08.080. 80-13-064 (Order 80-123), § 220-20-038, filed 9/17/80.]

WAC 220-20-039 Live fish—Import and transfer. (1) It is unlawful for any person, group, corporation, association, or government entity to import into, transport, or possess within the state of Washington live fish and/or the viable sexual products thereof, except aquarium fish, game fish, indigenous marine baitfish, and mosquito fish (*Gambusia* spp.) when used by agencies authorized by chapter 17.28 RCW without having first obtained a permit to do so from the director of the department of fisheries. The permit shall accompany the fish and/or sexual products at all times within the state of Washington and shall be presented to department of fisheries employees on demand.

(2) The director may impose conditions in any permit as necessary to insure the protection of food fish within this state from infectious, contagious or communicable diseases and pests. It shall be unlawful to violate the terms and conditions of any permit. In addition to any other penalties provided by law, violation of these rules on the terms and conditions of any permit may result in the suspension and/or revocation of the permit.

[Statutory Authority: RCW 75.08.080. 82-17-040 (Order 82-105), § 220-20-039, filed 8/13/82.]

WAC 220-20-040 General provisions—Rearing and planting food fish. (1) It shall be unlawful for any person, group, corporation, association, or governmental entity to plant or release any food fish into the waters of the state of Washington without first obtaining a permit from the department of fisheries. No permit shall be issued unless the following time periods are observed, and the following information provided the department prior to planting.

(a) Thirty days prior to obtaining food fish or food fish eggs, fry, or fingerlings, or importing the same with the eventual intent to plant in the waters of the state of Washington, the person, group, corporation, association, or governmental entity so intending to plant shall provide the department information as to the source of the food fish or food fish eggs, fry, or fingerlings, species, race, and time and place for the proposed release or other disposition and the size of the food fish to be planted.

(b) Thereafter, the department shall examine the provided information and determine if a permit for the planting of the food fish should be issued. If a proposed plant presents an important conflict or competition to the established stocks in the waters to be planted, conflicts with the department's overall management plan for the waters to be planted, would cause a significant decrease in the abundance of stocks already present, or would significantly inhibit the ability to harvest existing stocks, a permit for planting shall not be issued.

(c) Thirty days prior to planting, and within ten days of the actual plant, the food fish to be released must be made available to the department for inspection for disease. If the department's representative so inspecting is not satisfied the food fish are disease-free, or otherwise in a condition specified in paragraph (b) of this regulation, the food fish shall not be released in the waters of the state, and any prior departmental approval for such planting is automatically withdrawn. The department will consider a certification by department-approved pathologists that the food fish to be released are disease-free in lieu of actual department inspection.

(d) Any person, group, corporation, association or governmental entity intending to release food fish in the waters of the state, shall report immediately to the department the outbreak of any disease among the food fish, food fish eggs, fry or fingerlings intended to be released. If such outbreak presents a threat to such fishery resource of the state, the department may immediately order such action necessary to protect the state's fisheries, including quarantine or destruction of stocks, sterilization of closures and facilities, cessation of activities, and disposal of the infected fish in a manner satisfactory to the department.

(e) No food fish covered by a permit issued under this regulation shall be branded, tattooed, tagged, fin-clipped or otherwise marked for identification without prior approval by the department.

(f) No facilities shall be constructed or operated for the purpose of food fish propagations or rearing without first obtaining a permit from the department. No permit shall be issued unless the following information is provided the department prior to beginning construction of such facility:

(i) The person, group, corporation, association, or governmental entity so intended to construct such facility shall provide the department information as to the species to be produced in the facility or otherwise affected by the facility, and a general plan of times and places for the proposed releases or other disposition and the size, age, and maturity of the food fish to be released. Functional plans for construction of such facility shall also be provided to the department.

(ii) Thereafter, the department shall examine the provided information and determine if the permit for

construction of the facility shall be issued. If the proposed planting, release, or operational scheme presents an important conflict or competition to established stocks of food fish, conflicts with the department's overall management plan for the waters or areas to be planted, would cause a significant decrease in the abundance of stocks already present, or will significantly inhibit the ability to harvest existing stocks, a permit for construction will not be issued.

(iii) A permit for construction or operation of a propagation facility will be revoked if any food fish are planted, released, or otherwise disposed of by any person, group, corporation, association or governmental entity which is the holder of a construction or operation permit under this paragraph if the holder does not, prior to planting or releasing, provide the department with the additional information and secure the additional permits required by this regulation.

(g) An advisory committee of potentially affected groups will be established to provide technical input.

[Order 76-96, § 220-20-040, filed 9/23/76.]

WAC 220-20-045 Scientific permits. (1) It shall be unlawful for any person, group, corporation, association, or governmental entity to conduct any scientific study involving the handling, collection, or release of food fish or shellfish on the beaches or in the waters of the state of Washington without first obtaining a permit from the department of fisheries, and it shall be unlawful to fail to comply with any of the provisions of the permit.

(a) A request for such a permit must be received 30 days prior to the date such study, collection, release, or research is started.

(b) Each request for a permit must be accompanied by the following information:

(i) A study title.

(ii) An introduction describing the management problems to be addressed and why resolution is necessary.

(iii) An objective(s) for the proposed project including defining an identifiable end point or conclusion toward which efforts are to be directed.

(iv) A justification which identifies the user(s) of the information and indicates how the findings will be used.

(v) A procedure which explains the approach or plan of action and which provides the organizational framework and logical sequence of events that will lead to the attainment of the study objectives.

(vi) A location of the study area.

(vii) An identification of supervisory and technical personnel responsible for the study.

(c) A final report must be submitted to the department upon completion of the study, research, collection, or release, and interim reports will be required.

(d) Permits will normally be granted for requests which increase the data base, increase or maximize the fishery resource, avoid damage to the various resources and do not unnecessarily duplicate previous research.

(e) Continuing studies or research or other scientific projects may be extended annually by concurrence of the director.

(f) An advisory committee of potentially affected groups will be established to provide technical input.

[Order 76-96, § 220-20-045, filed 9/23/76.]

WAC 220-20-050 Display of registration, salmon guide, and angler permit decals. (1) At the time a vessel is first designated on any license pursuant to WAC 220-20-051, the department will issue a permanent vessel registration number and a set of two vessel registration decals. The vessel registration decals must be affixed to the registered vessel in a permanent manner and be clearly visible from each side of the vessel.

(2) Salmon guides, upon designating a vessel to be used, will be issued salmon guide license decals for that vessel, which decals must be affixed to the vessel in a permanent manner and be clearly visible from each side of the vessel. Each guide using the vessel must have separate license decals for the vessel. Salmon guide license decals will be issued annually upon renewal of the salmon guide license.

(3) Angler permit decals will be issued annually to each salmon charter licensee upon designation of a vessel and the angler permit decals must be affixed to the vessel in a permanent manner and be clearly visible from each side of the vessel.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-20-050, filed 12/1/93, effective 1/1/94. Statutory Authority: RCW 75.08.080 and 75.10.120. 87-21-018 (Order 87-150), § 220-20-050, filed 10/9/87.]

WAC 220-20-051 Vessel designation requirements.

(1) In any licensed fishery for which a vessel is required under chapter 75.28 RCW, or for any delivery of food fish or shellfish, or for any charter fishery, it is unlawful to fish for, harvest, deliver, or possess food fish or shellfish unless the licensee has designated the vessel from which the food fish or shellfish are to be taken or delivered, the department has issued a commercial license to the licensee showing the vessel so designated, and the vessel operator has the commercial license in physical possession.

(2) The following definitions apply to this section:

(a) "Documentation" means vessel documentation by the United States Coast Guard showing eligibility for fishery. Once documentation is presented as evidence of ownership it becomes the only acceptable evidence of ownership unless the vessel is remeasured, found to be less than five net tons and no longer eligible for documentation.

(b) "Initial designation" means the designation by an individual licensee of a vessel to be used in a commercial fishery, for delivery of food fish or shellfish, or for charter fishing. Designation by that licensee on additional licenses is not "initial designation," and required evidence of ownership is the same as for continuing designation.

(c) "Continuing designation" means reapplication for a commercial license with no change in vessel designation.

(3) A licensee does not have to own the vessel being designated on the license. However, each licensee initially designating a vessel, except nontransferable emergency salmon delivery licensees, and every licensee continuing designation after the fourth continuous designation must offer evidence of ownership. The following is the only acceptable evidence of ownership:

(a) For initial designation of a vessel measuring less than thirty-two feet in length, evidence of ownership may be either current state vessel registration or current documentation.

(b) For initial designation of a vessel thirty-two feet or greater in length, evidence of ownership is:

- (i) Current documentation; or
- (ii) Coast Guard verification that the vessel does not meet the minimum tonnage requirement for documentation (simplified admeasurement); or
- (iii) Verification from the American Bureau of Shipping that the vessel does not meet the minimum tonnage requirement for documentation (formal admeasurement).

(c) For continuing designation of vessel less than thirty-two feet in length, evidence of ownership may be either current state vessel registration or current documentation.

(d) For continuing designation of a vessel between thirty-two and thirty-six feet in length, evidence of ownership is current state registration for vessels with state registration numbers or current documentation for documented vessels.

(e) For continuing designation of a vessel greater than thirty-six feet in length, evidence of ownership is:

- (i) Current documentation; or
- (ii) Coast Guard verification that the vessel does not meet the minimum tonnage requirement for documentation (simplified admeasurement); or
- (iii) Verification from the American Bureau of Shipping that the vessel does not meet the minimum tonnage requirement for documentation (formal admeasurement).

(4) Every vessel designated to participate in a commercial fishery or to deliver food fish or shellfish must have the official Coast Guard documentation number, complete state registration number, or Alaska department of fish and game registration number permanently displayed in ten-inch tall numbers, or letters and numbers, of proportionate width, clearly visible from each side of the vessel. It is unlawful to participate in a commercial fishery or deliver food fish or shellfish without having such numbers displayed. This subsection does not apply to salmon guide, charter or non-transferable emergency salmon delivery licensees, or to Canadian vessels delivering under a nonlimited entry delivery license.

[Statutory Authority: RCW 75.08.080. 94-23-059 (Order 94-162), § 220-20-051, filed 11/14/94, effective 12/15/94; 94-01-001, § 220-20-051, filed 12/1/93, effective 1/1/94.]

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 calendar 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 calendar 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

Except: During calendar year 1990 the amount shall be the number of points as provided in subsection (2) of this section times \$1,000.

(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 immediate five prior calendar 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. 89-09-052 (Order 89-22), § 220-20-055, filed 4/18/89; 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.]

WAC 220-20-065 Commercial licensing—Business organizations—Operator designation. Any person which holds a commercial fishing license or delivery license and is a business organization may designate one natural person to

act on behalf of the license holder to operate a designated vessel as provided for in this section:

(1) If the business is a sole proprietorship, the designated operator must be the sole proprietor.

(2) If the business is a partnership, the designated operator must be a partner.

(3) If the business is a corporation, the designated operator must be a corporate officer.

(4) In addition to the designated operator, a license holder who is a business organization may designate up to two alternate operators.

(5) A license holder which is a business organization may substitute the designated operator by surrendering the fishery license card, redesignating the operator under the criteria provided for in this section, and paying the replacement license fee provided for in RCW 75.28.030.

[Statutory Authority: RCW 75.08.080, 94-23-059 (Order 94-162), § 220-20-065, filed 11/14/94, effective 12/15/94.]

Chapter 220-22 WAC

MANAGEMENT AND CATCH REPORTING AREAS

WAC

220-22-010	Columbia River Salmon Management and Catch Reporting Areas.
220-22-020	Coast, Willapa Harbor, Grays Harbor Salmon Management and Catch Reporting Areas.
220-22-030	Puget Sound Salmon Management and Catch Reporting Areas.
220-22-400	Marine Fish-Shellfish Management and Catch Reporting Areas, Puget Sound.
220-22-410	Marine Fish-Shellfish Management and Catch Reporting Areas, coastal waters.
220-22-510	Aquaculture districts.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-22-310	Treaty Indian—Columbia River. [Order 76-35, § 220-22-310, filed 5/11/76.] Repealed by 79-07-045 (Order 79-42), filed 6/22/79. Statutory Authority: RCW 75.08.080.
220-22-320	Treaty Indian coast, Willapa Harbor, Grays Harbor. [Order 76-35, § 220-22-320, filed 5/11/76.] Repealed by 79-07-045 (Order 79-42), filed 6/22/79. Statutory Authority: RCW 75.08.080.
220-22-330	Treaty Indian, Puget Sound. [Statutory Authority: RCW 75.08.080, 78-05-018 (Order 78-16), § 220-22-330, filed 4/13/78; Order 76-35, § 220-20-330 (codified as WAC 220-22-330), filed 5/11/76.] Repealed by 79-07-045 (Order 79-42), filed 6/22/79. Statutory Authority: RCW 75.08.080.

WAC 220-22-010 Columbia River Salmon Management and Catch Reporting Areas. (1) **Area 1A** shall include those waters of the Columbia River easterly of a line projected from the inshore end of the north jetty in the state of Washington to the knuckle of the south jetty in the state of Oregon, and westerly of a line projected from Grays Point in Washington to Tongue Point in Oregon.

(2) **Area 1B** shall include those waters of the Columbia River easterly of a line projected from Grays Point in the state of Washington to Tongue Point in the state of Oregon, westerly of a line projected true north from the water storage tank at the Beaver Munitions Storage Terminal in Oregon, including all waters of Grays Bay, those waters of Deep

River downstream of the Highway 4 Bridge, all waters of Seal Slough, those waters of Grays River downstream of a line projected between fishing boundary markers on both banks at the Leo Reisticka farm, and those waters of Elokomin Slough and Elokomin River downstream of the Highway 4 Bridge.

(3) **Area 1C** shall include those waters of the Columbia River easterly of a line projected true north from the water storage tank at the Beaver Munitions Storage Terminal in the state of Oregon, and downstream of a line projected true west from the east or upstream bank of the Lewis River mouth in Washington.

(4) **Area 1D** shall include those waters of the Columbia River upstream of a line projected true west from the east or upstream bank of the Lewis River mouth in Washington state and westerly of a line projected true north from Rooster Rock in Oregon, and those waters of Camas Slough downstream of the westernmost powerline crossing at the Crown Zellerbach mill.

(5) **Area 1E** shall include those waters of the Columbia River easterly of a line projected true north from Rooster Rock in the state of Oregon, and downstream of a line projected between fishing boundary markers located 4 miles downstream from Bonneville Dam.

(6) **Area 1F (Bonneville Pool)** shall include those waters of the Columbia River upstream from the Bridge of the Gods, located approximately 2.3 miles above Bonneville Dam, and downstream of a line projected from the west end of the Port of The Dalles Dock across the Columbia River to a Washington department of fisheries' boundary marker on the Washington shore.

(7) **Area 1G (The Dalles Pool)** shall include those waters of the Columbia River upstream from a line projected from an Oregon department of fish and wildlife deadline marker on the Oregon shore to the 5-mile-lock light (6 seconds red) on an island near the Oregon shore, to an island near the Washington shore to a Washington department of fisheries' fishing boundary marker on the Washington shore at the southwest corner of Horsethief Lake, SP&S Railroad fill and downstream of a line projected across the thread of the Columbia River at the grain elevator at Rufus, Oregon, to a deadline marker on the Washington shore.

(8) **Area 1H (John Day Pool)** shall include those waters of the Columbia River upstream from a line projected across the thread of the Columbia River from a fishing boundary marker approximately 1/2-mile above the John Day River, Oregon, to a fishing boundary marker on the Washington shore and downstream of a line projected across the thread of the Columbia River from the upstream bank of the Umatilla River.

[Statutory Authority: RCW 75.08.080, 79-07-045 (Order 79-42), § 220-22-010, filed 6/22/79; Order 77-14, § 220-22-010, filed 4/15/77; Order 76-35, § 220-22-010, filed 5/11/76.]

WAC 220-22-020 Coast, Willapa Harbor, Grays Harbor Salmon Management and Catch Reporting Areas. (1) **Area 1** shall include those waters of District 1 and the Oregon coast westerly of a line projected from the inshore end of the north Columbia River jetty in the state of Washington to the knuckle of the south Columbia River jetty in the state of Oregon, northerly of a line projected true west

from Tillamook Head in Oregon and southerly of a line projected true west from Leadbetter Point in Washington.

(2) **Area 2** shall include those waters of District 1 northerly of a line projected true west from Leadbetter Point and southerly of a line projected true west from the Queets River mouth.

(3) **Area 2A** shall include those waters of Grays Harbor and the Chehalis River estuary upstream from the Union Pacific Railroad Bridge at Aberdeen to a line projected from the Lakeside Industries asphalt plant tower at a right angle to the thread of the stream to the opposite shore.

(4) **Area 2B** shall include those waters of Grays Harbor lying easterly of a straight line projected from the Point Chehalis light, located 123 feet above mean high water at Westport, through the Coast Guard look out tower to the shore near Point Brown, southerly of a line projected from a fishing boundary marker at Ocean Shores Marina, to a fishing boundary marker on Sand Island and thence to the tripod station at Brackenridge Bluff, westerly of a line projected from the tripod station at Brackenridge Bluff southward and extending through channel marker 8 in the south channel at the mouth of Johns River to the mainland, and northerly of the Bay City Bridge.

(5) **Area 2C** shall include those waters of Grays Harbor northerly of a line projected from a fishing boundary marker at Ocean Shores Marina to a fishing boundary marker on Sand Island to the tripod station at Brackenridge Bluff and westerly of a line starting at a monument located at the point of Holman Bluff near the mouth of Grass Creek and projected to a monument set on Point New, exclusive of those waters within 1/4 mile of a monument set on the beach near the mouth of Chenois Creek and those waters northerly of a line starting at a monument located near the beach in front of the Giles Hogan residence located west of the mouth of the Humptulips River, thence projected in a southeasterly direction to a monument set on the most southerly tip of the grass spit at the mouth of the Humptulips River, thence projected in an easterly direction to a point on Chenois Bluff at 47° 0' 32" N latitude, 124° 1' W longitude.

(6) **Area 2D** shall include those waters of Grays Harbor and the Chehalis River estuary easterly of a line projected from the tripod station at Brackenridge Bluff southward and through channel marker 8 at the mouth of Johns River in the south channel to the mainland and westerly of the Union Pacific Railroad Bridge in Aberdeen and westerly (downstream) of the Highway 105 Bridge on Johns River.

(7) **Area 2G** shall include those waters of Willapa Harbor northerly of a line projected from Needle Point approximately 305° true to the Island Sands light approximately 2 miles south of Riddle Spit light No. 10 and thence true west to the North Beach Peninsula, westerly of a line projected from Needle Point northerly to day beacon No. 14 and thence to Ramsey Point, outside and westerly of a line projected from Stony Point to the Bay Center Channel light (F1 4 seconds, 16 feet) to the northern tip of Goose Point, downstream and westerly of a line projected 235 degrees true from the north shore of the Willapa River through Willapa River light number 33 to the south shore, outside and southerly of a line commencing at a boundary marker on the west shore of the North River projected 82 degrees true through channel marker No. 16 to a boundary marker on the east shore, outside and southerly of a line projected from the

Cedar River's meander corner between Section 31, Township 15N, and Section 6, Township 14N, Range 10W, W.M., to the meander corner between Sections 36, Township 15N, and Section 1, Township 14N, Range 11W, W.M., and inside and easterly of a straight line projected from the Cape Shoalwater light through buoy 8A, located between buoy 8 and buoy 10, approximately 1,500 yards from Cape Shoalwater light on a line 171° true, to Leadbetter Point.

(8) **Area 2H** shall include those waters of Willapa Harbor and the Willapa River estuary easterly of Area 2G and downstream from a line projected true north from the Standard Oil dock in South Bend to the opposite shore of the Willapa River.

(9) **Area 2J** shall include those waters of Willapa Harbor lying southerly and westerly of a line projected from Diamond Point to the Island Sands light, approximately 2 miles south of Riddle Spit light No. 10, and thence due west to the North Beach Peninsula, and northerly of a line projected true east-west through marker 20 between Long Island and the North Beach Peninsula.

(10) **Area 2K** shall include those waters of Willapa Harbor easterly of a line projected from the northern tip of Goose Point to the Bay Center Channel light (F1 4 seconds, 16 feet) to Stony Point and westerly of the Palix River Highway 101 Bridge.

(11) **Area 2M** shall include those waters of Willapa Harbor lying southerly and easterly of a line projected from Needle Point approximately 285° true to the Island Sands light, approximately 2 miles south of Riddle Spit light No. 10, and south to Diamond Point, downstream and westerly of the Highway 101 Bridge over the Naselle River, and northerly and easterly of a line from Stanley Point to Paradise Point.

(12) **Area 3** shall include those waters of District 1 northerly of a line projected true west from the Queets River mouth and southerly of a line projected true west from Cape Alava.

(13) **Area 4** shall include those waters of District 1 northerly of a line projected true west from Cape Alava, westerly of lines projected from the northern tip of Portage Head to the southern tip of Waatch Point and from the Tatoosh Island light to Bonilla Point and southerly of a line projected true west from the intersection of the Bonilla-Tatoosh line with the U.S.-Canada International Boundary Line.

(14) **Area 4A** shall include those waters easterly and inside of a line projected from the northern tip of Portage Head to the southern tip of Waatch Point, outside and westerly of the mouth of any river or stream flowing to the sea.

[Statutory Authority: RCW 75.08.080. 90-03-068 (Order 90-05), § 220-22-020, filed 1/19/90, effective 2/19/90; 84-15-008 (Order 84-66), § 220-22-020, filed 7/6/84; 82-13-048 (Order 82-63), § 220-22-020, filed 6/11/82; 81-13-005 (Order 81-37), § 220-22-020, filed 6/8/81; 80-09-072 (Order 80-69), § 220-22-020, filed 7/18/80; 78-07-067 (Order 78-45), § 220-22-020, filed 6/30/78; Order 77-71, § 220-22-020, filed 8/18/77; Order 77-14, § 220-22-020, filed 4/15/77; Order 76-35, § 220-22-020, filed 5/11/76.]

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 east-west through Sandy Point Light No. 2 (48 degrees, 47.2 minutes north latitude, 122 degrees, 42.7 minutes west longitude as per U.S. Coast Guard Light List No. 19880), 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 Light No. 2 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 east-west through Sandy Point Light No. 2 (48 degrees, 47.2 minutes north latitude, 122 degrees, 42.7 minutes west longitude as per U.S. Coast Guard Light List No. 19880), terminating on the west at the international boundary and on the east at the landfall on Sandy Point.

(10) **Area 7B** shall include those waters of Puget Sound westerly of a line projected 154 degrees true from Sandy

Point Light No. 2 (48 degrees, 47.2 minutes north latitude, 122 degrees, 42.7 minutes west longitude as per U.S. Coast Guard Light List No. 19880) to the landfall on Gooseberry Point, easterly of a line projected from Sandy Point Light No. 2 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 and southwesterly of the mouth of Whatcom Creek, defined as a line projected approximately 14 degrees true from the flashing light at the southwest end of the Port of Bellingham North Terminal to the southernmost point of the dike surrounding the Georgia Pacific treatment pond.

(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 154 degrees true from Sandy Point Light No. 2 (48 degrees, 47.2 minutes north latitude, 122 degrees, 42.7 minutes west longitude as per U.S. Coast Guard Light List No. 19880) to the landfall on Gooseberry Point and south of a line projected true east from Sandy Point Light No. 2 to the landfall on Sandy 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, excluding those on-reservation waters of Hood Canal north of Port Gamble Bay to the marker at the north end of the Port Gamble Indian Reservation, 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 and those on-reservation waters of Hood Canal north of Port Gamble Bay to the marker at the north end of the Port Gamble Indian Reservation.

(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 Azteca 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 Azteca 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 projected 259 degrees true from Browns Point to the land fall in line with the site of 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 projected 259 degrees true from Browns Point to the land fall in line with the site of 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. 94-15-001 (Order 94-62), § 220-22-030, filed 7/6/94, effective 8/6/94; 90-13-025 (Order 90-49), § 220-22-030, filed 6/11/90, effective 7/12/90; 89-13-004 (Order 89-44), § 220-22-030, filed 6/8/89; 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.]

WAC 220-22-400 Marine Fish-Shellfish Management and Catch Reporting Areas, Puget Sound. (1) **Area 20A** shall include those waters of Puget Sound north of a line projected from Village Point, Lummi Island through the navigation buoy just east of Matia Island thence to the buoy at Clements Reef thence to the easternmost point of Patos Island and from the westernmost point of Patos Island due east to the international boundary; and west of a line from Point Francis through the marker north of Inati Bay, Lummi Island to Lummi Island.

(2) **Area 20B** shall include those waters of Puget Sound southerly of Area 20A, westerly of a line from Lummi Island through Lummi Rocks to the northernmost tip of Sinclair Island, and northerly of a line from the northernmost tip of Sinclair Island to Lawrence Point on Orcas Island and a line which runs from Steep Point on Orcas Island to Limestone Point on San Juan Island and then to Green Point on the eastern tip of Speiden Island and from the western tip of Speiden Island true west to the international boundary.

(3) **Area 21A** shall include those waters of Puget Sound southerly and easterly of Areas 20A and 20B, and westerly of a line from William Point to Governor's Point, and northerly of a line from William Point to the southernmost tip of Vendovi Island to the Sinclair Island light.

(4) **Area 21B** shall include those waters of Puget Sound easterly of and adjacent to Area 21A.

(5) **Area 22A** shall include those waters of Puget Sound south of Area 20B, westerly of 122° 40' W between Sinclair Island and Fidalgo Island and the Deception Pass Bridge; northerly of a line due east from the international boundary to a point 1 nautical mile from Pile Point, San Juan Island, thence southeasterly along a line 1 nautical mile from the southern shores of San Juan Island and Lopez Island to Davidson Rock near Point Colville, then easterly to a point one nautical mile south of the buoy at Lawson Reef and then due east to Whidbey Island.

(6) **Area 22B** shall include those waters of Puget Sound south of Area 21A, east of 22A, and north of the railroad bridges at Swinomish Channel.

(7) **Area 23A** shall include those waters of Puget Sound southerly of Area 22A; westerly and northerly of a line described as follows: A line segment from Davidson Rock near Point Colville, Lopez Island to a point 2 nautical miles from the Smith Island light thence continuing westerly and southerly 2 nautical miles from the Smith Island light until the line intersects with a line between Smith Island light and the vessel traffic service buoy north of Dungeness Spit, thence to the vessel traffic service buoy, thence southerly and westerly to a point 1 1/2 nautical miles north of the Ediz Hook light thence north to the international boundary.

(8) **Area 23B** shall include those waters of Puget Sound southerly of Area 22A; easterly of 23A; and northerly of a line due west from Partridge Point, Whidbey Island to its intersection with Area 23A.

(9) **Area 23C** shall include those waters of Puget Sound westerly of Area 23A and a line due north from the Ediz Hook light to the international boundary; and easterly of a line projected due north from the mouth of the Sekiu River.

(10) **Area 23D** shall include those waters of Puget Sound southerly of Area 23A and easterly of Area 23C and westerly of a line from the Dungeness light to the vessel traffic service buoy north of Dungeness light.

(11) **Area 24A** shall include those waters of Saratoga Passage and Skagit Bay east of a line between Polnell Point and Rocky Point, Camano Island; south of Area 22B; and east of Area 22A, and north of the Highway 532 Bridge between Camano Island and the mainland.

(12) **Area 24B** shall include those waters of Port Susan south of Area 24A and north of a line from Camano Head on Camano Island to the north tip of Gedney Island and from the southern tip of Gedney Island east to the mainland.

(13) **Area 24C** shall include those waters of Saratoga Passage west of Area 24A; north of a line projected due west of Hackney Island; and northwest of a line from Sandy Point, Whidbey Island to Camano Head, Camano Island.

(14) **Area 24D** shall include Holmes Harbor south of a line projected due west from Hackney Island to Whidbey Island.

(15) **Area 25A** shall include those waters of Puget Sound south of Areas 23A and 23B; east of Area 23D; north of a line projected from Diamond Point to Cape George, and westerly of a line projected from Point Partridge on Whidbey Island to Point Wilson.

(16) **Area 25B** shall include those waters of Admiralty Inlet east of Area 25A; northeast of a line projected from Point Hudson to Marrowstone Point; and north of a line projected from Olele Point to Foulweather Bluff continuing to Double Bluff on Whidbey Island.

(17) **Area 25C** shall include those waters of Hood Canal south of Area 25B and north of the Hood Canal Floating Bridge.

(18) **Area 25D** shall include those waters of Port Townsend Bay southwest of Area 25B.

(19) **Area 25E** shall include those waters of Discovery Bay south of Area 25A.

(20) **Area 26A** shall include those waters of Puget Sound south of Areas 24B, 24C, and 25B and northerly of a line from Apple Cove Point to Point Edwards.

(21) **Area 26B** shall include those waters of Puget Sound south of Area 26A, and east of a line from Point Monroe, Bainbridge Island to the mouth of Miller Bay, and east of a line from Beans Point on Bainbridge Island to Orchard Point, and northerly of a line from the ferry dock at Point Southworth to Brace Point.

(22) **Area 26C** shall include those waters of Puget Sound westerly and adjacent to Area 26B.

(23) **Area 26D** shall include those waters of Puget Sound southerly of Area 26B and northerly of the Tacoma Narrows Bridge.

(24) **Area 27A** shall include those waters of Hood Canal southerly of the Hood Canal Floating Bridge and northerly of a line from Misery Point to Quatsap Point.

(25) **Area 27B** shall include those waters of Hood Canal south of Area 27A and north of a line from Lilliwaup Creek to Dewatto.

(26) **Area 27C** shall include those waters of Hood Canal south of Area 27B.

(27) **Area 28A** shall include those waters of Puget Sound southerly and westerly of the Tacoma Narrows Bridge, south of a line projected from Penrose Point to Green Point in Carr Inlet, south of a line projected from Point Wilson to Whiteman Cove in Case Inlet, and east of a line projected from Brisco Point to Dofflemeyer Point.

(28) **Area 28B** shall include all waters of Carr Inlet north of a line projected from Penrose Point to Green Point.

(29) **Area 28C** shall include those waters of Case Inlet and Pickering Passage north of a line projected from Wilson Point to Whiteman Cove, and north of the highway bridge from the west side of Hartstene Island.

(30) **Area 28D** shall include those waters west of Area 28A and south of Area 28C.

(31) **Area 29** shall include those waters of the Strait of Juan de Fuca west of Area 23C and east of a line projected from the Bonilla Point light on Vancouver Island to the Tatoosh Island light, then to the most westerly point of Cape Flattery.

(32) This WAC will not apply to hardshell clams, oysters, or geoducks.

[Statutory Authority: RCW 75.08.080, 83-24-024 (Order 83-200), § 220-22-400, filed 11/30/83, effective 1/1/84; 82-24-080 (Order 82-215), § 220-22-400, filed 12/1/82, effective 1/1/83; 78-05-018 (Order 78-16), § 220-22-400, filed 4/13/78; Order 76-148, § 220-22-400, filed 12/2/76.]

WAC 220-22-410 Marine Fish-Shellfish Management and Catch Reporting Areas, coastal waters. (1) **Area 50** shall include waters of the Bering Sea north of the Aleutian Islands.

(2) **Area 51** shall include waters south of the Aleutian Islands and west of longitude 159° W.

(3) **Area 52** shall include waters west of longitude 154° W and east of Area 51.

(4) **Area 53** shall include waters west of longitude 147° W and east of Area 52.

(5) **Area 54** shall include waters west of longitude 137° W and east of Area 53.

(6) **Area 55** shall include waters north of latitude 54° 40' N and east of Area 54.

(7) **Area 56** shall include waters north of latitude 50° 30' N and south of Area 55.

(8) **Area 57** shall include waters north of latitude 48° 26' N and south of Area 56.

(9) **Area 58A** shall include waters north of the United States - Canada boundary and south of Area 57.

(10) **Area 58B** shall include waters west of a line projected 220° true southwest from the equidistant point between the United States and Canada along the Cape Flattery to Bonilla Point line, north of a line projected true west from Point Grenville and south of Area 58A.

(11) **Area 59A** shall include waters east of the 220° true line, west of a line from Cape Flattery to Bonilla Point, and north of a line true west from Point Grenville excluding coastal waters (0-3 miles) north of a line projected true west from Cape Alava.

(12) **Area 59B** shall include coastal waters (0-3 miles) northerly of a line projected true west from Cape Alava and west of a line projected from the Bonilla Point light on Vancouver Island to the Tatoosh Island light and then to the most westerly point of Cape Flattery.

(13) **Area 60A** shall include waters north of a line projected true west from the Washington-Oregon boundary in the Columbia River, and south of Areas 58, 59A, and 59B exclusive of the Columbia River estuary, Grays Harbor and Willapa Bay.

(14) **Area 60B** shall include the waters of Grays Harbor east of a line projected from the outermost end of the north jetty to the outermost end of the south jetty.

(15) **Area 60C** shall include the saltwater areas of Willapa Bay east of a line from Leadbetter Point to Cape Shoalwater light.

(16) **Area 60D** shall include waters of the Columbia River east of a line projected from the inshore end of the north jetty in the state of Washington to the knuckle of the south jetty in the state of Oregon, and west of the Megler-Astoria Bridge.

(17) **Area 61** shall include waters north of latitude 42° 00' N, and south of Area 60A, exclusive of the Columbia River estuary.

(18) **Area 62** shall include waters north of latitude 38° 00' N, and south of Area 61.

(19) **Area 63** shall include waters north of latitude 32° 00' N, and south of Area 62.

(20) **Area 64** shall include all waters south of Area 63.

(21) This WAC will not apply to hardshell clams, oysters, or geoducks.

[Statutory Authority: RCW 75.08.080, 84-08-014 (Order 84-24), § 220-22-410, filed 3/27/84; 82-14-056 (Order 82-72), § 220-22-410, filed 7/1/82; 80-07-017 (Order 80-45), § 220-22-410, filed 6/11/80; Order 76-148, § 220-22-410, filed 12/2/76.]

WAC 220-22-510 Aquaculture districts. (1) **Area 41A** shall include all waters of Budd Inlet south of a line between Dofflemeyer Point to Cooper Point.

(2) **Area 41B** shall include all waters of Carr Inlet north and west of a line between Gibson Point on Fox Island and Hyde Point on McNeil Island and a line crossing Pitt Passage southwest from Signal Tower No. 5, and all waters of Hale Passage west of a line from Point Fosdick and Fox Point on Fox Island.

(3) **Area 41C** shall include all waters of Case Inlet between Harstene Island and the Longbranch Peninsula

between an east-west line from the extreme north shore of Herron Island, and an east-west line from Johnson Point.

(4) **Area 41D** shall include all waters of Case Inlet north of Area 41C and west of a line running north from Dougall Point.

(5) **Area 41E** shall include all waters of Eld Inlet south of a line across the entrance of Eld Inlet projected from Dofflemeyer Point through Cooper Point.

(6) **Area 41F** shall include all waters surrounding Anderson Island south of Area 41B and 41C and a south-westerly line from Gibson Point on Fox Island to Sunset Beach.

(7) **Area 41G** shall include all waters of Hammersley Inlet and Oakland Bay west of a line between Hungerford Point and Arcadia and the entrance of Hammersley Inlet.

(8) **Area 41H** shall include all waters of Totten and Skookum Inlets southwest of a line from Arcadia to Hunter Point.

(9) **Area 41J** shall include all waters of Pickering Passage and Peale Passage bounded by Areas 41A, 41C, 41H, 41G, 41D, and a line running south from Brisco Point on Harstene Island.

(10) **Area 41K** shall include all waters of Henderson Inlet and Dana Passage east of Area 41J and south of Area 41C.

(11) **Area 41L** shall include all waters of The Narrows, Dalco Passage, and Commencement Bay north and west of Areas 41F and 41B and south of a line from the Gig Harbor entrance marker to Neill Point on Vashon Island to Browns Point.

(12) **Area 41M** shall include all waters of East Passage north and east of Area 41L and south of a line from Point Vashon to Brace Point.

(13) **Area 41N** shall include all waters of Colvos Passage north of Area 41L and south of a line from Point Southworth to Point Vashon.

(14) **Area 42A** shall include all waters of Dyes Inlet, the Washington Narrows, and Sinclair Inlet west of a southeast line from the north shore of the Washington Narrows entrance.

(15) **Area 42B** shall include all waters of Discovery Bay south of a line between Diamond Point and Cape George.

(16) **Area 42C** shall include all waters of all waters of Hood Canal south of the Hood Canal Floating Bridge and north of a line between Quatsap Point and the entrance of Stavis Bay.

(17) **Area 42D** shall include all waters of Hood Canal south of Area 42C and north of a line between Lilliwaup Creek and the south entrance of Dewatto Bay.

(18) **Area 42E** shall include all waters of Hood Canal south of Area 42D.

(19) **Area 42F** shall include all waters of Oak Bay west of a line from Liplip Point on Marrowstone Island to Olele Point and east of the bridge connecting Indian Island and the mainland.

(20) **Area 42G** shall include all waters near Port Angeles south of a line between Angeles Point and the northern extremity of Dungeness Spit.

(21) **Area 42H** shall include all waters north of the Hood Canal Bridge and south of a line between Olele Point and Foulweather Bluff.

(22) **Area 42J** shall include all waters of Port Madison east of the Agate Pass Bridge and west of a line between Point Jefferson and Skiff Point on Bainbridge Island.

(23) **Area 42K** shall include all waters of Port Orchard south of an east-west line at Battle Point on Bainbridge Island, west of a line projected from Restoration Point on Bainbridge Island through the westernmost portion of Blake Island to the Mainland in Yukon Harbor, excluding Area 42A.

(24) **Area 42L** shall include all waters of Port Townsend and Kilisut Harbor bounded by the Indian Island Bridge and a line from Marrowstone Point to Point Wilson.

(25) **Area 42M** shall include all waters of Liberty Bay and those contiguous waters north of Area 42K and south of Area 42J.

(26) **Area 42N** shall include all waters of Admiralty Inlet and Puget Sound north of Areas 41N and 41M, east of 42K and 42J, east of Areas 42H, 42F and 42L, south of a line between Point Wilson and Admiralty Head, and west of a line between Possession Point and Picnic Point.

(27) **Area 42P** shall include all waters of Sequim Bay.

(28) **Area 42R** shall include all waters south of a line between the northern extremity of Dungeness Spit and Point Wilson, excluding Areas 42B and 42P.

(29) **Area 43A** shall include all waters of Padilla Bay west of the line from Shannon Point and the closest portion of Guemes Island, and south of a line between Clark Point on Guemes Island and William Point on Samish Island.

(30) **Area 43B** shall include all waters of Lummi Bay and Bellingham Bay east of the line between Sandy Point and Point Migley on Lummi Island, northeast of the line between William Point on Samish Island and Governors Point.

(31) **Area 43C** shall include all waters of Boundary Bay and Crayton Harbor northeast of the line between Point Roberts and Birch Point, and south of the international border.

(32) **Area 43D** shall include all waters of Possession Sound east of Area 42N, and south of a line from Sandy Point on Whidbey Island, to Camano Head, then to south entrance of Tulalip Bay.

(33) **Area 43E** shall include all waters of Port Susan north of Area 43D.

(34) **Area 43F** shall include all waters of Samish Bay southwest of Area 43B.

(35) **Area 43G** shall include all waters of Saratoga Passage between a line from Sandy Point on Whidbey Island and Camano Head, and a line from Polnell Point on Whidbey Island to Rocky Point on Camano Island.

(36) **Area 43H** shall include all waters of Skagit Bay and Similk Bay north of Area 43G, south of the La Conner Bridge, and east of the Deception Pass Bridge.

(37) **Area 43J** shall include all United States waters of the Strait of Georgia, the United States waters surrounding the San Juan Islands, and the United States waters of the Strait of Juan de Fuca east of Angeles Point.

(38) **Area 43K** shall include all United States waters of the Strait of Juan de Fuca west of Angeles Point and east of a line between Tatoosh Island and Bonilla Point.

(39) **Area 44A** shall include all waters of Grays Harbor north of the marked Chehalis River Channel and west of a

line between Point Chehalis and the southwestern most point of the Ocean Shores Peninsula.

(40) **Area 44B** shall include all waters of Grays Harbor south of the marked Chehalis River Channel and west of a line between Point Chehalis and the southwestern most point of the Ocean Shores Peninsula.

(41) **Area 45A** shall include all waters of Willapa Bay north of the Willapa River Channel and west of the North River Channel.

(42) **Area 45B** shall include all waters of Willapa Bay north of the Willapa River Channel, west of the North River Channel and west of a line between Cape Shoalwater and Leadbetter Point.

(43) **Area 45C** shall include all waters of Willapa Bay south of the Willapa River Channel and east of Stoney Point.

(44) **Area 45D** shall include all waters of Willapa Bay south of the Willapa River Channel, west of Stoney Point, east of the Nahcotta Channel, and north and east of a line running north from Goose Point to the middle of the Bay Center Channel and then westerly following the Bay Center Channel to the Nahcotta Channel.

(45) **Area 45E** shall include all waters of Willapa Bay east of the Nahcotta Channel, south of Area 45D, and north of a line projected west from Sandy Point.

(46) **Area 45F** shall include all waters of Willapa Bay east of the Nahcotta Channel, south of Area 45E, and northeast of a line following the Nemah River Channel to channel marker "4" then west of the Nahcotta Channel.

(47) **Area 45G** shall include all waters of Willapa Bay west of Diamond Point, southwest of the Nahcotta Channel, south of Area 45F, and north of a line between Paradise Point on Long Island and Sunshine Point.

(48) **Area 45H** shall include all waters of Willapa Bay south of Area 45G and north and west of the ferry crossing to Long Island.

(49) **Area 45J** shall include all waters of Willapa Bay west of the Long Island ferry crossing and south of High Point.

(50) **Area 45K** shall include all waters of Willapa Bay north of High Point, east of the Nahcotta Channel, and south of the line between Diamond Point and the Nahcotta Boat Basin.

(51) **Area 45L** shall include all waters of Willapa Bay north of High Point, west of the Nahcotta Channel and south of the line between Diamond Point and the Nahcotta Boat Basin.

(52) **Area 45M** shall include all waters of Willapa Bay east of the line between Cape Shoalwater and Leadbetter Point, south of Area 45B, west of Areas 45D, 45E, and 45F, and north of latitude 46 degrees, 35 minutes north.

(53) **Area 45N** shall include all waters of Willapa Bay south of Area 45M, east of Areas 45F and 45G, and north of Areas 45K and 45L.

(54) **Area 47A** shall include all freshwater streams, ponds or lakes in Clallam County.

(55) **Area 47B** shall include all freshwater streams, ponds or lakes in Clark County.

(56) **Area 47C** shall include all freshwater streams, ponds or lakes in Cowlitz County.

(57) **Area 47D** shall include all freshwater streams, ponds or lakes in Grays Harbor County.

(58) **Area 47E** shall include all freshwater streams, ponds or lakes in Island County.

(59) **Area 47F** shall include all freshwater streams, ponds or lakes in Jefferson County.

(60) **Area 47G** shall include all freshwater streams, ponds or lakes in King County.

(61) **Area 47H** shall include all freshwater streams, ponds or lakes in Kitsap County.

(62) **Area 47J** shall include all freshwater streams, ponds or lakes in Lewis County.

(63) **Area 47K** shall include all freshwater streams, ponds or lakes in Mason County.

(64) **Area 47L** shall include all freshwater streams, ponds or lakes in Pacific County.

(65) **Area 47M** shall include all freshwater streams, ponds or lakes in Pierce County.

(66) **Area 47N** shall include all freshwater streams, ponds or lakes in San Juan County.

(67) **Area 47O** shall include all freshwater streams, ponds or lakes in Skagit County.

(68) **Area 47P** shall include all freshwater streams, ponds or lakes in Skamania County.

(69) **Area 47Q** shall include all freshwater streams, ponds or lakes in Snohomish County.

(70) **Area 47R** shall include all freshwater streams, ponds or lakes in Thurston County.

(71) **Area 47S** shall include all freshwater streams, ponds or lakes in Wahkiakum County.

(72) **Area 47T** shall include all freshwater streams, ponds or lakes in Whatcom County.

(73) **Area 48A** shall include all freshwater streams, ponds or lakes in Adams County.

(74) **Area 48B** shall include all freshwater streams, ponds or lakes in Asotin County.

(75) **Area 48C** shall include all freshwater streams, ponds or lakes in Benton County.

(76) **Area 48D** shall include all freshwater streams, ponds or lakes in Chelan County.

(77) **Area 48E** shall include all freshwater streams, ponds or lakes in Columbia County.

(78) **Area 48F** shall include all freshwater streams, ponds or lakes in Douglas County.

(79) **Area 48G** shall include all freshwater streams, ponds or lakes in Ferry County.

(80) **Area 48H** shall include all freshwater streams, ponds or lakes in Franklin County.

(81) **Area 48J** shall include all freshwater streams, ponds or lakes in Garfield County.

(82) **Area 48K** shall include all freshwater streams, ponds or lakes in Grant County.

(83) **Area 48L** shall include all freshwater streams, ponds or lakes in Kittitas County.

(84) **Area 48M** shall include all freshwater streams, ponds or lakes in Klickitat County.

(85) **Area 48N** shall include all freshwater streams, ponds or lakes in Lincoln County.

(86) **Area 48O** shall include all freshwater streams, ponds or lakes in Okanogan County.

(87) **Area 48P** shall include all freshwater streams, ponds or lakes in Pend Oreille County.

(88) **Area 48Q** shall include all freshwater streams, ponds or lakes in Spokane County.

(89) **Area 48R** shall include all freshwater streams, ponds or lakes in Stevens County.

(90) **Area 48S** shall include all freshwater streams, ponds or lakes in Walla Walla County.

(91) **Area 48T** shall include all freshwater streams, ponds or lakes in Whitman County.

(92) **Area 48U** shall include all freshwater streams, ponds or lakes in Yakima County.

[Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-22-510, filed 9/12/86.]

Chapter 220-24 WAC PACIFIC OCEAN WATERS

WAC

220-24-010	Unlawful acts.
220-24-020	Lawful acts.
220-24-030	Closed areas.

WAC 220-24-010 Unlawful acts. (1) It shall be unlawful for any person to possess in or transport through the waters of District No. 1 for commercial purposes any chinook salmon taken from said waters, or from the waters of the Pacific Ocean and District No. 2 during the period November 1 through April 30 of the following year and during the period June 16 through June 30, except as provided in WAC 220-24-020.

(2) It shall be unlawful for any person to possess or transport through the waters of District No. 1 for commercial purposes any silver salmon taken from said waters, or from the waters of the Pacific Ocean and District No. 2 from November 1 through June 30 of the year following, except as provided in WAC 220-24-020.

(3) It shall be unlawful for any person engaged in the business of canning, packing, processing, freezing, salting, smoking, kippering, preserving in ice, or otherwise involved in dealing in or curing any food fish or shellfish, or in the wholesale selling of food fish or shellfish for commercial purposes, to have in his possession within the boundaries of the state of Washington any fresh chinook salmon during the period November 1 through April 30, of the following year and during the period June 16 through June 30: *Provided*, That the provisions of this subsection shall not apply to chinook salmon lawfully taken from the concurrent waters of the Columbia River, or as otherwise provided.

(4) During the period May 1 through June 14, it shall be unlawful to take, fish for or possess salmon with troll gear for commercial purposes except with single, barbless hooks except on bait hooks and artificial salmon plugs. Bait hooks must have a natural bait attached as its primary attraction while fishing. Spoons, wobblers, dodgers and flexible plastic lures must have barbless hooks. For the purpose of this regulation, a single, barbless hook is defined as a hook with one primary point and no secondary points or barbs curving or projected in any opposite direction.

[Statutory Authority: RCW 75.08.080. 78-05-067 (Order 78-20), § 220-24-010, filed 4/27/78; Order 76-24A, § 220-24-010, filed 4/23/76; Order 76-24, § 220-24-010, filed 4/20/76; subsection 3 rescinded by Order 758, § 1, filed 10/16/67; Order 726, filed 4/24/67; Orders 398 and 256, subsection 1, filed 3/1/60; Orders 355 and 256, subsection 2, filed 3/1/60; Order 564, subsection 3, filed 11/28/62; Order 542, filed 2/15/62; Orders 480 and 256,

filed 3/1/60; Order 569, subsection 4, filed 4/11/63; Order 525, filed 5/3/61; Orders 403 and 256, filed 3/1/60.]

WAC 220-24-020 Lawful acts. (1) It shall be lawful to take, fish for or possess salmon other than coho taken for commercial purposes with "troll line" gear in waters of District No. 1 west of a line projected true north from Cape Flattery during the period May 1 through June 14 except as provided in WAC 220-44-020.

(2) It shall be lawful to take, fish for or possess salmon taken for commercial purposes with "troll line" gear in the waters of District No. 1 west of a line projected true north from Cape Flattery during the period July 1 through September 15 except as provided in WAC 220-44-020.

(3) It shall be lawful to take, fish for or possess salmon taken for commercial purposes with "troll line" gear in the waters of District No. 1 south of a line projected true west from Point Grenville during the period July 1 through October 31.

(4) It shall be lawful for a common or contract carrier to transport during seasons in which the taking, catching, or possession of chinook or silver salmon is unlawful in the state of Washington or in waters over which the state of Washington has jurisdiction, an original package or packages containing either silver or chinook salmon which original package or packages both originate from and are destined for some other state, territory or foreign country: *Provided*, That for the purpose of this regulation the term "original package" shall mean a package from which fish cannot be extracted without an opening or breaking thereof and which is accompanied by documentary proof that the original point of shipment and the point of destination are another state, territory or foreign country: *Provided further*, That it shall be unlawful for any such carrier to open or break any such original package while the same is in his possession, except for the purpose of reicing: *Provided further*, That the waters of the Pacific Ocean shall not be considered a state, territory or foreign country.

[Statutory Authority: RCW 75.08.080. 79-07-046 (Order 79-43), § 220-24-020, filed 6/22/79; 78-05-067 (Order 78-20), § 220-24-020, filed 4/27/78; Order 76-24, § 220-24-020, filed 4/20/76; Order 1221, § 220-24-020, filed 7/1/75; Order 1116, § 220-24-020, filed 4/30/74; Order 726, § 4 (part), filed 4/24/67; Order 677, subsection 1, filed 3/31/66; Orders 398 and 256, filed 3/1/60; Order 677, subsection 2, filed 3/31/66; Orders 357 and 256, filed 3/1/60; Orders 401 and 256, subsection 3, filed 3/1/60.]

WAC 220-24-030 Closed areas. (1) It shall be unlawful to take fish for or possess salmon, for commercial purposes, with troll line gear within a 3 nautical mile radius of the following river mouths during the times specified

- (a) Quillayute River - May 1 to June 15
- (b) Hoh River - May 1 to September 15
- (c) Queets River - May 1 to September 15.

[Order 77-31, § 220-24-030, filed 5/11/77.]

Chapter 220-28 WAC
EMERGENCY REGULATIONS

WAC

220-28-010 Emergency regulations.

WAC 220-28-010 Emergency regulations. It shall be unlawful to take, fish for or possess food fish or shellfish taken contrary to the provisions of any special season or emergency closed period prescribed in this chapter.

[Order 810, § 220-28-010, filed 4/17/69; Order 568, filed 4/25/63; Orders 386 and 256, filed 3/1/60.]

Reviser's note: The department of fish and wildlife frequently adopts emergency rules of limited duration that relate to seasons, closures, gear, and other special matters concerning the industry. Such rules are filed with and may be inspected at the Office of the Code Reviser, Legislative Building, Olympia, but because of their transitory nature they are omitted from this compilation under the authority of RCW 34.05.210(4). Copies of emergency rules may be obtained from the Director of Fish and Wildlife, 600 Capitol Way North, Olympia, Washington 98501-1091.

Chapter 220-32 WAC
COLUMBIA RIVER

WAC

220-32-050 Indian fishery—Area and qualification.
220-32-051 Seasons—Salmon.
220-32-052 Weekly open fishing periods—Salmon.
220-32-053 Lawful salmon gear—Mesh.
220-32-054 Open area salmon—Lone Pine.
220-32-055 Off-reservation Indian subsistence fishing.
220-32-056 Season and gear—Shad.
220-32-057 Season—Sturgeon.
220-32-058 Closed areas salmon—River mouths.
220-32-059 Unlawful provision—Salmon.
220-32-060 Columbia River—Columbia River off-reservation treaty Indian ceremonial fishing.

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

220-32-010 Columbia River—Area 1. [Order 915, § 220-32-010, filed 3/4/71; Order 860, § 220-32-010, filed 3/3/70; Order 719, § 1, (part), filed 1/30/67; Orders 416 and 256, §§ 1, 2, 3, 4, filed 3/1/60; Orders 417 and 256, § 5, filed 3/1/60; Order 674, §§ 6, 7, filed 2/1/66.] Repealed by Order 76-35, filed 5/11/76.
220-32-011 Columbia River—Area 1-A. [Order 915, § 220-32-011, filed 3/4/71.] Repealed by Order 76-35, filed 5/11/76.
220-32-012 Columbia River—Area 2. [Order 915, § 220-32-012, filed 3/4/71.] Repealed by Order 76-35, filed 5/11/76.
220-32-013 Columbia River—Area 3. [Order 1221, § 220-32-013, filed 7/1/75; Order 915, § 220-32-013, filed 3/4/71.] Repealed by Order 76-35, filed 5/11/76.
220-32-014 Columbia River—Area 4. [Order 915, § 220-32-014, filed 3/4/71.] Repealed by Order 76-35, filed 5/11/76.
220-32-015 Columbia River—Area 4-A. [Order 915, § 220-32-015, filed 3/4/71.] Repealed by Order 76-35, filed 5/11/76.
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,

220-32-021

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.

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.

220-32-035

Columbia River—Emergency. [Order 860, § 220-32-035, filed 3/3/70; Order 719, § 1 (part), filed 1/30/67; Order

- 525, filed 5/3/61; Orders 483 and 256, filed 3/1/60.] Repealed by Order 1106, filed 1/10/74.
- 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.
- 220-32-042 Columbia River—Weekly closures—Smelt. [Order 915, § 220-32-042, filed 3/4/71.] Repealed by 86-08-039 (Order 86-12), filed 3/27/86. Statutory Authority: RCW 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 220-32-050 Indian fishery—Area and qualification. It shall be unlawful to take, fish for or possess food fish for commercial purposes in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H except that it shall be lawful for individuals possessing treaty fishing rights pursuant to the Yakima Treaty (12 Stat. 951), the Warm Springs Treaty (12 Stat. 963), the Umatilla Treaty (12 Stat. 945), and the Nez Perce Treaty (12 Stat. 957), while having on their person their Federal Tribal Identification Card to take, fish for and possess food fish for commercial purposes in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H in accordance with the following regulations.

[Order 77-14, § 220-32-050, filed 4/15/77; Order 915, § 220-32-050, filed 3/4/71; Order 860, § 220-32-050, filed 3/3/70.]

WAC 220-32-051 Seasons—Salmon. It shall be lawful to take, fish for and possess salmon for commercial purposes taken with drift gill nets and set nets not exceeding 300 feet in length, and with dip nets and hoop nets in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H during the following season:

No open season.

[Order 77-14, § 220-32-051, filed 4/15/77; Order 1043, § 220-32-051, filed 2/22/73; Order 915, § 220-32-051, filed 3/4/71.]

WAC 220-32-052 Weekly open fishing periods—Salmon. It shall be unlawful during any open season in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H to take, fish for or possess salmon for commercial purposes except during the weekly open period hereinafter designated:

No open season.

[Order 77-14, § 220-32-052, filed 4/15/77; Order 1043, § 220-32-052, filed 2/22/73; Order 915, § 220-32-052, filed 3/4/71.]

WAC 220-32-053 Lawful salmon gear—Mesh. It shall be unlawful to take, fish for or possess salmon taken for commercial purposes with any net in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H containing gill net mesh larger than 4-1/2 inches stretch measure during the period 12 noon June 28 to 12 noon July 2; and containing mesh smaller than 7-1/4 inches stretch measure during the period 12 noon August 9 to 12 noon August 20.

[Order 77-14, § 220-32-053, filed 4/15/77; Order 915, § 220-32-053, filed 3/4/71.]

WAC 220-32-054 Open area salmon—Lone Pine. It shall be lawful to take, fish for and possess salmon taken for commercial purposes with dip nets, bag nets, and hoop nets at the Lone Pine Indian fishing site located immediately above The Dalles Interstate Bridge during the times it is lawful to take salmon commercially in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H.

[Order 77-14, § 220-32-054, filed 4/15/77; Order 915, § 220-32-054, filed 3/4/71.]

WAC 220-32-055 Off-reservation Indian subsistence fishing. (1) It is unlawful for any person, including treaty Indian fishermen, to take, fish for, or possess salmon or other food fish for subsistence purposes except in accordance with the provisions of this section.

(2) It is lawful for individuals possessing treaty fishing rights pursuant to the Yakima Treaty, the Warm Springs Treaty, the Umatilla Treaty, and the Nez Perce Treaty to fish for food fish for subsistence family-use purposes subject to the following provisions:

(a) Such fishing is permitted year-round in the following areas: That area of the mainstem Columbia River from a line between a marker on the Washington shore and a marker on the Oregon shore, such line located approximately one-half mile upstream from the mouth of Eagle Creek, upstream to a point at the four-second flashing light #67 approximately 1/2 mile downstream of the Dalles Bridge; that area of the mainstem Columbia River from a point 200 feet above the Dalles Dam fishway exit upstream to a point 600 feet downstream of the John Day Dam fishway entrance; that area of the mainstem Columbia River from a point 200 feet above the John Day Dam fishway exit upstream to a point at the downstream end of the wingwall of the McNary

Dam boat lock; that area of Columbia River from a point 200 feet above the McNary Dam fishway exit upstream to the Highway 12 bridge; excluding those areas within 1/4 mile radius of the mouth of Wind River, Little White Salmon River (Drano Lake), Klickitat River, and Spring Creek Hatchery fishway entrance.

(b) Lawful fishing gear by treaty Indians in the above-designated area includes dip nets and bag nets of a mesh size not exceeding 5 inches attached to a hoop 24 feet or less in circumference, spear, gaff, club, and foul hook.

(c) It is lawful to use sport angling gear in places and at times allowed under chapter 220-56 WAC series for treaty Indian subsistence purposes.

(d) It is unlawful to use drift gill nets or set gill nets for treaty Indian subsistence fishing in the mainstem of the Columbia River except as authorized by the director of the department of fisheries under the provisions of WAC 220-32-060.

(e) It is unlawful to use gill nets, set nets, hoop nets, dip or bag nets with a mesh size exceeding 5 inches, set lines, or any other type of fishing gear not otherwise specifically authorized except during times and in areas where such gear is authorized for commercial fishing purposes.

(3) In accordance with RCW 75.08.265, it is lawful for the following Wanapum Indians to take, fish for, and possess food fish for subsistence purposes in the vicinity of Priest Rapids Dam in specified areas at specified times using specified gear authorized by the director of the department of fisheries. The individuals designated below may be revised from time to time by agreement between the Wanapum Indians and the director of the department of fisheries:

Frank Buck	Jade Buck
Stanley Buck	Robert S. Tomanawash, Sr.
Willie Buck	Lester Umtuch
Harry Buck	Grant Wyena
Ken Buck	Jerry Wyena
Rex Buck, Jr.	Douglas Wyena
Phillip Buck	Jimmy Wyena
Richard Buck	Patrick Wyena

The following provisions apply to this fishery:

(a) It is unlawful to fish at any time, place, or using gear other than that designated by the director of the department of fisheries and authorized by regulation.

(b) It is unlawful for Wanapum Indian fishermen to fail to report, in writing, their total catch to the department of fisheries within five days of the end of fishing activity under subsection (3)(a) of this section.

(c) Should any Wanapum Indian be convicted of violating the provisions of this section, or sell, barter, or attempt to sell or barter any fish taken in this fishery or any treaty Indian fishery, that fishermen will be ineligible to further participate in the Wanapum Indian subsistence fishery unless otherwise determined by the director of the department of fisheries.

(4) It is unlawful to sell, barter, or offer for sale or barter, buy, or for a commercially licensed buyer or wholesale fish dealer to have in possession food fish taken in an Indian subsistence fishery under the provisions of subsections (2) and (3) of this section.

(5) It is unlawful for fishermen participating in an Indian subsistence fishery to fail to submit their catch to

department of fisheries employees for the conduct of biological sampling or to fail to allow necessary biological samples to be taken.

[Statutory Authority: RCW 75.08.080. 85-18-027 (Order 85-112), § 220-32-055, filed 8/27/85; 84-05-046 (Order 84-11), § 220-32-055, filed 2/21/84; 82-17-040 (Order 82-105), § 220-32-055, filed 8/13/82; Order 77-14, § 220-32-055, filed 4/15/77; Order 866, § 220-32-055, filed 6/12/70.]

WAC 220-32-056 Season and gear—Shad. It shall be lawful to take, fish for and possess shad taken for commercial purposes in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H with single-wall floater gill net and set net gear containing mesh of a size not less than 5-3/8 inches or larger than 6-1/4 inches stretch measure and said mesh webbing shall be of a breaking strength not greater than a 10-pound pull from 12 noon July 4 to 12 noon July 11. It shall be unlawful to sell any salmon taken during this lawful shad fishery.

[Order 77-14, § 220-32-056, filed 4/15/77; Order 76-26, § 220-32-056, filed 1:45 p.m., 4/20/76; Order 915, § 220-32-056, filed 3/4/71.]

WAC 220-32-057 Season—Sturgeon. It is unlawful to take, fish for or possess sturgeon taken for commercial purposes in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H except as provided for in this section:

(1) Individuals possessing treaty fishing rights pursuant to the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish for sturgeon with setline gear from 12:00 noon August 1, 1982 to 12:00 noon January 15, 1983.

(2) Set line gear is limited to not more than 100 hooks per setline.

(3) Minimum hook size is 9/0 and treble hooks are prohibited.

[Statutory Authority: RCW 75.08.080. 82-19-083 (Order 82-142), § 220-32-057, filed 9/21/82; Order 77-14, § 220-32-057, filed 4/15/77; Order 1043, § 220-32-057, filed 2/22/73; Order 915, § 220-32-057, filed 3/4/71.]

WAC 220-32-058 Closed areas salmon—River mouths. It shall be unlawful to take, fish for or possess salmon taken for commercial purposes in or from the following designated closed waters adjacent to the mouths of streams tributary to Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H during the time periods specified.

(1) Those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline of the mouths of Hood River, Deschutes River, and Umatilla River are closed the entire year.

(2) Those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to three-quarters mile downstream from the western shoreline of the mouth of the Little White Salmon River are closed the entire year.

(3) Those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western

shoreline of the mouths of Herman Creek and the Big White Salmon River are closed from August 1 to November 1 of each year.

(4) Those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one- and one-half miles downstream from the western shoreline of the mouths of the Klickitat River and Wind River are closed the entire year.

(5) Those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one- and one-half miles downstream from the western shoreline of the mouth of Spring Creek are closed from August 1 to November 1 of each year.

[Order 77-14, § 220-32-058, filed 4/15/77; Order 915, § 220-32-058, filed 3/4/71.]

WAC 220-32-059 Unlawful provision—Salmon. It shall be unlawful to take, fish for or possess salmon taken for commercial purposes in or from the waters of the Klickitat River between the swinging bridge, approximately one- and one-half miles upstream, and a monument located in Section 25, Township 3N, Range 12E, a distance of 25 feet downstream from the entrance to the upper Klickitat Falls Fishway (No. 5), except during the lawful seasons, times, and manners as provided for such fishing in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H under WAC 220-32-051 and 220-32-052.

[Order 77-14, § 220-32-059, filed 4/15/77; Order 915, § 220-32-059, filed 3/4/71.]

WAC 220-32-060 Columbia River—Columbia River off-reservation treaty Indian ceremonial fishing. (1) It shall be unlawful for any Indian or group of Indians to conduct ceremonial fishing on the Washington side of the Columbia River or in Washington Columbia River tributaries outside of an Indian reservation without first providing at least one week advance written notification to the director of the Washington state department of fisheries, including all of the following information:

(a) Name, place, and time of ceremony for which fish will be used.

(b) Name of individuals and helpers who will be fishing and transporting fish. Only these individuals will be allowed to fish on the occasion covered by the notice.

(c) Exact location(s) of fishing and the amount of gear to be used at each location.

(d) Exact beginning and ending dates of ceremonial fishing.

(e) Type of gear to be used in ceremonial fishing.

(f) Estimated number of pounds of fish needed for ceremonial fishing.

(g) If fish are to be stored prior to a ceremony, the location of storage must be identified. If they are not to be stored, it must be so indicated.

(h) The signature of the designated tribal official certified to the Washington department of fisheries in advance.

(2) It shall be unlawful to:

(a) Fish for ceremonial purposes with commercial fishing gear except in those areas where such fishing gear is authorized for commercial fishing.

(b) Engage in ceremonial fishing during any portion of a week within a commercial fishing season which is closed to commercial fishing.

(c) Sell or barter, offer for sale or barter, buy, or for a commercial licensed fish buyer or wholesale fish dealer to have in his possession fish taken for ceremonial purposes.

(d) Engage in ceremonial fishing unless done in compliance with all provisions contained in the advance notice to the department of fisheries of the state of Washington.

(3) Any individual engaged in ceremonial fishing must have in his possession a signed copy or duplicate copy of the written tribal notification to the director of the Washington state department of fisheries that such fishing is to be conducted.

(4) All fishing gear shall be marked and identified at all times while fishing for ceremonial purposes.

(5) A record of the numbers of fish taken for ceremonial purposes will be made and sent promptly to the director of the Washington state department of fisheries upon conclusion of each ceremonial fishing activity.

[Order 1043, § 220-32-060, filed 2/22/73.]

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 center of the shipping channel between a fishing boundary marker at the junction of the Port of Longview docks and international paper docks 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-quarters 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. 89-09-051 (Order 89-21), § 220-33-005, filed 4/18/89; 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 and lampara 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 is not less than one-half inch stretch measure.

Licensing

(2)(a) A baitfish purse seine fishery license is a license required to operate a gear provided for in this section and allows the operator to retain anchovies.

(b) A herring purse seine fishery license is a license required to operate a gear provided for in this section and allows the operator to retain herring.

(c) A baitfish lampara fishery license is a license required to operate a gear provided for in this section and allows the operator to retain anchovies.

(d) A herring lampara fishery license is a license required to operate a gear provided for in this section and allows the operator to retain herring.

Fishing periods

(3) Purse seine and lampara 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

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

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-33-060, filed 5/19/94, effective 6/19/94; 88-18-066 (Order 88-86), § 220-33-060, filed 9/2/88.]

Chapter 220-36 WAC GRAYS HARBOR

WAC

220-36-015	Gill net gear—Grays Harbor specifications.
220-36-020	Grays Harbor salmon fishing—Lawful gear.
220-36-021	Salmon—Grays Harbor—Summer fishery.
220-36-023	Grays Harbor salmon—Fall fishery.
220-36-025	Closed areas—Grays Harbor and tributaries.
220-36-03001	Grays Harbor—Seasons and lawful gear—Varieties other than salmon and sturgeon.
220-36-031	Grays Harbor—Season and gear—Sturgeon.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-36-010	Salmon fishing areas. [Order 1049, § 220-36-010, filed 4/11/73; Order 925, § 220-36-010, filed 6/3/71; Order 726, § 4 (part), filed 4/24/67; subsection 2 amended by Order 638, filed 4/28/65; subsection 1 from Orders 336 and 256, filed 3/1/60; subsection 2 from Orders 465 and 256, filed 3/1/60.] Repealed by Order 76-35, filed 5/11/76.
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.
220-36-030	Emergencies. [From Order 525, filed 5/3/61; Order 507, filed 4/13/60; Orders 483 and 256, filed 3/1/60.] Repealed by deletion, Order 726, filed 4/24/67.
220-36-040	Seasons and lawful gear—Other varieties. [Subsections 1 and 2 from Order 525, filed 5/3/61; Orders 336 and 256, filed 3/1/60; subsections 3-6 from Orders 336 and 256, filed 3/1/60; subsection 7 from Order 605, filed 4/21/64; Orders 336 and 256, filed 3/1/60.] Repealed and reenacted by Order 726, filed 4/24/67, as WAC 220-36-030.

WAC 220-36-015 Gill net gear—Grays Harbor specifications. It is unlawful to fish for food fish in Grays Harbor for commercial purposes with gill net gear or to possess food fish taken from those waters with gill net gear unless:

(1) The gill net does not exceed 1,500 feet in length along the cork line; and

(2) Except as otherwise provided in this chapter, the mesh size of the gill net is not less than 5 inches or greater than 6-1/2 inches stretch measure.

[Statutory Authority: RCW 75.08.080. 89-16-056 (Order 89-71), § 220-36-015, filed 7/28/89, effective 8/28/89.]

WAC 220-36-020 Grays Harbor salmon fishing—Lawful gear. It shall be unlawful to take, fish for or possess salmon taken for commercial purposes in Grays Harbor fishing areas except for salmon taken with gill net gear as provided for in this chapter.

[Statutory Authority: RCW 75.08.080. 89-16-056 (Order 89-71), § 220-36-020, filed 7/28/89, effective 8/28/89; 86-15-016 (Order 86-55), § 220-36-020, filed 7/10/86; 80-09-072 (Order 80-69), § 220-36-020, filed 7/18/80; Order 1221, § 220-36-020, filed 7/11/75; Order 1116, § 220-36-020, filed 4/30/74; Order 1049, § 220-36-020, filed 4/11/73; Order 995, § 220-36-020, filed 6/8/72; Order 925, § 220-36-020, filed 6/3/71; Order 864, § 220-36-020, filed 5/12/70; Order 813, § 220-36-020, filed 5/5/69; Order 772-A, § 220-36-020, filed 4/15/68; subsections 1, 2 and 3 from Order 679, filed 4/20/66; subsection 4 from Order 679, filed 3/31/66; Order 638, filed 4/28/65; Order 605, filed 4/21/64; Order 569, filed 4/11/63; Order 544, filed 4/3/62; Order 525, filed 5/3/61; Order 507, filed 4/13/60.]

WAC 220-36-021 Salmon—Grays Harbor—Summer fishery. From July 5 through August 15 of 1994, it is unlawful to fish for salmon in Grays Harbor for commercial purposes or to possess salmon taken from those waters for commercial purposes.

[Statutory Authority: RCW 75.08.080. 94-13-014 (Order 94-46), § 220-36-021, filed 6/3/94, effective 7/4/94; 90-18-023 (Order 90-77), § 220-36-021, filed 8/24/90, effective 9/24/90; 89-16-056 (Order 89-71), § 220-36-021, filed 7/28/89, effective 8/28/89; 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 7/11/75; Order 1133, § 220-36-021, filed 7/19/74.]

WAC 220-36-023 Grays Harbor salmon—Fall fishery. From August 16 through December 31 of 1994, it is unlawful to fish for salmon in Grays Harbor for commercial purposes.

[Statutory Authority: RCW 75.08.080. 94-13-014 (Order 94-46), § 220-36-023, filed 6/3/94, effective 7/4/94; 93-14-042 (Order 93-54), § 220-36-023, filed 6/29/93, effective 7/30/93; 90-18-023 (Order 90-77), § 220-36-023, filed 8/24/90, effective 9/24/90; 89-16-056 (Order 89-71), § 220-36-023, filed 7/28/89, effective 8/28/89.]

WAC 220-36-025 Closed areas—Grays Harbor and tributaries. (1) It is unlawful to take, fish for, or possess salmon taken for commercial purposes from those waters at the mouth of Grays Harbor lying westerly of a line projected from the Point Chehalis Light at Westport through the Coast Guard tower to the shore at Point Brown and easterly of a line projected from the outermost end of the north jetty to the outermost end of the south jetty.

(2) During the period March 1 through July 31, it is unlawful for any person, including treaty Indian fishermen, to take, fish for, or possess food fish taken for any purpose

from the waters of the Chehalis River or any tributary of the Chehalis River upstream of the Porter Bridge.

(3) It is unlawful to fish for or possess salmon taken for commercial purposes from the Westport Boat Basin.

[Statutory Authority: RCW 75.08.080. 86-15-016 (Order 86-55), § 220-36-025, filed 7/10/86; 83-10-015 (Order 83-30), § 220-36-025, filed 4/26/83; 78-07-067 (Order 78-45), § 220-36-025, filed 6/30/78; Order 77-14, § 220-36-025, filed 4/15/77; Order 1133, § 220-36-025, filed 7/19/74.]

WAC 220-36-03001 Grays Harbor—Seasons and lawful gear—Varieties other than salmon and sturgeon.

(1) It shall be unlawful in Marine Fish-Shellfish Management and Catch Reporting Area 60B to fish for food fish, other than sturgeon and salmon, with purse seine or lampara gear exceeding 900 feet in length or having meshes of less than one-half inch stretch measure, or with drag seine gear exceeding 700 feet in length or having meshes less than 4-1/2 inches stretch measure, except as provided in WAC 220-36-03001(6). It is unlawful to fish for or possess salmon or sturgeon taken with purse seine, lampara, or drag seine gear.

(2) It shall be lawful to fish for and possess bottomfish in Marine Fish-Shellfish Management and Catch Reporting Area 60B at any time with set line and hand line jig gear.

(3) It shall be lawful to retain for commercial purposes bottomfish taken incidental to any lawful commercial salmon fishery in Grays Harbor Salmon Management and Catch Reporting Areas 2A, 2B, 2C, and 2D, and it shall be lawful to retain bottomfish taken incidental to any lawful sturgeon fishery in Marine Fish-Shellfish Management and Catch Reporting Area 60B.

(4) It shall be lawful to take, fish for and possess smelt taken for commercial purposes in all waters of Grays Harbor except during weekly closed periods extending from 8:00 a.m. Thursday to 8:00 p.m. Saturday.

(5) It shall be lawful to fish for and possess herring, anchovies, candlefish, or pilchards taken for commercial purposes with dip bag net gear at any time in the waters of Marine Fish-Shellfish Management and Catch Reporting Area 60B.

(6)(a) June 1 through October 31 - It shall be lawful to fish for, take and possess herring, anchovies, candlefish, or pilchards with purse seine or lampara in the waters of Grays Harbor, provided such gear shall not exceed 1,400 feet in length nor contain meshes of less than 1/2-inch stretch measure. All species of fish other than herring, pilchard, candlefish, and anchovy taken in operation of such purse seine or lampara gear must be immediately, with care, returned to the water.

(b) March 1 through April 15 - Closed to all commercial herring, anchovy, candlefish, or pilchard fishing except dip bag net.

(7) It shall be lawful to take, fish for and possess herring, candlefish, pilchards, or anchovies taken for commercial purposes with a herring weir from April 1 through September 30 in the waters of Marine Fish-Shellfish Management and Catch Reporting Area 60B, provided that the lead shall not exceed 300 feet in length or extend into any navigation channel or customary gill net drifting lane. It shall be unlawful for any person to install or operate a herring weir without obtaining written permission from the director of fisheries.

[Statutory Authority: RCW 75.08.080. 85-06-033 (Order 85-14), § 220-36-03001, filed 3/1/85; 84-08-014 (Order 84-24), § 220-36-03001, filed 3/27/84; 80-09-072 (Order 80-69), § 220-36-03001, filed 7/18/80; 79-05-007 (Order 79-20), § 220-36-03001, filed 4/11/79; 78-07-067 (Order 78-45), § 220-36-03001, filed 6/30/78; Order 77-14, § 220-36-030 (codified as WAC 220-36-03001), filed 4/15/77; Order 76-148, § 220-36-030 (codified as WAC 220-36-03001), filed 12/2/76; Order 1049, § 220-36-030, filed 4/11/73; Order 925, § 220-36-030, filed 6/3/71; Order 864, § 220-36-030, filed 5/12/70; Order 726, § 4 (part), filed 4/24/67; subsections 1 and 2 from Order 525, filed 5/3/61; subsection 7 from Order 605, filed 4/21/64; Orders 336 and 256, filed 3/1/60.]

WAC 220-36-031 Grays Harbor—Season and gear—Sturgeon. It is unlawful to fish for or possess sturgeon taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Area 60B except at those times, with the gear, and subject to the provisions of this section:

(1) It is unlawful to take sturgeon by angling from any vessel that is engaged in commercial sturgeon fishing, has been engaged in commercial sturgeon fishing that same day, or has commercially caught sturgeon aboard.

(2) It is unlawful to retain sturgeon not of lawful size, as provided for in WAC 220-20-020(1), and all sturgeon in transit must not have head or tail removed.

(3) It is lawful to retain for commercial purposes sturgeon taken incidental to any lawful commercial salmon fishery in any Grays Harbor Salmon Management and Catch Reporting Area except it is unlawful to retain white sturgeon taken prior to August 1st.

[Statutory Authority: RCW 75.08.080. 90-18-023 (Order 90-77), § 220-36-031, filed 8/24/90, effective 9/24/90; 85-06-033 (Order 85-14), § 220-36-031, filed 3/1/85.]

**Chapter 220-40 WAC
WILLAPA HARBOR**

WAC

- 220-40-015 Willapa Bay—Gill net gear specifications.
- 220-40-020 Willapa Bay salmon—Seasons and lawful gear—Salmon.
- 220-40-021 Willapa Bay salmon—Summer fishery.
- 220-40-027 Salmon—Willapa Bay fall fishery.
- 220-40-030 Willapa Bay—Seasons and lawful gear—Varieties other than salmon and sturgeon.
- 220-40-031 Willapa Bay—Seasons and lawful gear—Sturgeon.

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

- 220-40-010 Willapa Harbor—Areas. [Order 1221, § 220-40-010, filed 7/1/75; Order 1133, § 220-40-010, filed 7/19/74; Order 995, § 220-40-010, filed 8/6/72; Order 925, § 220-40-010, filed 6/3/71; Order 864, § 220-40-010, filed 5/12/70; Order 813, § 220-40-010, filed 5/5/69; Order 726, § 4 (part), filed 4/24/67; subsections 1 and 2 from Order 679, filed 4/20/66; subsections 2d and 2e from Order 544, filed 4/3/62; subsections 1, 1a, 2, 2a, 2b, from Orders 341 and 256, filed 3/1/60; subsections 1b, 1c, 1d, from Orders 476 and 256, filed 3/1/60; subsections 2c, 2f from Orders 448 and 256, filed 3/1/60; Orders 448 and 256, filed 3/1/60; Order 256, filed 3/1/60.] Repealed by Order 76-35, filed 5/11/76.
- 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.
- 220-40-026 Salmon—Willapa Bay late summer fishery. [Statutory Authority: RCW 75.08.080. 89-16-056 (Order 89-71), § 220-40-026, filed 7/28/89, effective 8/28/89.] Repealed by 90-18-023 (Order 90-77), filed 8/24/90, effective 9/24/90. Statutory Authority: RCW 75.08.080.
- 220-40-040 Willapa Harbor—Emergencies. [Order 525, filed 5/3/61; Orders 507 and 256, filed 3/1/60.] Repealed by deletion by Order 726, filed 4/24/67.

WAC 220-40-015 Willapa Bay—Gill net gear specifications. It is unlawful to fish for food fish in Willapa Bay for commercial purposes with gill net gear or to possess food fish taken from those waters with gill net gear unless:

(1) The gill net does not exceed 1,500 feet in length along the cork line; and

(2) Except as otherwise provided in this chapter, the mesh size of the gill net is not less than 5 inches or greater than 6-1/2 inches stretch measure.

[Statutory Authority: RCW 75.08.080. 89-16-056 (Order 89-71), § 220-40-015, filed 7/28/89, effective 8/28/89.]

WAC 220-40-020 Willapa Bay salmon—Seasons and lawful gear—Salmon. It shall be unlawful to take, fish for or possess salmon taken for commercial purposes in Willapa Bay fishing areas except for salmon taken with gill net gear as provided for in this chapter.

[Statutory Authority: RCW 75.08.080. 89-16-056 (Order 89-71), § 220-40-020, filed 7/28/89, effective 8/28/89; 86-15-016 (Order 86-55), § 220-40-020, filed 7/10/86; Order 1221, § 220-40-020, filed 7/1/75; Order 1116, § 220-40-020, filed 4/30/74; Order 1049, § 220-40-020, filed 4/11/73; Order 995, § 220-40-020, filed 6/8/72; Order 925, § 220-40-020, filed 6/3/71; Order 864, § 220-40-020, filed 5/12/70; Order 813, § 220-40-020, filed 5/5/69; Order 772-B, filed 4/15/68; Order 726, § 4 (part), filed 4/24/67; subsections 1 and 5 from Orders 341 and 256, filed 3/1/60; subsection 2 from Order 677, filed 3/31/66; Order 569, filed 4/11/63; subsection 6 from

Order 679, filed 4/20/66; Orders 341 and 256, filed 3/1/60; subsections 3 and 4 from Order 525, filed 5/3/61; Orders 341 and 256, filed 3/1/60.]

WAC 220-40-021 Willapa Bay salmon—Summer fishery. From July 5 through August 15 of 1994, it is unlawful to fish for salmon in Willapa Bay for commercial purposes or to possess salmon taken from those waters for commercial purposes.

[Statutory Authority: RCW 75.08.080. 94-13-014 (Order 94-46), § 220-40-021, filed 6/3/94, effective 7/4/94; 90-18-023 (Order 90-77), § 220-40-021, filed 8/24/90, effective 9/24/90; 89-16-056 (Order 89-71), § 220-40-021, filed 7/28/89, effective 8/28/89; 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 220-40-027 Salmon—Willapa Bay fall fishery. From August 16 through December 31 of each year, it is unlawful to fish for salmon in Willapa Bay for commercial purposes or to possess salmon taken from those waters for commercial purposes, except that:

Fishing period

(1) Gill net gear may be used to fish for salmon from:

(a) 6:00 p.m. August 22 to 6:00 p.m. August 23, 6:00 p.m. August 29 to 6:00 p.m. August 31, 6:00 p.m. September 6 to 6:00 p.m. September 8, and 6:00 p.m. September 13 to 6:00 p.m. September 15, 1994, in SMCRA 2J, 2K, 2M and that portion of SMCRA 2G east of a line drawn true north-south through Willapa Channel Entrance Buoy 12, and that portion of SMCRA 2H west of Willapa Channel Marker 35;

(b) 6:00 p.m. September 19 to 6:00 p.m. October 5, 1994, in SMCRA 2H, 2M and that portion of SMCRA 2G east of a line drawn true north-south through Willapa Channel Entrance Buoy 12 and that part of SMCRA 2J north of an east-west line through the north entrance marker to the Nahcotta basin (red flasher no. 2);

(c) 6:00 p.m. September 19 to 6:00 p.m. September 20, 6:00 p.m. September 22 to 6:00 p.m. September 23, 6:00 p.m. September 26 to 6:00 p.m. September 27, 6:00 p.m. September 29 to 6:00 p.m. September 30, and 6:00 p.m. October 3 to 6:00 p.m. October 4, 1994, in SMCRA 2K, and that part of SMCRA 2J south of an east-west line through the north entrance marker to the Nahcotta basin (red flasher no. 2).

(2) The Tokeland Boat basin is closed to commercial fishing during the openings in SMCRA 2G described in this section. The Tokeland Boat basin means that portion of SMCRA 2G bounded on the south by the shoreline of the boat basin, on the west by the seawall and on the north and east by a line from the Tokeland Channel Marker "3" (flashing green, 4-second) to Tokeland Channel Marker "4" to the tip of the seawall.

Gear

(3) Gill net gear shall be used as provided in WAC 220-40-015 except that before 6:00 p.m. September 20, the maximum mesh size is 8-1/2 inches.

[Statutory Authority: RCW 75.08.080. 94-16-017 (Order 94-61), § 220-40-027, filed 7/21/94, effective 8/21/94; 93-14-042 (Order 93-54), § 220-40-027, filed 6/29/93, effective 7/30/93; 90-18-023 (Order 90-77), § 220-40-027, filed 8/24/90, effective 9/24/90; 89-16-056 (Order 89-71), § 220-40-027, filed 7/28/89, effective 8/28/89.]

WAC 220-40-030 Willapa Bay—Seasons and lawful gear—Varieties other than salmon and sturgeon. (1) It shall be unlawful in Marine Fish-Shellfish Management and Catch Reporting Area 60C to fish for food fish, other than sturgeon and salmon, with purse seine or lampara gear exceeding 900 feet in length or having meshes of less than one-half inch stretch measure, or with drag seine gear exceeding 700 feet in length or having meshes of less than 4-1/2 inches stretch measure, except as provided in WAC 220-40-030(3). It is unlawful to fish for or possess salmon or sturgeon taken with purse seine, lampara, or drag seine gear.

(2) It shall be lawful to fish for and possess bottomfish taken for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Area 60C, at anytime with set line and hand line jig gear.

(3)(a) June 1 through October 31 - It shall be lawful to fish for and possess herring, anchovy, candlefish, or pilchards taken for commercial purposes with purse seine or lampara in the waters of Willapa Bay, provided such gear shall not exceed 1,400 feet in length nor contain meshes less than one-half inch stretch measure. All species of fish other than herring, anchovy, candlefish and pilchard taken in operation with such purse seine or lampara gear must be immediately, with care, returned to the water.

(b) February 1 through March 15 - Closed to all commercial herring, anchovy, candlefish or pilchard fishing except dip bag net.

(c) It shall be lawful to fish for, take and possess herring, anchovy, candlefish, or pilchards with dip bag net gear at any time in the waters of Willapa Bay.

(4) It shall be lawful to retain for commercial purposes bottomfish taken incidental to any lawful commercial salmon fishery in Willapa Bay Salmon Management and Catch Reporting Areas 2G, 2H, 2J, 2K, and 2M, and it shall be lawful to retain bottomfish taken incidental to any lawful sturgeon fishery in Marine Fish-Shellfish Management and Catch Reporting Area 60C.

(5) It shall be lawful to take, fish for and possess smelt taken with hand dip nets in any of the waters of Willapa Bay except during weekly closed periods extending from 8:00 a.m. Thursday to 8:00 p.m. Saturday.

(6) It shall be lawful to take bottom fish with drag seine in Marine Fish-Shellfish Management and Catch Reporting Area 60C from March 1 through June 30.

[Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-40-030, filed 4/2/91, effective 5/3/91; 85-06-033 (Order 85-14), § 220-40-030, filed 3/1/85; 84-15-008 (Order 84-66), § 220-40-030, filed 7/6/84; 84-08-014 (Order 84-24), § 220-40-030, filed 3/27/84; 80-09-072 (Order 80-69), § 220-40-030, filed 7/18/80; 79-05-007 (Order 79-20), § 220-40-030, filed 4/11/79; Order 77-14, § 220-40-030, filed 4/15/77; Order 76-148, § 220-40-030, filed 12/2/76; Order 76-26, § 220-40-030, filed 1:45 p.m., 4/20/76;

Order 925, § 220-40-030, filed 6/3/71; Order 864, § 220-40-030, filed 5/12/70; Order 726, § 4 (part), filed 4/24/67; subsections 1, 2, 3 from Order 679, filed 4/20/66; Order 638, filed 4/28/65; Order 605, filed 4/21/64; Order 569, filed 4/11/63; Order 544, filed 4/3/62; Order 525, filed 5/3/61; Order 507, filed 4/13/60; Orders 483 and 256, filed 2/1/60; subsection 4 from Order 544, filed 4/3/62; Order 525, filed 5/3/61; Orders 448 and 256, filed 3/1/60; subsection 5 from Order 544, filed 4/3/62; Orders 448 and 256, filed 3/1/60; subsections 6, 8, 9 from Order 525, filed 5/3/61; Orders 341 and 256, filed 3/1/60; subsection 7 from Orders 346 and 256, filed 3/1/60.]

WAC 220-40-031 Willapa Bay—Seasons and lawful gear—Sturgeon. It is unlawful to fish for or possess sturgeon taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Area 60C except at those times, with the gear, and subject to the provisions of this section:

(1) It is unlawful to take sturgeon by angling from any vessel that is engaged in commercial sturgeon fishing, has been engaged in commercial sturgeon fishing that same day, or has commercially caught sturgeon aboard.

(2) It is unlawful to retain sturgeon not of lawful size, as provided for in WAC 220-20-020(1), and all sturgeon in transit must not have head or tail removed.

(3) It is lawful to retain for commercial purposes sturgeon taken incidental to any lawful commercial salmon fishery in any Willapa Bay Salmon Management and Catch Reporting Area except it is unlawful to retain white sturgeon taken prior to August 1st.

[Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-40-031, filed 4/2/91, effective 5/3/91; 90-18-023 (Order 90-77), § 220-40-031, filed 8/24/90, effective 9/24/90; 85-06-033 (Order 85-14), § 220-40-031, filed 3/1/85.]

Chapter 220-44 WAC

COASTAL WATERS—MARINE FISH

WAC

220-44-020	Coastal baitfish gear.
220-44-030	Coastal bottomfish gear.
220-44-040	Coastal bottomfishing seasons.
220-44-050	Coastal bottomfish catch limits.
220-44-080	Otter trawl logbook required.
220-44-090	Far offshore fishery.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-44-010	Coastal waters—Areas. [Order 726, § 4 (part), filed 4/24/67; subsections 1 and 3 from Orders 355 and 256, filed 3/1/60; subsection 2 from Order 605, filed 4/21/64; Orders 355 and 256, filed 3/1/60.] Repealed by Order 76-35, filed 5/11/76.
220-44-025	Coastal waters—Special closures. [Order 813, § 220-44-025, filed 5/5/69.] Repealed by Order 1116, filed 4/30/74.
220-44-027	Coastal waters—Quillayute River—Indian fishery. [Order 1049, § 220-44-027, filed 4/11/73; Order 995, § 220-44-027, filed 6/8/72; Order 925, § 220-44-027, filed 6/3/71; Order 866, § 220-44-027, filed 6/12/70.] Repealed by Order 77-14, filed 4/15/77.
220-44-029	Coastal waters—Hoh River—Indian fishery. [Order 1049, § 220-44-029, filed 4/11/73; Order 925, § 220-44-029, filed 6/3/71; Order 866, § 220-44-029, filed 6/12/70.] Repealed by Order 77-14, filed 4/15/77.
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 220-44-020 Coastal baitfish gear. It is unlawful to fish for or possess smelt, anchovies, candlefish, herring or pilchard taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, or 60A, except as provided for in this section.

(1)(a) It is unlawful to fish for or possess smelt taken for commercial purposes except by hand net gear not exceeding 72 inches maximum frame width. It is unlawful to take smelt for commercial purposes during weekly closed periods from 8:00 a.m. Friday to 8:00 a.m. Sunday.

(b) Licensing: A smelt dip bag net fishery license is the license required to operate the gear provided for in this section.

(c) Incidental catch: It is lawful to retain only anchovies and candlefish taken incidental to a lawful smelt fishery.

(2)(a) It is unlawful to fish for or possess candlefish or anchovies taken for commercial purposes with any gear except purse seine or lampara not exceeding 1,400 feet in length nor having mesh size less than 1/2 inch, or dip bag net not exceeding 72 inches maximum frame width.

(b) Licensing:

(i) A baitfish lampara fishery license is the license required to operate the lampara gear provided for in this section.

(ii) A baitfish purse seine fishery license is the license required to operate the purse seine gear provided for in this section.

(iii) A smelt dip bag net fishery license is the license required to operate the hand dip net gear provided for in this section.

(c) Incidental catch: It is lawful to retain only shad taken incidental to a lawful anchovy or candlefish fishery. Any sturgeon must be released unharmed.

(3)(a) It is unlawful to fish for or possess herring or pilchard taken for commercial purposes except as authorized by permit issued by the director.

(b) Licensing:

(i) An emerging commercial fishery license is the license for a permittee to fish for or retain pilchard.

(ii) Herring dip bag net, herring drag seine, herring gill net, herring lampara or herring purse seine are the licenses for a permittee to fish for or retain herring.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-44-020, filed 5/19/94, effective 6/19/94; 84-08-014 (Order 84-24), § 220-44-020, filed 3/27/84; 79-06-085 (Order 79-38), § 220-44-020, filed 6/4/79; 78-10-046 (Order 78-83), § 220-44-020, filed 9/20/78; 78-05-067 and 78-06-002 (Order 78-20), § 220-44-020, filed 4/27/78 and 5/4/78; 78-04-039 (Order 78-11), § 220-44-020, filed 3/20/78; Order 77-14, § 220-44-020, filed 4/15/77; Order 1221, § 220-44-020, filed 7/1/75; Order 813, § 220-44-020, filed 5/5/69; Order 726, § 4 (part), filed 4/24/67; subsection 1 from Order 547, filed 7/5/62; Orders 384 and 256, filed 3/1/60; subsection 2 from Orders 448 and 256, filed 3/1/60; subsection 3 from Orders 397 and 256, filed 3/1/60; subsections 4 and 5 from Orders 355 and 256, filed 3/1/60; subsection 6 from Orders 406 and 256, filed 3/1/60.]

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 29, 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 roller or bobbin trawl having meshes less than 4.5 inches. A bottom roller or bobbin 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.

Chafing gear must not be connected directly to the terminal (closed) end of the codend. For all bottom roller or bobbin 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) On roller or bobbin trawls, 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) It is unlawful to use or operate a pelagic 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 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.

(e) It is unlawful to use double wall codends in any trawl gear.

(f) Licensing: A food fish trawl—non-Puget Sound fishery license is the license required to operate the gear provided for in this section.

(2) Set lines.

(a) 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.

(b) Licensing: A food fish set line fishery license is the license required to operate the gear provided for in this section.

(3) Bottomfish pots.

(a) 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.

(b) Licensing: A bottomfish pot fishery license is the license required to operate the gear provided for in this section.

(4) Commercial jig gear. Licensing: A bottomfish jig fishery license is the license required to operate the gear provided for in this section.

(5) Troll lines. Licensing: A bottomfish troll fishery license is the license required to operate the gear provided for in this section.

(6) Incidental catch.

(a) It is lawful to retain bottomfish taken incidental to any lawful salmon fishery, provided the bottomfish could be lawfully taken.

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

(c) It is lawful to retain sturgeon taken incidental to any lawful bottomfish fishery, provided the sturgeon could be lawfully taken.

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

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-44-030, filed 5/19/94, effective 6/19/94; 92-07-008 (Order 92-07), § 220-44-030, filed 3/6/92, effective 4/16/92; 88-22-033 (Order 88-157), § 220-44-030, filed 10/27/88; 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 220-44-040 Coastal bottomfishing seasons. It is lawful to take, fish for, and possess for commercial purposes bottomfish in coastal waters taken with gear described in WAC 220-44-030 all year in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, and 60A, unless otherwise provided.

[Statutory Authority: RCW 75.08.080. 84-08-014 (Order 84-24), § 220-44-040, filed 3/27/84; 83-10-016 (Order 83-31), § 220-44-040, filed 4/26/83; 82-14-056 (Order 82-72), § 220-44-040, filed 7/1/82; 81-02-053 (Order 81-3), § 220-44-040, filed 1/7/81; 79-03-014 (Order 79-11), § 220-44-040, filed 2/15/79; 78-04-039 (Order 78-11), § 220-44-040, 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 Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 29 or 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. All weights are in round pounds:

(1) The following definitions apply to this section:

(a) Cumulative limit. A cumulative limit is the maximum amount of fish that may be taken and retained, possessed or landed in a specified period of time, without a limit on the number of landings or trips. The cumulative limit includes all fish harvested by a vessel during the month, whether taken in limited entry or open access fisheries. Once a cumulative limit has been achieved, an operator may begin fishing on the next cumulative limit so

long as the fish are not landed until after the beginning of the next cumulative limit.

(b) Vessel trip. A vessel trip is defined as having occurred upon the initiation of transfer of catch from a fishing vessel.

(c) Vessel trip limit. The amount of fish that may not be exceeded per vessel trip. All fish aboard a fishing vessel upon the initiation of transfer of catch are to be counted towards the vessel trip limit.

(d) Daily trip limit. The maximum amount of fish that may be taken and retained, possessed, or landed per vessel from a single fishing trip in 24 consecutive hours, starting at 0001 hours local time.

(e) Groundfish limited entry fishery - Fishing activity by a trawl, setline or bottomfish pot equipped vessel that has received a federal limited entry permit issued by the National Marine Fisheries Service endorsed for the qualifying gear type.

(f) Groundfish open access fishery - Fishing activity by a vessel equipped with setline or bottomfish pot gear that has not received a federal limited entry permit, or a vessel using gear other than trawl, setline or bottomfish pot gear.

(2) Groundfish limited entry fishery limits:

(a) Pacific Ocean perch - No limit on the number of vessel trips landings less than 1,000 pounds per vessel trip. Landings greater than 1,000 pounds but not to exceed 3,000 pounds allowed only if Pacific Ocean perch represent 20 percent or less of fish aboard per vessel trip. No landings of more than 3,000 pounds per vessel trip. No minimum size.

(b) Widow rockfish - Cumulative limit of 30,000 pounds. No minimum size.

(c) Shortbelly rockfish - No maximum poundage. No minimum size.

(d) Black rockfish - The vessel trip limit for black rockfish for commercial fishing vessels using hook-and-line gear between the U.S. Canada border and Cape Alava (48°09'30" N. latitude) and between Destruction Island (47°40'00" N. latitude) and Leadbetter Point (46°38'10" N. latitude), is 100 pounds (round weight) or 30 percent by weight of all fish on board including salmon, whichever is greater, per vessel trip.

(e) Yellowtail rockfish -

(i) North of Cape Lookout (45°20'15" N.) - Cumulative limit of 14,000 pounds. No minimum size.

(ii) South of Cape Lookout - Cumulative limit of 30,000 pounds provided the licensee has made a declaration as follows:

(A) The declaration must be made at least 12 hours prior to departing from port by telephoning the department Montesano office at (206) 249-4628, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. The declarer will receive a declaration number from the department.

(B) The declaration must include: Vessel name; federal limited entry permit number; operator's name, phone number and address; anticipated date and port of departure; anticipated date and port of return.

(C) Phone declarations must be followed by a written declaration, signed by the operator and mailed or delivered to the Montesano office at 48A Devonshire Road, Montesano, WA 98563, prior to the day of departure. Forms are available at that office or from coastal processors.

(D) No fishing north of Cape Lookout is allowed after declaring for fishing south of Cape Lookout until the vessel has landed at a Washington or Oregon port and notified the Montesano office during business hours.

(iii) There is a maximum cumulative limit for landings from both north and south of Cape Lookout of 30,000 pounds.

(iv) Wholesale fish dealers purchasing any yellowtail rockfish caught south of Cape Lookout must enter the declaration number on the fish receiving ticket.

(f) DTS Complex - (sablefish, dover sole and thornyhead rockfish) - Cumulative limit of 50,000 pounds, of which no more than 30,000 pounds may be thornyhead rockfish.

The following limits apply to sablefish taken under this subsection:

(i) Trawl vessels - Cumulative limit of 12,000 pounds. Vessel trip limit of 1,000 pounds or 25 percent of the DTS complex, whichever is greater (the sablefish allowance equals .33 x the combined weight of dover sole and thornyhead rockfish). In the trip limit, no more than 5,000 pounds may be sablefish less than 22 inches in length. To convert sablefish from dressed weight to round weight, multiply the dressed weight by 1.6.

(ii) Nontrawl vessels - Vessel trip limit of 250 pounds (round weight). To convert round weight from dressed weight, multiply the dressed weight by 1.6.

(g) *Sebastes complex* - All other species of rockfish except Pacific Ocean perch, widow, shortbelly, thornyhead (*Sebastolobus* spp.) - Cumulative limit of 80,000 pounds. No minimum size. Black rockfish and yellowtail rockfish taken under other provisions of this section count as part of the *Sebastes complex*.

(h) Pacific whiting - No vessel trip limit. No minimum size.

(3) Groundfish open access fishery limits:

(a) Rockfish.

(i) Vessel trip limit of 10,000 pounds. The vessel trip limit for black rockfish for commercial fishing vessels using hook-and-line gear between the U.S. Canada border and Cape Alava (48°09'30" N. latitude) and between Destruction Island (47°40'00" N. latitude) and Leadbetter Point (46°38'10" N. latitude), is 100 pounds (round weight) or 30 percent by weight of all fish on board including salmon, whichever is greater, per vessel trip.

(ii) Cumulative trip limit of 40,000 pounds of which no rockfish may exceed the cumulative limits for the limited entry fisheries.

(b) Sablefish - Daily trip limit of 250 pounds.

(4) It is unlawful for the operator of any vessel, including shrimp trawl vessels, 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 cumulative limit, vessel trip limit, or a daily trip limit.

(5) The fishers copy of all fish receiving tickets showing landings of species provided for in this section must be retained aboard the landing vessel for 90 days after landing.

(6) The following rules apply to all vessels fishing with trawl gear, or having bottom fish and trawl gear aboard the vessel, and licensed by the state of Washington, except for

vessels in continuous transit from outside the fisheries management boundary to a Washington state port:

(a) It is unlawful for any vessel, except a shrimp trawl vessel, to fish or possess bottomfish without having a limited entry permit valid for that vessel affixed with a gear endorsement for trawl gear.

(b) A shrimp trawl vessel is not required to have a limited entry permit, provided that the total round pounds weight of bottomfish aboard the vessel may not exceed thirty percent of the cumulative weight of the bottomfish and shellfish aboard. It is unlawful to retain more than 1,500 pounds per fishing day of any bottomfish species taken incidental to a shrimp trawl fishery in which ocean pink shrimp comprise more than one-half of the volume of shrimp aboard. It is unlawful to retain more than 1,000 pounds per fishing day of any bottomfish species taken incidental to a shrimp trawl fishery in which spot prawns comprise more than one-half of the volume of shrimp aboard. It is unlawful for any shrimp trawl vessel to exceed a cumulative or trip limit established for the groundfish limited entry fishery as applied to trawl vessels.

[Statutory Authority: RCW 75.08.080. 94-13-077 (Order 94-51), § 220-44-050, filed 6/10/94, effective 7/11/94; 93-07-093 (Order 93-16), § 220-44-050, filed 3/22/93, effective 4/22/93; 92-07-008 (Order 97-07), § 220-44-050, filed 3/6/92, effective 4/16/92; 91-07-050 (Order 91-12), § 220-44-050, filed 3/18/91, effective 4/18/91; 90-13-108 (Order 90-26), § 220-44-050, filed 6/21/90, effective 7/22/90. Statutory Authority: RCW 75.08.070 and 75.08.080. 89-14-069 (Order 89-54), § 220-44-050, filed 6/30/89; 89-06-030 (Order 89-07), § 220-44-050, filed 2/24/89; 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 220-44-080 Otter trawl logbook required. It shall be unlawful for any operator of otter trawl gear to fail to possess and maintain a "Washington-Oregon-California Trawl Logbook" while fishing in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, 60A, 61, 62, 63, or Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 29. The logbook must be kept aboard the vessel while it is fishing in the above areas, or while having fish aboard that were caught in the above areas. The vessel operator must submit the completed logbook for inspection immediately upon request by authorized department of fisheries representatives. For each vessel trip, the operator shall record the vessel name and registration number, crew size, fuel used, departure and return date and time, general locality fished and buyers of fish landed. For each trawl tow conducted the vessel operator shall record the month and day, duration of tow, area fished, depth fished, net type, target species, and estimated weight of each species of fish retained. The departments copies of completed log sheets must be submitted to the department for each month in which fishing activity occurs. The departments copies must be received within ten days following any calendar month in which fishing activity occurred, or within ten days following the termination of commercial fishing activity, whichever occurs first.

[Statutory Authority: RCW 75.08.080. 85-08-023 (Order 85-24), § 220-44-080, filed 4/1/85.]

WAC 220-44-090 Far offshore fishery. It is unlawful for any fisher to transport through the waters of the state, or land in any Washington state port, bottomfish taken without the exclusive economic zone (more than 200 miles offshore) except as provided for in this section:

(1) Any fisher may transport bottomfish through the waters of the state or land bottomfish taken without the exclusive economic zone provided:

(a) The fisher has, at least 48 hours prior to participating in the far offshore fishery, notified the department by either writing to the Marine Fish-Shellfish Division, Washington State Fisheries, 48A Devonshire Road, Montesano, WA 98563 or telephoning the department during regular business hours Monday through Friday to (206) 586-6129. The fisher must provide the following information: Vessel name and official number; anticipated fishing dates; anticipated port of landing; and

(b) The fisher has made the vessel available for a hold inspection, if required to do so by the department, prior to departure to participate in the far offshore fishery; and

(c) The fisher has notified the department at least 24 hours prior to landing bottomfish at any Washington state port. The fisher must provide the following information: Port of landing; estimated date and time of landing; estimated species composition and weight of fish aboard.

(2) It is unlawful for any fisher to fish within or land fish taken from within the exclusive economic zone during any trip for which a declaration to participate in the far offshore fishery has been made.

(3) Fishers participating in the far offshore fishery are required to be properly licensed in order to land bottomfish into a Washington state port.

(4) This section does not apply to bottomfish which have been previously landed in another state, territory or country, does not apply to delivery by vessels other than the catcher vessel and does not apply to bottomfish taken in Canadian territorial waters.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-44-090, filed 5/19/94, effective 6/19/94.]

Chapter 220-47 WAC PUGET SOUND—SALMON

WAC

220-47-001	General provision.
220-47-121	Treaty Indian gear identification.
220-47-252	Puget Sound—Salmon preserve—Drayton Harbor.
220-47-262	Puget Sound—Salmon preserve—San Juan Island.
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.
220-47-302	Puget Sound—Lawful gear—Gill net.
220-47-303	Puget Sound—Lawful gear—Reef nets.
220-47-304	Puget Sound—All citizen salmon species seasons.
220-47-307	Closed areas—Puget Sound salmon.
220-47-310	Puget Sound net seasons—Time.
220-47-311	Purse seine—Open periods.
220-47-319	Special purse seine mesh size.
220-47-401	Reef net open periods.

220-47-411	Gill net—Open periods.	220-47-206	Puget Sound—Salmon fishing—Area 5. [Order 1066, § 220-47-206, filed 7/19/73; Order 988, § 220-47-206, filed 4/28/72.] Repealed by Order 76-35, filed 5/11/76.
220-47-412	Drift gill net and skiff gill net—Minimum mesh sizes.	220-47-207	Puget Sound—Salmon fishing—Area 6. [Order 988, § 220-47-207, filed 4/28/72.] Repealed by Order 76-35, filed 5/11/76.
220-47-500	Limited participation salmon net fisheries.	220-47-208	Puget Sound—Salmon fishing—Area 7. [Order 988, § 220-47-208, filed 4/28/72.] Repealed by Order 76-35, filed 5/11/76.
DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER			
220-47-010	Puget Sound—Salmon fishing areas. [Order 920, § 220-47-010, filed 5/13/71; Order 771-B, § 220-47-010, filed 3/29/68.] Repealed by Order 988, filed 4/28/72.	220-47-209	Puget Sound—Salmon fishing—Area 8. [Order 1210, § 220-47-209, filed 5/26/75; Order 988, § 220-47-209, filed 4/28/72.] Repealed by Order 76-35, filed 5/11/76.
220-47-020	Puget Sound—Salmon preserves. [Order 920, § 220-47-020, filed 5/13/71; Order 771-B, § 220-47-020, filed 3/29/68.] Repealed by Order 988, filed 4/28/72.	220-47-210	Puget Sound—Salmon fishing—Area 9. [Order 988, § 220-47-210, filed 4/28/72.] Repealed by Order 76-35, filed 5/11/76.
220-47-030	Puget Sound—Salmon—Lawful gear. [Order 771-B, § 220-47-030, filed 3/29/68.] Repealed by Order 988, filed 4/28/72.	220-47-211	Puget Sound—Salmon fishing—Area 10. [Order 1066, § 220-47-211, filed 7/19/73; Order 988, § 220-47-211, filed 4/28/72.] Repealed by Order 76-35, filed 5/11/76.
220-47-040	Puget Sound—Salmon—Purse seine. [Order 920, § 220-47-040, filed 5/13/71; Order 862, § 220-47-040, filed 4/16/70; Order 810, § 220-47-040, filed 4/17/69; Order 771-B, § 220-47-040, filed 3/29/68.] Repealed by Order 988, filed 4/28/72.	220-47-250	Puget Sound—Salmon preserves. [Order 988, § 220-47-250, filed 4/28/72.] Repealed by 80-10-058 (Order 80-83), filed 8/6/80. Statutory Authority: RCW 75.08.080.
220-47-050	Puget Sound—Salmon—Reef net. [Order 920, § 220-47-050, filed 5/13/71; Order 862, § 220-47-050, filed 4/16/70; Order 810, § 220-47-050, filed 4/17/69; Order 771-B, § 220-47-050, filed 3/29/68.] Repealed by Order 988, filed 4/28/72.	220-47-251	Puget Sound—Salmon preserve—Discovery Bay. [Order 988, § 220-47-251, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
220-47-060	Puget Sound—Salmon—Gill net. [Order 920, § 220-47-060, filed 5/13/71; Order 862, § 220-47-060, filed 4/16/70; Order 810, § 220-47-060, filed 4/17/69; Order 771-B, § 220-47-060, filed 3/29/68.] Repealed by Order 988, filed 4/28/72.	220-47-253	Puget Sound—Salmon preserve—Elliott Bay. [Order 988, § 220-47-253, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
220-47-070	Puget Sound—Troll line seasons—Closed periods. [Order 866, § 220-47-070, filed 6/12/70; Order 810, § 220-47-070, filed 4/17/69; Order 771-B, § 220-47-070, filed 3/29/68.] Repealed by Order 988, filed 4/28/72.	220-47-254	Puget Sound—Salmon preserve—Fidalgo Bay. [Order 988, § 220-47-254, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
220-47-100	Puget Sound—Off reservation Indian fishery—Squaxin. [Order 1057, § 220-47-100, filed 5/22/73; Order 988, § 220-47-100, filed 4/28/72; Order 920, § 220-47-100, filed 5/13/71; Order 866, § 220-47-100, filed 6/12/70; Order 810, § 220-47-100, filed 4/17/69.] Repealed by Order 77-14, filed 4/15/77.	220-47-255	Puget Sound—Salmon preserve—Hood Canal. [Order 988, § 220-47-255, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
220-47-105	Puget Sound—Off reservation Indian fishery—Makah. [Order 1057, § 220-47-105, filed 5/22/73; Order 988, § 220-47-105, filed 4/28/72; Order 920, § 220-47-105, filed 5/13/71; Order 866, § 220-47-105, filed 6/12/70.] Repealed by Order 77-14, filed 4/15/77.	220-47-256	Puget Sound—Salmon preserve—Kitsap. [Order 988, § 220-47-256, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
220-47-110	Puget Sound—Nisqually River—Indian fishery. [Order 1057, § 220-47-110, filed 5/22/73; Order 1013, § 220-47-110, filed 8/17/72; Order 920, § 220-47-110, filed 5/13/71; Order 866, § 220-47-110, filed 6/12/70.] Repealed by Order 77-14, filed 4/15/77.	220-47-257	Puget Sound—Salmon preserve—Ballard. [Order 988, § 220-47-257, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
220-47-115	Puget Sound—Puyallup River—Indian fishery. [Order 1057, § 220-47-115, filed 5/22/73; Order 1013, § 220-47-115, filed 8/17/72; Order 920, § 220-47-115, filed 5/13/71; Order 875, § 220-47-115, filed 8/13/70.] Repealed by Order 77-14, filed 4/15/77.	220-47-258	Puget Sound—Salmon preserve—South Puget Sound. [Order 988, § 220-47-258, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
220-47-120	Puget Sound—Tulalip—Indian fishery. [Order 1057, § 220-47-120, filed 5/22/73; Order 988, § 220-47-120, filed 4/28/72.] Repealed by Order 77-14, filed 4/15/77.	220-47-259	Puget Sound—Salmon preserve—Point No Point. [Order 1057, § 220-47-259, filed 5/22/73; Order 988, § 220-47-259, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
220-47-201	Puget Sound—Salmon fishing—Area 1. [Order 988, § 220-47-201, filed 4/28/72.] Repealed by Order 76-35, filed 5/11/76.	220-47-260	Puget Sound—Salmon preserve—Commencement Bay. [Order 988, § 220-47-260, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
220-47-202	Puget Sound—Salmon fishing—Area 2. [Order 988, § 220-47-202, filed 4/28/72.] Repealed by Order 76-35, filed 5/11/76.	220-47-261	Puget Sound—Salmon preserve—Samish Bay. [Order 988, § 220-47-261, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
220-47-203	Puget Sound—Salmon fishing—Area 3. [Order 1210, § 220-47-203, filed 5/26/75; Order 988, § 220-47-203, filed 4/28/72.] Repealed by Order 76-35, filed 5/11/76.	220-47-263	Puget Sound—Salmon preserve—Skagit Bay. [Order 988, § 220-47-263, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
220-47-204	Puget Sound—Salmon fishing—Area 4. [Order 988, § 220-47-204, filed 4/28/72.] Repealed by Order 76-35, filed 5/11/76.	220-47-264	Puget Sound—Salmon preserve—Port Gardner. [Statutory Authority: RCW 75.08.080. 81-18-017 (Order 81-101), § 220-47-264, filed 8/25/81; Order 988, § 220-47-264, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
220-47-205	Puget Sound—Salmon fishing—Area 4-A. [Order 988, § 220-47-205, filed 4/28/72.] Repealed by Order 76-35, filed 5/11/76.	220-47-265	Puget Sound—Salmon preserve—Port Susan. [Order 988, § 220-47-265, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
		220-47-267	Puget Sound—Salmon preserve—Washington Harbor. [Order 988, § 220-47-267, filed 4/28/72.] Repealed by

- 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
- 220-47-268 Puget Sound—Salmon preserve—Gig Harbor. [Order 988, § 220-47-268, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
- 220-47-312 Purse seine—Open periods. [Statutory Authority: RCW 75.08.080. 89-13-004 (Order 89-44), § 220-47-312, filed 6/8/89; 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.] Repealed by 90-13-025 (Order 90-49), filed 6/11/90, effective 7/12/90. Statutory Authority: RCW 75.08.080.
- 220-47-313 Purse seine—Daily hours. [Statutory Authority: RCW 75.08.080. 89-13-004 (Order 89-44), § 220-47-313, filed 6/8/89; 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.] Repealed by 90-13-025 (Order 90-49), filed 6/11/90, effective 7/12/90. Statutory Authority: RCW 75.08.080.
- 220-47-314 Point Roberts. [Statutory Authority: RCW 75.08.080. 80-10-058 (Order 80-83), § 220-47-314, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-314, filed 4/13/78; Order 77-14, § 220-47-314, filed 4/15/77; Order 76-41, § 220-47-314, filed 6/4/76; Order 1210, § 220-47-314, filed 5/26/75; Order 1125, § 220-47-314, filed 6/6/74; Order 1057, § 220-47-314, filed 5/22/73; Order 988, § 220-47-314, filed 4/28/72.] Repealed by 84-13-078 (Order 84-53), filed 6/21/84. Statutory Authority: RCW 75.08.080.
- 220-47-315 Puget Sound—Purse seine—West Beach. [Order 1210, § 220-47-315, filed 5/26/75; Order 1125, § 220-47-315, filed 6/6/74; Order 1057, § 220-47-315, filed 5/22/73; Order 988, § 220-47-315, filed 4/28/72.] Repealed by Order 76-41, filed 6/4/76.
- 220-47-316 Puget Sound—Purse seine—East Pass. [Order 988, § 220-47-316, filed 4/28/72.] Repealed by Order 77-14, filed 4/15/77.
- 220-47-317 Carr Inlet. [Order 77-14, § 220-47-317, filed 4/15/77; Order 1143, § 220-47-317, filed 8/8/74; Order 1125, § 220-47-317, filed 6/6/74; Order 1057, § 220-47-317, filed 5/22/73; Order 1000, § 220-47-317, filed 6/28/72; Order 988, § 220-47-317, filed 4/28/72.] Repealed by 80-10-058 (Order 80-83), filed 8/6/80. Statutory Authority: RCW 75.08.080.
- 220-47-318 Puget Sound—Discovery Bay. [Order 988, § 220-47-318, filed 4/28/72.] Repealed by Order 1057, filed 5/22/73.
- 220-47-320 Puget Sound—Purse seine—Liplip Point—Point Wells. [Order 1057, § 220-47-320, filed 5/22/73; Order 988, § 220-47-320, filed 4/28/72.] Repealed by Order 77-14, filed 4/15/77.
- 220-47-321 Puget Sound—Purse seine—Port Susan. [Order 1066, § 220-47-321, filed 7/19/73.] Repealed by Order 77-14, filed 4/15/77.
- 220-47-322 Puget Sound—Purse seine—Samish Bay. [Order 1251, § 220-47-322, filed 8/18/75; Order 1066, § 220-47-322, filed 7/19/73.] Repealed by Order 77-14, filed 4/15/77.
- 220-47-323 Puget Sound—Purse seine—Point No Point. [Order 1066, § 220-47-323, filed 7/19/73.] Repealed by Order 77-14, filed 4/15/77.
- 220-47-324 Cherry Point. [Statutory Authority: RCW 75.08.080. 78-05-018 (Order 78-16), § 220-47-324, filed 4/13/78; Order 77-14, § 220-47-324, filed 4/15/77.] Repealed by 80-10-058 (Order 80-83), filed 8/6/80. Statutory Authority: RCW 75.08.080.
- 220-47-402 Reef net—Weekly periods. [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.] Repealed by 90-13-025 (Order 90-49), filed 6/11/90, effective 7/12/90. Statutory Authority: RCW 75.08.080.
- 220-47-403 Reef net—Daily hours. [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.] Repealed by 90-13-025 (Order 90-49), filed 6/11/90, effective 7/12/90. Statutory Authority: RCW 75.08.080.
- 220-47-413 Gill net—Daily hours. [Statutory Authority: RCW 75.08.080. 89-13-004 (Order 89-44), § 220-47-413, filed 6/8/89; 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.] Repealed by 90-13-025 (Order 90-49), filed 6/11/90, effective 7/12/90. Statutory Authority: RCW 75.08.080.
- 220-47-414 Gill net—Mesh sizes. [Statutory Authority: RCW 75.08.080. 89-13-004 (Order 89-44), § 220-47-414, filed 6/8/89; 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.] Repealed by 90-13-025 (Order 90-49), filed 6/11/90, effective 7/12/90. Statutory Authority: RCW 75.08.080.
- 220-47-415 Gill net—Point Roberts. [Statutory Authority: RCW 75.08.080. 78-05-018 (Order 78-16), § 220-47-415, filed 4/13/78; Order 77-14, § 220-47-415, filed 4/15/77; Order 76-41, § 220-47-415, filed 6/4/76; Order 1210, § 220-47-415, filed 5/26/75; Order 1125, § 220-47-415, filed 6/6/74; Order 1057, § 220-47-415, filed 5/22/73; Order 988, § 220-47-415, filed 4/28/72.] Repealed by 80-10-058 (Order 80-83), filed 8/6/80. Statutory Authority: RCW 75.08.080.
- 220-47-416 Puget Sound—Gill net—West Beach. [Order 1210, § 220-47-416, filed 5/26/75; Order 1125, § 220-47-416, filed 6/6/74; Order 1057, § 220-47-416, filed 5/22/73; Order 988, § 220-47-416, filed 4/28/72.] Repealed by Order 76-41, filed 6/4/76.
- 220-47-417 Puget Sound—Gill net—East Pass. [Order 988, § 220-47-417, filed 4/28/72.] Repealed by Order 77-14, filed 4/15/77.
- 220-47-418 Carr Inlet. [Order 77-14, § 220-47-418, filed 4/15/77; Order 1143, § 220-47-418, filed 8/8/74; Order 1057, § 220-47-418, filed 5/22/73; Order 1000, § 220-47-418, filed 6/28/72; Order 988, § 220-47-418, filed 4/28/72.] Repealed by 80-10-058 (Order 80-83), filed 8/6/80. Statutory Authority: RCW 75.08.080.
- 220-47-419 Puget Sound—Discovery Bay. [Order 988, § 220-47-419, filed 4/28/72.] Repealed by Order 1057, filed 5/22/73.
- 220-47-420 Puget Sound—Gill net—Liplip Point—Point Wells. [Order 1057, § 220-47-420, filed 5/22/73; Order 988, § 220-47-420, filed 4/28/72.] Repealed by Order 77-14, filed 4/15/77.
- 220-47-421 Puget Sound—Admiralty Inlet. [Order 988, § 220-47-421, filed 4/28/72.] Repealed by Order 1066, filed 7/19/73.
- 220-47-422 Puget Sound—Saratoga Passage. [Order 988, § 220-47-422, filed 4/28/72.] Repealed by Order 1057, filed 5/22/73.
- 220-47-423 Puget Sound—Gill net—Samish Bay. [Order 1057, § 220-47-423, filed 5/22/73; Order 988, § 220-47-423, filed 4/28/72.] Repealed by Order 77-14, filed 4/15/77.
- 220-47-424 Puget Sound—Gill net—Point No Point. [Order 1066, § 220-47-424, filed 7/19/73.] Repealed by Order 77-14, filed 4/15/77.
- 220-47-425 Puget Sound—Gill net—Port Susan. [Order 1066, § 220-47-425, filed 7/19/73.] Repealed by Order 77-14, filed 4/15/77.
- 220-47-426 Cherry Point. [Statutory Authority: RCW 75.08.080. 78-05-018 (Order 78-16), § 220-47-426, filed 4/13/78; Order 77-14, § 220-47-426, filed 4/15/77.] Repealed by 80-10-058 (Order 80-83), filed 8/6/80. Statutory Authority: RCW 75.08.080.
- 220-47-501 Puget Sound—Troll lines—Seasons. [Order 988, § 220-47-501, filed 4/28/72.] Repealed by Order 1116, filed 4/30/74. Later promulgation, see WAC 220-47-50101.
- 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.
- 220-47-502 Puget Sound—Weekly periods. [Order 988, § 220-47-502, filed 4/28/72.] Repealed by Order 1116, filed 4/30/74. Later promulgation, see WAC 220-47-50201.
- 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 220-47-001 General provision. It shall be unlawful to take, fish for or possess salmon for commercial purposes in any Puget Sound Salmon Management and Catch Reporting Area unless taken lawfully by specific regulations in chapter 220-47 or 220-28 WAC.

[Statutory Authority: RCW 75.08.080. 78-05-018 (Order 78-16), § 220-47-001, filed 4/13/78; Order 77-14A, § 202-47-001 (codified as WAC 220-47-001), filed 4/21/77; Order 77-14, § 220-47-001, filed 4/15/77.]

WAC 220-47-121 Treaty Indian gear identification. It shall be unlawful for any person exercising his or her treaty Indian fishing rights at usual and accustomed grounds and stations within the Point No Point, Makah, Quinault, Medicine Creek, and Point Elliott treaty areas to leave any gear unattended unless there is affixed to it an identification tag of tribal affiliation and specific fisherman identification.

[Statutory Authority: RCW 75.08.080. 84-13-078 (Order 84-53), § 220-47-121, filed 6/21/84; Order 76-26, § 220-47-121, filed 1:45 p.m., 4/20/76.]

WAC 220-47-252 Puget Sound—Salmon preserve—Drayton Harbor. "Drayton Harbor Salmon Preserve" shall include all the waters of Drayton Harbor and tributaries thereto lying inside and easterly of a line projected from Semiahmoo Spit to the Blaine Boathaven Dock.

[Order 988, § 220-47-252, filed 4/28/72.]

WAC 220-47-262 Puget Sound—Salmon preserve—San Juan Island. "San Juan Island Salmon Preserve" shall include those waters of Puget Sound lying inside the following lines: A line projected from Decatur Island Light across Lopez Pass to Lopez Island, a line projected from Fauntleroy Point on Decatur Island through Lawson Rock to Blakely Island; a line projected from Deer Point on Orcas Island across Spindle Rock to Blakely Island; a line projected from the most southwesterly point of Orcas Island, located in Section 13, Township 36 North, Range 3 West, W.M., to Neck Point on Shaw Island; and a line projected from Flat Point on Lopez Island to the most westerly point on Canoe Island, thence true north to the shoreline of Shaw Island, excluding the waters of Puget Sound Salmon Management and Catch Reporting Area 7E.

[Statutory Authority: RCW 75.08.080. 86-13-038 (Order 86-46), § 220-47-262, filed 6/12/86; Order 988, § 220-47-262, filed 4/28/72.]

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 220-47-302 Puget Sound—Lawful gear—Gill net. (1) Lawful **drift gill net** salmon gear in Puget Sound shall not exceed 1,800 feet in length nor contain meshes of a size less than 5 inches.

(2) Lawful skiff gill net salmon nets in Puget Sound shall not exceed 300 feet in length and 90 meshes in depth nor contain meshes of a size less than 5 inches. Nets must be retrieved by hand (no hydraulics may be used). The skiff from which the net is deployed shall not exceed 20 feet in length. Nets must be attended by the fisher at all times.

(3) Drift gill nets and skiff gill nets shall be operated substantially in a straight line. Circle setting or setting other than substantially in a straight line shall be unlawful.

(4) All gill net gear used in Puget Sound must have floats or corks of a contrasting color attached in 50-foot intervals along the corkline.

[Statutory Authority: RCW 75.08.080. 93-14-041 (Order 93-55), § 220-47-302, filed 6/29/93, effective 7/30/93; 92-15-105 (Order 92-47), § 220-47-302, filed 7/20/92, effective 8/20/92; Order 988, § 220-47-302, filed 4/28/72.]

WAC 220-47-303 Puget Sound—Lawful gear—Reef nets. Lawful **reef net** salmon nets in Puget Sound shall not exceed 300 meshes on any side nor contain meshes of a size less than 3-1/2 inches nor utilize more than two leads. Each of said leads shall not exceed 200 feet in length measured from the bows of the reef net boats to the nearest end of the head buoys. The use of any false, detached or auxiliary lead shall be unlawful.

[Order 988, § 220-47-303, filed 4/28/72.]

WAC 220-47-304 Puget Sound—All citizen salmon species seasons. The following are Puget Sound all citizens salmon species seasons listed by area and species:

AREA	SPECIES	DATE	RANGE
7,7A:	CHUM	10/9	11/26
7B:	CHINOOK	8/7	9/10
	COHO	9/11	10/29
	CHUM	10/30	12/17
7C:	CHINOOK	8/7	10/15
8:	CHUM	10/23	11/26
8A:	CHUM	10/23	12/3
	COHO	9/25	11/12
8D:	CHUM	11/13	12/3
	COHO	9/18	11/5
9A:	CHUM	10/16	11/19
10,11:	CHUM	10/16	11/19
12:	CHUM	10/16	11/19
12B:	CHUM	10/23	11/19
12C:	CHUM	11/06	11/26

[Statutory Authority: RCW 75.08.080. 94-15-001 (Order 94-62), § 220-47-304, filed 7/6/94, effective 8/6/94; 93-14-041 (Order 93-55), § 220-47-304, filed 6/29/93, effective 7/30/93; 92-15-105 (Order 92-47), § 220-47-304, filed 7/20/92, effective 8/20/92; 91-18-024 (Order 91-72), § 220-47-304, filed 8/27/91, effective 9/27/91; 90-13-025 (Order 90-49), § 220-47-304, filed 6/11/90, effective 7/12/90; Order 988, § 220-47-304, filed 4/28/72.]

WAC 220-47-307 Closed areas—Puget Sound salmon. It is unlawful at any time, unless otherwise provided, 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:

Areas 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 through the green light at the entrance jetty of the Snohomish River and across the mouth of the Snohomish River to landfall on the eastern shore, 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 - (1) Those waters easterly of a line projected from Meadow Point to West Point.

(2) Those waters of Port Madison northwest of a line from the Agate Pass entrance light to the light on the end of the Indianola dock.

(3) Additional coho seasonal closure: Those waters of Elliott Bay east of a line from Alki Point to the light at Fourmile Rock and those waters northerly of a line projected from Point Wells to "SF" Buoy then west to President's Point.

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 projected from Fisherman's Point on the Bolton Peninsula to the boat haven at Quilcene and those waters north of a line projected due east from Broad Spit.

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

Areas 12, 12A, and 12B - Additional chinook seasonal closure: Those waters north and east of a line projected from Tekiu Point to Triton Head.

Areas 12, 12B and 12C - Additional chum seasonal closure: During 1994 those waters within 1,000 feet of the eastern shore.

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

(2) Those waters south of a line projected from the Cushman Powerhouse to the public boat ramp at Union.

(3) Those waters within 1/4 mile of the mouth of the Dewatto River.

Areas 12, 12B, 12C, and 12D - Additional coho and chum seasonal closure: Those waters of Area 12 south and west of a line projected 94 degrees true from Hazel Point to the light on the opposite shore, bounded on the west by the Area 12/12B boundary line, and those waters of Areas 12B, 12C, and 12D south of a line projected from Tekiu Point to Triton Head.

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. 94-15-001 (Order 94-62), § 220-47-307, filed 7/6/94, effective 8/6/94; 92-15-105 (Order 92-47), § 220-47-307, filed 7/20/92, effective 8/20/92; 91-18-024 (Order 91-72), § 220-47-307, filed 8/27/91, effective 9/27/91; 90-13-025 (Order 90-49), § 220-47-307, filed 6/11/90, effective 7/12/90; 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 220-47-310 Puget Sound net seasons—Time.

During the openings provided for in this chapter, all times stated are Pacific Standard Time from January 1 through the first Saturday in April and from the last Sunday in October through December 31, and Pacific Daylight Time from the first Sunday in April to the last Saturday in October.

[Statutory Authority: RCW 75.08.080. 91-18-024 (Order 91-72), § 220-47-310, filed 8/27/91, effective 9/27/91.]

WAC 220-47-311 Purse seine—Open periods.

During 1994, it is unlawful to take, fish for or possess salmon taken with purse seine gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the periods provided for hereinafter in each respective Management and Catch Reporting Area:

AREA	TIME	DATE	TIME	DATE
7, 7A:	6AM	-	5PM	11/01, 11/02
7B:	6AM	9/12	4PM	11/12
8:	6AM	-	5PM	11/01, 11/07 11/08
	7AM	-	5PM	11/15, 11/16
8A, 8D:	6AM	-	5PM	11/1, 11/07, 11/08
10, 11:	7AM	-	6PM	10/24
	6AM	-	5PM	11/1, 11/07
12, 12B:	6AM	-	5PM	11/1, 11/07, 11/08

All other saltwater and freshwater areas - closed.

[Statutory Authority: RCW 75.08.080. 94-15-001 (Order 94-62), § 220-47-311, filed 7/6/94, effective 8/6/94; 93-14-041 (Order 93-55), § 220-47-311, filed 6/29/93, effective 7/30/93; 92-15-105 (Order 92-47), § 220-47-311, filed 7/20/92, effective 8/20/92; 91-18-024 (Order 91-72), § 220-47-311, filed 8/27/91, effective 9/27/91; 90-13-025 (Order 90-49), § 220-47-311, filed 6/11/90, effective 7/12/90; 89-13-004 (Order 89-44), § 220-47-311, filed 6/8/89; 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 220-47-319 Special purse seine mesh size. It shall be unlawful to take, fish for or possess salmon taken with purse seine gear in any Puget Sound Salmon Management and Catch Reporting Area exclusive of Fraser Panel sockeye and pink salmon management unless said purse seine gear is constructed so that the first 100 meshes below the corkline that are within 75 fathoms of the bunt, excluding the bunt, are of a size not less than 5 inches stretch measure.

[Statutory Authority: RCW 75.08.080. 92-15-105 (Order 92-47), § 220-47-319, filed 7/20/92, effective 8/20/92; 91-18-024 (Order 91-72), § 220-47-319, filed 8/27/91, effective 9/27/91; 90-13-025 (Order 90-49), § 220-47-319, filed 6/11/90, effective 7/12/90; 85-13-032 (Order 85-60), § 220-47-319, filed 6/12/85; 84-13-078 (Order 84-53), § 220-47-319, filed 6/21/84; 80-10-058 (Order 80-83), § 220-47-319, filed 8/6/80; Order 77-14, § 220-47-319, filed 4/15/77; Order 1066, § 220-47-319, filed 7/19/73; Order 988, § 220-47-319, filed 4/28/72.]

WAC 220-47-401 Reef net open periods. During 1994, it is unlawful to take, fish for or possess salmon taken with reef net gear for commercial purposes in Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Area, during the periods provided for hereinafter in each respective area:

AREA	TIME	-	DATE(S)
7, 7A	7AM - 7PM		Daily 10/09 - 10/22

It is unlawful to retain coho salmon taken with reef net gear. All other saltwater and freshwater areas - closed.

[Statutory Authority: RCW 75.08.080. 94-15-001 (Order 94-62), § 220-47-401, filed 7/6/94, effective 8/6/94; 93-14-041 (Order 93-55), § 220-47-401, filed 6/29/93, effective 7/30/93; 92-15-105 (Order 92-47), § 220-47-401, filed 7/20/92, effective 8/20/92; 91-18-024 (Order 91-72), § 220-47-401, filed 8/27/91, effective 9/27/91; 90-13-025 (Order 90-49), § 220-47-401, filed 6/11/90, effective 7/12/90; 89-13-004 (Order 89-44), § 220-47-401, filed 6/8/89; 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; 85-13-032 (Order 85-60), § 220-47-401, filed 6/12/85; 84-13-078 (Order 84-53), § 220-47-401, filed 6/21/84; 83-14-020 (Order 83-57), § 220-47-401, filed 6/28/83; 82-15-040 (Order 82-83), § 220-47-401, filed 7/15/82; 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 220-47-411 Gill net—Open periods. During 1994, it is unlawful to take, fish for or possess salmon taken with gill net gear for commercial purposes from Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas during the seasons provided for hereinafter in each respective fishing area:

AREA	TIME		DATE(S)
7,7A:	4PM - 8AM		NIGHTLY 10/31, 11/1
7B:	7PM - 7AM		NIGHTLY 8/8, 8/9, 8/10, 8/15, 8/16, 8/22, 8/23
	6AM	9/14 through	4PM 11/12
8:	4PM - 8AM		NIGHTLY 10/31, 11/7, 11/8, 11/14, 11/15
8A,8D:	4PM - 8AM		NIGHTLY 10/31, 11/7, 11/8, 11/9, 11/10, 11/14, 11/15, 11/16, 11/17, 11/21, 11/22
9A:	6AM	9/19 through	4PM 9/23
	6AM	9/26 through	4PM 9/30
	6AM	10/3 through	4PM 10/7
	6AM	10/10 through	4PM 10/14
	6AM	10/17 through	4PM 10/21
	6AM	10/24 through	4PM 10/28
	6AM	10/31 through	4PM 11/4
10,11:	5PM	10/24 -	8AM 10/25
	4PM - 8AM		NIGHTLY 10/31, 11/07, 11/14
12,12B:	4PM - 8AM		NIGHTLY 10/31, 11/7, 11/8, 11/14, 11/15, 11/16

All other saltwater and freshwater areas - closed.
Nightly openings refer to the start date.

[Statutory Authority: RCW 75.08.080. 94-15-001 (Order 94-62), § 220-47-411, filed 7/6/94, effective 8/6/94; 93-14-041 (Order 93-55), § 220-47-411, filed 6/29/93, effective 7/30/93; 92-15-105 (Order 92-47), § 220-47-411, filed 7/20/92, effective 8/20/92; 91-18-024 (Order 91-72), § 220-47-411, filed 8/27/91, effective 9/27/91; 90-13-025 (Order 90-49), § 220-47-411, filed 6/11/90, effective 7/12/90; 89-13-004 (Order 89-44), § 220-47-411, filed 6/8/89; 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 Drift gill net and skiff gill net—Minimum mesh sizes. It is unlawful to take, fish for or possess salmon taken with net gear using mesh less than the size hereinafter designated for each species season:

CHINOOK SEASON	7" MINIMUM MESH
COHO SEASON	5" MINIMUM MESH
PINK SEASON	5" MINIMUM MESH
CHUM SEASON	6" MINIMUM MESH
	6.25" MINIMUM MESH for areas
	8, 12, 12B and 12C, only, through
	12/31/94. Effective 1/1/95, 6.25"
	MINIMUM MESH

[Statutory Authority: RCW 75.08.080. 94-15-001 (Order 94-62), § 220-47-412, filed 7/6/94, effective 8/6/94; 92-15-105 (Order 92-47), § 220-47-412, filed 7/20/92, effective 8/20/92; 90-13-025 (Order 90-49), § 220-47-412, filed 6/11/90, effective 7/12/90; 89-13-004 (Order 89-44), § 220-47-412, filed 6/8/89; 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 220-47-500 Limited participation salmon net fisheries. (1) When the director determines that a harvestable amount of salmon appears to be available, but that full-fleet fishing effort has an unacceptable risk of exceeding the available harvest or compromises other specific management objectives, the director may authorize a limited participation fishery in extreme terminal fishing areas in order to provide additional opportunities for net fisheries where they might not otherwise exist. Such a fishery may be authorized for experimental or developmental fisheries, fisheries necessary to refine run size data, fisheries necessary to provide biological information, or in cases where:

(a) Other specific management objectives have been stated for the species and area in question; or

(b) There is a reasonable expectation that foregone opportunity will be claimed and the harvestable surplus cannot be carried forward to the next year of harvest; and

(c) Full-fleet participation with time, space, or gear restrictions cannot achieve the harvest goal.

(2) Only licensed commercial salmon fishers may participate in a limited participation fishery. Only one listing is allowed per license. Fishers who wish to have their name placed on a limited participation register must mark the appropriate box on their license renewal application, or so notify the department, in writing, by July 31st. Interested fishers must provide a message phone number at which they may be contacted.

(3) Each year the department will, from the list of interested fishers, use random selection to create a priority list for gill net fishers and a priority list for purse seine fishers. Priority registers will be available for inspection at the department's Olympia office, or upon written request to the department. Once the priority lists have been created, sale or transfer of the license shall invalidate the receiver from participation in that year's limited participation fishery.

(4) The number of units of each gear type selected to participate in a limited participation fishery will reflect the most recent ratio of gear types in the full-fleet fishery directed at the species in question, except when conservation

concerns, biological data collection needs, or specific management objectives dictate alternative ratios or use of a single gear type.

(5) When a limited participation fishery is authorized, the department will contact fishers from the priority register at least twenty-four hours prior to the opening of the fishery. When a fisher cannot be contacted after reasonable effort, the department will select the next name, until the maximum number of allowable units of gear is reached. If not reached, the fisher's name will remain at the priority position, but the fisher may not participate in that limited participation fishery. Agreement to participate, or declining to participate, will remove the fisher from the priority position, and place the name at the bottom of the priority list.

(6) Examples of specific management objectives include but are not limited to:

(a) Reducing levels of incidental catch of wild salmon stocks;

(b) Reducing incidental catch of nontarget salmon species originating from regions other than the fishing area; or

(c) Specific recreational emphasis action.

[Statutory Authority: RCW 75.08.080. 92-15-105 (Order 92-47), § 220-47-500, filed 7/20/92, effective 8/20/92; 90-13-025 (Order 90-49), § 220-47-500, filed 6/11/90, effective 7/12/90.]

Chapter 220-48 WAC

PUGET SOUND—FISH OTHER THAN SALMON

WAC

220-48-001	Puget Sound bottomfish gear.
220-48-005	Puget Sound bottomfish—General provisions.
220-48-011	Beam trawl and otter trawl—Gear.
220-48-013	Beam trawl and otter trawl logbooks.
220-48-015	Beam trawl and bottom trawl—Seasons.
220-48-016	Pelagic trawl—Gear—Licensing.
220-48-017	Pelagic trawl—Seasons.
220-48-019	Roller 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.
220-48-028	Set net—Dogfish—Gear.
220-48-029	Set net—Dogfish—Seasons.
220-48-031	Set line—Gear.
220-48-032	Set line—Seasons.
220-48-041	Commercial jig—Gear.
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220-48-051	Troll lines—Bottomfish—Gear.
220-48-052	Bottomfish troll—Seasons.
220-48-061	Drag seines—Gear.
220-48-062	Drag seines—Seasons.
220-48-071	Bottomfish pots—Gear and seasons.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-48-010	Puget Sound—Salmon fishing areas. [Order 721, § 3 (part), filed 3/9/67; subsection 1 from Orders 421 and 256, filed 3/1/60; subsections 2, 11 from Orders 448 and 256, filed 3/1/60; subsections 3, 7, 9 from Orders 380 and 256, filed 3/1/60; subsection 4 from Order 543, filed 3/20/62; Orders 380 and 256, filed 3/1/60; subsection (5) from Order 543, filed 3/20/62; subsection 6 from Orders 422 and 256, filed 3/1/60; subsection 8 from Order 507, filed 4/13/60; Orders 380 and 256, filed 3/1/60; subsection 10 from Orders 452 and 256, filed 3/1/60.] Rescinded by Order 771-B, filed 3/29/68. Later promulgation, see WAC 220-47-010.
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- 220-48-020 Puget Sound—Salmon preserves. [Order 721, § 3 (part), filed 3/9/67; subsections 1-4, 6-10, 12, 15, 17 from Orders 380 and 256, filed 3/1/60; subsection 5 from Order 568, filed 3/26/63; Orders 380 and 256, filed 3/1/60; subsection 11 from Order 677, filed 3/31/66; Order 525, filed 5/3/61; Orders 380 and 256, filed 3/1/60; subsection 13 from Orders 452 and 256, filed 3/1/60; subsections 14, 18 from Orders 421 and 256, filed 3/1/60; subsection 16 from Order 605, filed 4/21/64; Orders 421 and 256, filed 3/1/60; subsection 19 from Order 677, filed 3/31/66.] Rescinded by Order 771-B, filed 3/29/68. Later promulgation, see WAC 220-47-020.
- 220-48-030 Puget Sound—Salmon, lawful gear. [Order 721, § 3 (part), filed 3/9/67; subsections 1-4 from Order 677, filed 3/31/66; Order 635, filed 3/31/66; Orders 317 and 256, filed 3/1/60; subsection 2 from Order 569, filed 4/11/63; Orders 421 and 256, filed 3/1/60; subsection 3 from Order 525, filed 5/3/61; Orders 317 and 256, filed 3/1/60.] Rescinded by Order 771-B, filed 3/29/68. Later promulgation, see WAC 220-47-030.
- 220-48-040 Puget Sound—Salmon—Purse seine and reef net seasons. [Order 721, § 3 (part), filed 3/9/67; subsections 1-6 from Order 677, filed 3/31/66; Order 635, filed 3/31/65; Order 603, filed 3/25/64; Order 568 (part), filed 3/26/63; Order 543 (part), filed 3/20/62; Order 525, filed 5/3/61; Order 507, filed 4/13/60; Order 256, filed 3/1/60; subsection 7 from Order 570, filed 5/17/63; subsection 8 from Order 677, filed 3/31/66; Order 635, filed 3/31/65; subsection 9 from Order 638, filed 4/28/66.] Rescinded by Order 771-B, filed 3/29/68. Later promulgation, see WAC 220-47-040 and 220-47-050.
- 220-48-045 Puget Sound—Emergencies. [Order 570, filed 5/17/63.] Repealed by Order 721, § 2 (part), filed 3/9/67.
- 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.
- 220-48-050 Puget Sound—Salmon—Gill net seasons. [Order 725, § 1, filed 4/11/67; Order 722, § 1, filed 3/14/67; Order 721, § 3 (part), filed 3/9/67; subsections 1-7 from Order 677, filed 3/31/66; Order 635, filed 3/31/65; 603, filed 3/25/64; Order 568 (part), filed 3/26/63; Order 543, filed 3/20/62; Order 525, filed 5/3/61; Order 507, filed 4/13/60; Order 256, filed 3/1/60; subsections 8 and 9 from Order 568, filed 3/26/63; Order 543, filed 3/20/62; Order 525, filed 5/3/61; Order 507, filed 4/13/60; Order 25, filed 3/1/60; subsection 10 from Order 677, filed 3/31/66.] Rescinded by Order 771-B, filed 3/29/68. Later promulgation, see WAC 220-47-060.
- 220-48-055 Puget Sound—Emergencies. [Order 568, filed 3/26/63.] Repealed by Order 721, § 2 (part), filed 3/9/67.
- 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.
- 220-48-060 Puget Sound—Salmon—Troll line seasons. [Order 721, § 3 (part), filed 3/9/67; subsections 1-3 from Order 568, filed 3/26/63; Orders 483 and 256, filed 3/1/60.] Rescinded by Order 771-B, filed 3/29/68. Later promulgation, see WAC 220-47-070.
- 220-48-065 Puget Sound—Emergencies. [Order 525, § 15, filed 5/3/61; Order 507, § 12, filed 4/13/60; Orders 483 and 256, filed 3/1/60.] Repealed by Order 721, § 2 (part), filed 3/9/67.
- 220-48-070 Puget Sound—Bottomfish areas. [Order 758, § 4 (part), filed 10/16/67; Orders 344 and 256, filed 3/1/60.] Repealed by Order 76-148, filed 12/2/76.
- 220-48-080 Puget Sound bottomfish gear. [Statutory Authority: RCW 75.08.080. 81-02-053 (Order 81-3), § 220-48-080, filed 1/7/81; 79-03-014 (Order 79-11), § 220-48-080, filed 2/15/79; 78-04-039 (Order 78-11), § 220-48-080, filed 3/20/78; Order 77-147, § 220-48-080, filed 12/16/77; Order 77-14, § 220-48-080, filed 4/15/77; Order 76-148, § 220-48-080, filed 12/2/76; 76-26, § 220-48-080, filed 1:45 P.M., 4/20/76; Order 1193-A, § 220-48-080, filed 3/5/75; Order 1193, § 220-48-080, filed 3/4/75; Order 1105, § 220-48-080, filed 12/28/73; Order 945, § 220-48-080, filed 8/16/71; Order 892, § 220-48-080, filed 9/22/70; Order 817, § 220-48-080, filed 5/29/69; Order 770-A, § 220-48-080, filed 2/15/68; Order 758, § 4 (part), filed 10/16/67; subsections 1a-1e, 2-7 from Orders 344 and 256, filed 3/1/60; subsection 1f from Orders 444 and 256, filed 3/1/60; subsection 8 from Orders 396 and 256, filed 3/1/60.] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.
- 220-48-090 Otter trawl and beam trawl seasons. [Order 77-147, § 220-48-090, filed 12/16/77; Order 77-14, § 220-48-090, filed 4/15/77; Order 76-148, § 220-48-090, filed 12/2/76; Order 1193, § 220-48-090, filed 3/4/75; Order 817, § 220-48-090, filed 5/29/69; Order 770-A, § 220-48-090, filed 2/15/68; Order 758, § 4 (part), filed 10/16/67; subsections 1-4 from Order 344, filed 3/1/60; subsection 5 from Order 355, filed 3/1/60; subsection 6 from Orders 370 and 256, filed 3/1/60.] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.
- 220-48-09001 Size limit—Dab and sole. [Statutory Authority: RCW 75.08.080. 81-02-053 (Order 81-3), § 220-48-09001, filed 1/7/81.] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.
- 220-48-091 Set net—Pacific cod—Seasons. [Statutory Authority: RCW 75.08.080. 81-02-053 (Order 81-3), § 220-48-091, filed 1/7/81; Order 77-147, § 220-48-091, filed 12/16/77; Order 76-148, § 220-48-091, filed 12/2/76.] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.
- 220-48-092 Set net—Pacific cod—Gear. [Statutory Authority: RCW 75.08.080. 81-02-053 (Order 81-3), § 220-48-092, filed 1/7/81; Order 77-147, § 220-48-092, filed 12/16/77; Order 76-148, § 220-48-092, filed 12/2/76.] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.
- 220-48-095 Set net—Dogfish—Gear. [Order 77-147, § 220-48-095, filed 12/16/77; Order 76-148, § 220-48-095, filed 12/2/76.] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.
- 220-48-096 Set net—Dogfish—Seasons. [Statutory Authority: RCW 75.08.080. 81-02-053 (Order 81-3), § 220-48-096, filed 1/7/81; 78-04-039 (Order 78-11), § 220-48-096, filed 3/20/78; Order 77-147, § 220-48-096, filed 12/16/77; Order 76-148, § 220-48-096, filed 12/2/76.] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.
- 220-48-098 Lingcod—Seasons. [Statutory Authority: RCW 75.08.080. 81-02-053 (Order 81-3), § 220-48-098, filed 1/7/81; 78-04-039 (Order 78-11), § 220-48-098, filed 3/20/78.] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.
- 220-48-100 Seasons—Other bottomfish gears. [Statutory Authority: RCW 75.08.080. 81-02-053 (Order 81-3), § 220-48-100, filed 1/7/81; 79-03-014 (Order 79-11), § 220-48-100, filed 2/15/79; Order 77-147, § 220-48-100, filed 12/16/77; Order 76-148, § 220-48-100, filed 12/2/76; Order 1193, § 220-48-100, filed 3/4/75; Order 758, § 4 (part), filed 10/16/67; subsection 1 from Order 543, filed 3/20/62; Orders 398 and 256, filed 3/1/60; subsection 2 from Order 371, filed 3/1/60; subsection 3 from Orders 350 and 256, filed 3/1/60.] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.
- 220-48-110 Puget Sound—Herring and candlefish—Areas. [Order 758, § 4 (part), filed 10/16/67; subsections 1-5 from Orders 479 and 256, filed 3/1/60.] Repealed by Order 1105, filed 12/28/73.
- 220-48-120 Puget Sound—Herring and candlefish—Lawful gear. [Order 866, § 220-48-120, filed 6/12/70; Order 758, § 4 (part), filed 10/16/67; Orders 437 and 256, subsections 1, 3-9, filed 3/1/60; Orders 479 and 256, subsection 2, filed 3/1/60.] Repealed by Order 1105, filed 12/28/73.

- 220-48-130 Puget Sound—Unlawful herring/candlefish fishery. [Order 817, § 220-48-130, filed 5/29/69; Order 758, § 4 (part), filed 10/16/67; subsections 1-5 from Orders 437 and 256, filed 3/1/60; subsection 6 from Orders 505 and 256, filed 3/1/60.] Repealed by Order 1105, filed 12/28/73.
- 220-48-140 Puget Sound—Herring/candlefish—Seasons. [Order 758, § 4 (part), filed 10/16/67; subsections 1, 2, 5, 6 from Orders 437 and 256, filed 3/1/60; subsection 3 from Order 591, filed 10/28/63; Orders 505 and 256, filed 3/1/60; subsection 4 from Order 605, filed 4/21/64; Orders 505 and 256, filed 3/1/60; subsection 6 from Order 605, filed 4/21/64; Orders 437 and 256, filed 3/1/60.] Repealed by Order 1105, filed 12/28/73.
- 220-48-150 Puget Sound—Perch fishery. [Order 758, § 4 (part), filed 10/16/67; Order 256, § 56, filed 3/16/60; Order 517, filed 9/21/60.] Repealed by Order 1105, filed 12/28/73.
- 220-48-170 Puget Sound—Anchovy, pilchard—Areas. [Subsections 1-3 from Order 256, § 58, filed 3/1/60.] Repealed by Order 1105, filed 12/28/73.
- 220-48-180 Puget Sound—Anchovy, pilchard—Lawful gear. [Subsections 1-6 from Order 256, § 59, filed 3/1/60.] Repealed by Order 1105, filed 12/28/73.
- 220-48-190 Puget Sound—Anchovy, pilchard—Unlawful acts. [Subsections 1, 2 from Order 256, § 60, filed 3/1/60.] Repealed by Order 1105, filed 12/28/73.
- 220-48-200 Puget Sound—Anchovy, pilchard—Lawful acts—Seasons. [Subsections 1-3 from Order 256, § 61; filed 3/1/60.] Repealed by Order 1105, filed 12/28/73.
- 220-48-210 Puget Sound—Smelt fishery—Areas. [Subsections 1-13 from Order 256, § 62, filed 3/1/60.] Repealed by Order 1105, filed 12/28/73.
- 220-48-220 Puget Sound—Smelt fishery—Lawful gear. [Subsections 1-6 from Order 256, § 63, filed 3/1/60.] Repealed by Order 1105, filed 12/28/73.
- 220-48-230 Puget Sound—Smelt fishery—Seasons, time and gear. [Subsections 1-3 from Order 483; Order 256, filed 3/1/60.] Repealed by Order 1105, filed 12/28/73.
- 220-48-240 Puget Sound—Smelt fishery—Unlawful acts. [Order 817, § 220-48-240, filed 5/29/69; Order 591, filed 11/27/63; Order 507, filed 4/13/60; Order 256, filed 3/1/60.] Repealed by Order 1105, filed 12/28/73.

WAC 220-48-001 Puget Sound bottomfish gear. It is unlawful to fish for or possess bottomfish taken for commercial purposes in Puget Sound except as provided for in this chapter.

Note: Gear specifications and seasons are provided for in the rest of chapter 220-48 WAC.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-48-001, filed 5/19/94, effective 6/19/94; 83-24-024 (Order 83-200), § 220-48-001, filed 11/30/83, effective 1/1/84; 82-14-056 (Order 82-72), § 220-48-001, filed 7/1/82.]

WAC 220-48-005 Puget Sound bottomfish—General provisions. (1) It is unlawful to possess any English sole less than 12 inches in length taken by any commercial bottomfish gear in all Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas.

(2) It is unlawful to possess any starry flounder less than 14 inches in length taken by any commercial bottomfish gear in all Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas.

(3) It is unlawful to possess lingcod taken with any commercial gear the entire year in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas 23D, 24A, 24B, 24C, 24D, 25B, 25C, 25D, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, and 28D.

(4) It is unlawful to possess any lingcod less than 26 inches in length or greater than 40 inches in length taken by

any commercial gear in all state waters east of the mouth of the Sekiu River.

(5) It is unlawful to possess lingcod taken with any commercial gear from December 1 through April 14 in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 29.

(6) It is unlawful to possess lingcod taken by any commercial gear from June 16 through April 30 in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, 23A, 23B, 23C, 25A, and 25E.

(7) It is unlawful to possess any species of shellfish taken with lawful bottomfish gear except as provided in WAC 220-52-063 and 220-52-066.

(8) Incidental catch.

(a) It is lawful to retain bottomfish taken incidental to any lawful salmon fishery, provided the bottomfish could be lawfully taken.

(b) It is unlawful to retain salmon or sturgeon taken incidental to any lawful bottomfish fishery in Puget Sound.

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

(d) It is unlawful to retain any whiting taken incidental to any bottomfish fishery in Catch Areas 24B, 24C or 26A except using pelagic trawl gear when these areas have been opened by the director for a directed whiting fishery.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-48-005, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-48-005, filed 7/14/93, effective 8/14/93; 92-11-011 (Order 92-28), § 220-48-005, filed 5/12/92, effective 6/12/92; 85-08-023 (Order 85-24), § 220-48-005, filed 4/1/85; 83-24-024 (Order 83-200), § 220-48-005, filed 11/30/83, effective 1/1/84; 82-24-080 (Order 82-215), § 220-48-005, filed 12/1/82, effective 1/1/83; 82-14-056 (Order 82-72), § 220-48-005, filed 7/1/82.]

WAC 220-48-011 Beam trawl and otter trawl—Gear. (1)(a) **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.

(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.

(3) **Roller trawl.**

(a) It is unlawful to use a roller trawl in Puget Sound except in Marine Fish-Shellfish Management and Catch Reporting Area 29.

(b) It is unlawful to use a roller trawl that does not conform to the gear requirements in WAC 220-44-030.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-48-011, filed 5/19/94, effective 6/19/94; 91-13-051 (Order 91-39), § 220-48-011, filed 6/14/91, effective 7/15/91; 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 220-48-013 Beam trawl and otter trawl logbooks. It shall be unlawful for any operator of beam trawl or otter trawl gears to fail to obtain and accurately maintain a "Washington Inside Waters Trawl Logbook" while fishing for, or while in possession of, bottomfish taken from east of the mouth of the Sekiu River. A logbook must be obtained from the Washington department of fisheries and must be kept aboard the vessel while fishing, or in possession of bottomfish taken east of the mouth of the Sekiu River. The vessel operator must submit the completed logbook for inspection immediately upon request by authorized department of fisheries representatives. For each fishing trip, and prior to landing, vessel operators shall record the vessel name and state registration number, the dates and times of departure from and return to port, and the buyer(s) of the fish landed. In addition, for each trawl tow conducted during the trip, the vessel operator shall record the month and day, duration of the tow, specific area fished, depth fished, net type, target species and estimated weight of each species of fish retained. The department copies of the completed logbook sheet(s) must be submitted to the department for each calendar month in which fishing activity occurs. Department copies must be received within ten days following any calendar month in which fishing activity occurred and by the tenth day following the termination of commercial fishing activity, whichever occurs first.

[Statutory Authority: RCW 75.08.080. 85-08-023 (Order 85-24), § 220-48-013, filed 4/1/85.]

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, 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 20A within an area bounded by lines from Lilly Point to Birch Point and from the southwest corner of Point Roberts to Point Whitehorn to where these two lines are intersected by a line south from Kwomais Point in British Columbia and a line from Lilly Point to the north Alden Bank buoy are closed April 15 through May 31.

(c) Those waters of Area 20A within an area bounded by lines from Lilly Point to Birch Point and Lilly Point to the north Alden Bank buoy to where those lines are intersected by a line projected approximately 230 degrees south from Birch Point to Alden Point on Patos Island are closed June 1 through June 30.

(d) Areas 20A, 20B, 21A, 22A and 22B are closed to trawl fishing in waters less than 30 feet deep.

(e) Areas 23C and 29 are closed to otter trawl fishing the entire year in waters shallower than 50 fathoms and are closed to beam trawl fishing in waters less than 60 feet deep.

(2) It is lawful to fish for and possess bottomfish taken with beam trawl gear in Marine Fish-Shellfish Management

and Catch Reporting Areas 23A, 23B, 25A and 25B the entire year with the following exceptions:

(a) All of Area 25A is closed February 1 through April 15 of each year.

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

(c) Areas 23A, 25A and 25B are closed to beam trawl fishing in waters less than 60 feet deep.

(3) It is unlawful to fish for or possess bottomfish taken with otter trawl gear in Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23B, 25A and 25B the entire year.

(4) 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, 24A, 24B, 24C, 24D, 25C, 25D, 25E, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, and 28D the entire year.

[Statutory Authority: RCW 75.08.080. 94-19-001 (Order 94-96), § 220-48-015, filed 9/7/94, effective 10/8/94; 94-12-009 (Order 94-23), § 220-48-015, filed 5/19/94, effective 6/19/94; 91-13-051 (Order 91-39), § 220-48-015, filed 6/14/91, effective 7/15/91; 89-14-010 (Order 89-48), § 220-48-015, filed 6/22/89; 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 220-48-016 Pelagic trawl—Gear—Licensing.

(1) A food fish trawl—Puget Sound fishery license is a license required to operate pelagic trawl and allows the operator to retain whiting and other bottomfish taken in all Puget Sound catch areas except 24B, 24C and 26A.

(2) A whiting—Puget Sound fishery license is a license required to operate pelagic trawl and allows the operator to retain whiting and other bottomfish taken in all Puget Sound catch areas open to pelagic trawl.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-48-016, filed 5/19/94, effective 6/19/94.]

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) Areas 20A and 20B - Open February 16 through April 15.

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

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-48-017, filed 5/19/94, effective 6/19/94; 91-13-051 (Order 91-39), § 220-48-017, filed 6/14/91, effective 7/15/91; 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 220-48-019 Roller trawl—Seasons. It is lawful to use roller trawls in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 29 the entire year.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-48-019, filed 5/19/94, effective 6/19/94; 82-14-056 (Order 82-72), § 220-48-019, 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 food fish, 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 220-48-028 Set net—Dogfish—Gear. (1) It is lawful to take, fish for and possess dogfish with set net gear as described below:

(a) Maximum four nets, per vessel each net having a length not to exceed 1,000 feet.

(b) Net depth must not exceed 25 meshes.

(c) Net mesh must not be less than 5 inches.

(d) Net web material must be no finer than 210/30 denier nylon which is regular seine thread size number 12, or 0.048 inches in diameter.

(e) Dogfish set net tags, issued by the department of fisheries for the current year must be affixed to buoys on each end of each net.

(2) Licensing: A dogfish set net fishery license is the license required to operate the gear provided for in this section.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-48-028, filed 5/19/94, effective 6/19/94; 83-24-024 (Order 83-200), § 220-48-028, filed 11/30/83, effective 1/1/84; 82-14-056 (Order 82-72), § 220-48-028, filed 7/1/82.]

WAC 220-48-029 Set net—Dogfish—Seasons. It is lawful to take, fish for and possess dogfish and other species of bottomfish, except halibut, salmon and shellfish, taken with dogfish set net gear for commercial purposes in the following Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas during the seasons designated below:

(1) Areas 20A and 20B - November 1 through June 15.

(2) Area 21A - March 1 through June 15.

(3) Areas 21B, 22A, 22B, 23A, and 23B - Closed all year.

(4) Areas 23C and 23D - Open all year.

(5) Areas 24A, 24B, and 24D - Open all year.

(6) Area 24C - Open all year, except those waters south of a line projected due east of East Point on Whidbey Island are closed all year.

(7) Areas 25A, 25B and that portion of Area 25C west of a line from Twin Spits to the Port Gamble Millstack - Open all year.

(8) Area 25D and that portion of 25C east of line from Twin Spits to the Port Gamble Millstack - Closed all year.

(9) Area 25E - Closed all year except by permit issued by the director.

(10) Area 26A - Open all year, except those waters southerly and westerly of a line between the ferry dock at Mukilteo and the ferry dock at Clinton are closed all year.

(11) Area 26B - Open all year except those waters provided for in WAC 220-20-020(4) (Shilshole Bay) are closed at all times and those waters west of a line from Point Jefferson to Point Monroe are closed from January 1 to April 15. Those waters west of a line projected 178 degrees true from the end of the Indianola dock to the landfall on the south shore of Port Madison are closed at all times.

(12) Area 26C - Open April 16 through December 31, except those waters north of a line projected true east of Point Bolin and those waters west of a line projected 178 degrees true from the end of the Indianola dock to the landfall on the south shore of Port Madison are closed at all times.

(13) Area 26D - Open all year, except Quartermaster Harbor and those waters south of lines projected from Dash Point to Point Piner on Maury Island and from Point Dalco true west to the Kitsap Peninsula are closed all year.

(14) Areas 27A, 27B, and 27C - Open all year.

(15) Area 28A - Open all year, except those waters north of a line projected true east of Fox Point on Fox Island, and east of a line projected due north from the northwest tip of Fox Island are closed all year.

(16) Areas 28B, 28C, and 28D - Open all year except those waters provided for in WAC 220-20-010(6) (upper Carr Inlet).

(17) Area 29 - Open all year.

[Statutory Authority: RCW 75.08.080. 91-13-051 (Order 91-39), § 220-48-029, filed 6/14/91, effective 7/15/91; 89-14-010 (Order 89-48), § 220-48-029, filed 6/22/89; 84-08-014 (Order 84-24), § 220-48-029, filed 3/27/84; 82-24-080 (Order 82-215), § 220-48-029, filed 12/1/82, effective 1/1/83; 82-14-056 (Order 82-72), § 220-48-029, filed 7/1/82.]

WAC 220-48-031 Set line—Gear. (1) It is unlawful to take, fish for, and possess bottomfish in Puget Sound except with set line gear as described below:

(a) Hook size must not be smaller than size 7/0 for Kirby style hooks or size 8 for tuna circle style hooks.

(b) Gangions made of single strand monofilament synthetic material are unlawful.

(c) Set lines must be marked at the surface at each terminal end as described in WAC 220-20-010(5).

(2) Licensing: A food fish set line fishery license is the license required to operate the gear provided for in this section.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-48-031, filed 5/19/94, effective 6/19/94; 84-08-014 (Order 84-24), § 220-48-031, filed 3/27/84; 83-24-024 (Order 83-200), § 220-48-031, filed 11/30/83, effective 1/1/84; 82-14-056 (Order 82-72), § 220-48-031, filed 7/1/82.]

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 220-48-041 Commercial jig—Gear. (1) It is lawful to fish for and possess bottomfish with commercial jig gear.

(2) Licensing: A bottomfish jig fishery license is the license required to operate commercial jig gear in Puget Sound.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-48-041, filed 5/19/94, effective 6/19/94; 83-24-024 (Order 83-200), § 220-48-041, filed 11/30/83, effective 1/1/84; 82-14-056 (Order 82-72), § 220-48-041, filed 7/1/82.]

WAC 220-48-042 Commercial jig—Seasons. It shall be unlawful to fish for or possess bottomfish taken for commercial purposes with commercial jig gear in all Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas except: Area 29 - Open all year.

[Statutory Authority: RCW 75.08.080. 92-11-011 (Order 92-28), § 220-48-042, filed 5/12/92, effective 6/12/92; 83-24-024 (Order 83-200), § 220-48-042, filed 11/30/83, effective 1/1/84; 82-24-080 (Order 82-215), § 220-48-042, filed 12/1/82, effective 1/1/83; 82-14-056 (Order 82-72), § 220-48-042, filed 7/1/82.]

WAC 220-48-051 Troll lines—Bottomfish—Gear. (1) It is lawful to take, fish for, and possess bottomfish with troll line gear as specified below, unless otherwise provided:

(a) No more than two troll lines per vessel.
 (b) No more than four spreads per line.
 (c) The top spread can not be more than twenty-four feet from the weight on the end of the line.

(2) Licensing: A bottomfish troll fishery license is the license required to operate the gear provided for in this section.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-48-051, filed 5/19/94, effective 6/19/94; 82-14-056 (Order 82-72), § 220-48-051, filed 7/1/82.]

WAC 220-48-052 Bottomfish troll—Seasons. (1) It is unlawful to fish for or possess bottomfish taken for commercial purposes with bottomfish troll gear in all Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas except: Area 29 - Open all year.

(2) It is unlawful to fish for or possess salmon while fishing for bottomfish with troll line gear under authority of a bottomfish troll license.

(3) In any waters of Puget Sound it is lawful to retain for commercial purposes bottomfish taken with commercial salmon gear incidental to a lawful salmon fishery, except lingcod during closures provided in WAC 220-48-005.

[Statutory Authority: RCW 75.08.080. 92-11-011 (Order 92-28), § 220-48-052, filed 5/12/92, effective 6/12/92; 83-24-024 (Order 83-200), § 220-48-052, filed 11/30/83, effective 1/1/84; 82-24-080 (Order 82-215), § 220-48-052, filed 12/1/82, effective 1/1/83; 82-14-056 (Order 82-72), § 220-48-052, filed 7/1/82.]

WAC 220-48-061 Drag seines—Gear. (1) It is lawful to take, fish for, and possess bottomfish, unless otherwise provided, with drag seine or beach seine gear as described below:

(a) Seines must not be longer than 350 feet in length.
 (b) Net mesh must not be smaller than 1/2 inch stretch measure.

(2) Licensing: A food fish drag seine fishery license is the license required to operate the gear provided for in this section.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-48-061, filed 5/19/94, effective 6/19/94; 82-14-056 (Order 82-72), § 220-48-061, filed 7/1/82.]

WAC 220-48-062 Drag seines—Seasons. It is unlawful to take, fish for, and possess bottomfish with drag seine gear for commercial purposes except in the following Marine Fish-Shellfish Management and Catch Reporting Areas during the seasons designated below:

(1) Areas 28A, 28B, 28C, and 28D - Open January 1 through April 30.

(2) All other areas - Open September 1 through April 30.

[Statutory Authority: RCW 75.08.080. 89-14-010 (Order 89-48), § 220-48-062, filed 6/22/89; 82-24-080 (Order 82-215), § 220-48-062, filed 12/1/82, effective 1/1/83; 82-14-056 (Order 82-72), § 220-48-062, filed 7/1/82.]

WAC 220-48-071 Bottomfish pots—Gear and seasons. (1) It shall be unlawful to take, fish for, and possess bottomfish for commercial purposes with bottomfish pot gear as described in WAC 220-16-145, except in the following Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas during the seasons designated below:

(a) Areas 20A, 21A, 21B, 23A, and 23B - Open April 15 through November 30.

(b) Areas 23C and 23D - Open December 1 through April 14.

(c) Area 29 - Open all year.

(d) All other areas are closed the entire year, except by permit from the director.

(2) Licensing: A bottomfish pot fishery license is the license required to operate the gear provided for in this section.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-48-071, filed 5/19/94, effective 6/19/94; 84-08-014 (Order 84-24), § 220-48-071, filed 3/27/84; 82-24-080 (Order 82-215), § 220-48-071, filed 12/1/82, effective 1/1/83; 82-14-056 (Order 82-72), § 220-48-071, filed 7/1/82.]

Chapter 220-49 WAC

PUGET SOUND COMMERCIAL BAIT FISH

WAC

220-49-005	Puget Sound baitfish—Definitions—General provisions.
220-49-011	Herring, candlefish, anchovy, pilchard and smelt fishing—Lawful gear—Drag seine.
220-49-012	Herring, candlefish, anchovy, pilchard and smelt fishing—Purse seine.
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220-49-064	Spawn on kelp license (SOK license) contract conditions.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-49-001	Herring, candlefish, anchovy and pilchard fishing—Area 1. [Order 1105, § 220-49-001, filed 12/28/73.] Repealed by Order 76-148, filed 12/2/76.
220-49-002	Herring, candlefish, anchovy and pilchard fishing—Area 2. [Order 1105, § 220-49-002, filed 12/28/73.] Repealed by Order 76-148, filed 12/2/76.
220-49-003	Herring, candlefish, anchovy and pilchard fishing—Area 3. [Order 1105, § 220-49-003, filed 12/28/73.] Repealed by Order 76-148, filed 12/2/76.
220-49-004	Herring, candlefish, anchovy and pilchard fishing—Area 4. [Order 1105, § 220-49-004, filed 12/28/73.] Repealed by Order 76-148, filed 12/2/76.
220-49-015	Herring, candlefish, anchovy and pilchard fishing—Brush weir. [Order 1105, § 220-49-015, filed 12/28/73.] Repealed by 94-12-009 (Order 94-23), filed 5/19/94, effective 6/19/94. Statutory Authority: RCW 75.08.080.
220-49-016	Herring, candlefish, anchovy and pilchard fishing—Gill net. [Order 76-148, § 220-49-016, filed 12/2/76; Order 1105, § 220-49-016, filed 12/28/73.] Repealed by 94-12-009 (Order 94-23), filed 5/19/94, effective 6/19/94. Statutory Authority: RCW 75.08.080.
220-49-022	Herring, candlefish, anchovy and pilchard fishing—Special provisions—Closed areas. [Statutory Authority: RCW 75.08.080. 81-02-053 (Order 81-3), § 220-49-022, filed 1/7/81; 79-03-014 (Order 79-11), § 220-49-022, filed 2/15/79; Order 76-148, § 220-49-022, filed 12/2/76; Order 1105, § 220-49-022, filed 12/28/73.] Repealed by 94-12-009 (Order 94-23), filed 5/19/94, effective 6/19/94. Statutory Authority: RCW 75.08.080.
220-49-025	Herring, candlefish, anchovy, and pilchard fishing—Identification—Herring fishing vessel. [Order 76-148, § 220-49-025, filed 12/2/76; Order 76-26, § 220-49-025, filed 1:45 p.m., 4/20/76.] Repealed by 94-12-009 (Order 94-23), filed 5/19/94, effective 6/19/94. Statutory Authority: RCW 75.08.080.
220-49-026	Herring, candlefish, anchovy, and pilchard fishing—Identification—Herring buyer. [Order 76-148, § 220-49-026, filed 12/2/76; Order 76-26, § 220-49-026, filed 1:45 p.m., 4/20/76.] Repealed by 94-12-009 (Order 94-23), filed 5/19/94, effective 6/19/94. Statutory Authority: RCW 75.08.080.
220-49-040	Smelt fishing—Area 1. [Order 1105, § 220-49-040, filed 12/28/73.] Repealed by Order 76-158, filed 12/29/76.

220-49-041	Smelt fishing—Area 2. [Order 1105, § 220-49-041, filed 12/28/73.] Repealed by Order 76-158, filed 12/29/76.
220-49-042	Smelt fishing—Area 3. [Order 1105, § 220-49-042, filed 12/28/73.] Repealed by Order 76-158, filed 12/29/76.
220-49-043	Smelt fishing—Area 4. [Order 1105, § 220-49-043, filed 12/28/73.] Repealed by Order 76-158, filed 12/29/76.
220-49-044	Smelt fishing—Area 5. [Order 1105, § 220-49-044, filed 12/28/73.] Repealed by Order 76-158, filed 12/29/76.
220-49-045	Smelt fishing—Area 6. [Order 1105, § 220-49-045, filed 12/28/73.] Repealed by Order 76-158, filed 12/29/76.
220-49-046	Smelt fishing—Area 7. [Order 1105, § 220-49-046, filed 12/28/73.] Repealed by Order 76-158, filed 12/29/76.
220-49-047	Smelt fishing—Area 8. [Order 1105, § 220-49-047, filed 12/28/73.] Repealed by Order 76-158, filed 12/29/76.
220-49-048	Smelt fishing—Area 9. [Order 1105, § 220-49-048, filed 12/28/73.] Repealed by Order 76-158, filed 12/29/76.
220-49-049	Smelt fishing—Area 10. [Order 1105, § 220-49-049, filed 12/28/73.] Repealed by Order 76-158, filed 12/29/76.
220-49-055	Smelt fishing—Lawful gear. [Order 1105, § 220-49-055, filed 12/28/73.] Repealed by 94-12-009 (Order 94-23), filed 5/19/94, effective 6/19/94. Statutory Authority: RCW 75.08.080.
220-49-060	Perch fishing—Season. [Order 1105, § 220-49-060, filed 12/28/73.] Repealed by Order 77-147, filed 12/16/77.
220-49-061	Perch fishing—Lawful gear. [Order 1105, § 220-49-061, filed 12/28/73.] Repealed by Order 77-147, filed 12/16/77.
220-49-062	Perch fishing—Incidental catch. [Order 1105, § 220-49-062, filed 12/28/73.] Repealed by Order 77-147, filed 12/16/77.

WAC 220-49-005 Puget Sound baitfish—Definitions—General provisions. It is unlawful to fish for or possess Puget Sound baitfish taken for commercial purposes except at the times, during the seasons and using the gear provided for in this chapter. "Baitfish" as used in this chapter means herring, candlefish (or sandlance), anchovy, pilchard (or Pacific sardine) and smelt.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-005, filed 5/19/94, effective 6/19/94.]

WAC 220-49-011 Herring, candlefish, anchovy, pilchard and smelt fishing—Lawful gear—Drag seine. (1) Lawful drag seine gear in the Puget Sound herring, candlefish, anchovy, pilchard and smelt fisheries shall not exceed 350 feet in length or contain meshes less than 1/2 inch stretch measure.

(2) Licensing:

(a) A food fish drag seine fishery license is a license required to operate the gear provided for in this section and allows the operator to retain baitfish other than herring.

(b) A herring drag seine fishery license is a license required to operate the gear provided for in this section and allows the operator to retain herring.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-011, filed 5/19/94, effective 6/19/94; Order 1105, § 220-49-011, filed 12/28/73.]

WAC 220-49-012 Herring, candlefish, anchovy, pilchard and smelt fishing—Purse seine. (1) Lawful purse seine gear in the Puget Sound herring, candlefish, anchovy, and pilchard fisheries shall not exceed 600 feet in length or contain meshes less than 1/2-inch stretch measure unless otherwise authorized by permit from the director.

(2) Lawful purse seine gear in the Puget Sound smelt fishery shall not exceed 350 feet in length nor contain meshes less than 1/2 inch stretch measure.

(3) Licensing:

(a) A baitfish purse seine fishery license is a license required to operate the gear provided for in this section and allows the operator to retain baitfish other than herring.

(b) A herring purse seine fishery license is a license required to operate the gear provided for in this section and allows the operator to retain herring.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-012, filed 5/19/94, effective 6/19/94; Order 76-148, § 220-49-012, filed 12/2/76; Order 1105, § 220-49-012, filed 12/28/73.]

WAC 220-49-013 Herring, candlefish, anchovy, pilchard and smelt fishing—Dip bag net. (1) Lawful dip bag net gear in the Puget Sound herring, candlefish, anchovy, and pilchard fisheries shall not exceed 18 square feet. Lawful dip bag net gear in the Puget Sound smelt fishery shall not exceed 36 inches across the frame.

(2) Licensing:

(a) A smelt dip bag net fishery license is a license required to operate the gear provided for in this section and allows the operator to retain smelt and other baitfish other than herring.

(b) A herring dip bag net fishery license is a license required to operate the gear provided for in this section and allows the operator to retain herring.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-013, filed 5/19/94, effective 6/19/94; Order 1105, § 220-49-013, filed 12/28/73.]

WAC 220-49-014 Herring, candlefish, anchovy, pilchard and smelt fishing—Lampara. (1) Lawful lampara gear in the Puget Sound herring, candlefish, anchovy, and pilchard fisheries shall not exceed 200 feet in length or contain meshes less than 1/2-inch stretch measure. Lampara gear is not lawful gear for taking smelt in Puget Sound.

(2) Licensing:

(a) A baitfish lampara fishery license is a license required to operate the gear provided for in this section and allows the operator to retain baitfish other than smelt or herring.

(b) A herring lampara fishery license is a license required to operate the gear provided for in this section and allows the operator to retain herring.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-014, filed 5/19/94, effective 6/19/94; Order 77-14, § 220-49-014, filed 4/15/77; Order 1105, § 220-49-014, filed 12/28/73.]

WAC 220-49-017 Herring, candlefish, anchovy, pilchard and smelt fishing—Otter trawl and gill net. (1) It is unlawful to fish for herring, candlefish, anchovy, pilchard or smelt using otter trawl gear or gill net gear except as authorized by permit issued by the director.

(2) Licensing: The permit issued by the director will specify the fishery license required to operate the permit.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-017, filed 5/19/94, effective 6/19/94; 89-14-010 (Order 89-48), § 220-49-017, filed 6/22/89; Order 1105, § 220-49-017, filed 12/28/73.]

WAC 220-49-020 Herring, candlefish, anchovy and pilchard—Seasons—Lawful gear—Purposes. It shall be unlawful to take, fish for or possess for commercial purposes

herring, candlefish, anchovy or pilchards in Puget Sound except during lawful seasons, with lawful gear and for such purposes as provided for hereinafter in each respective fishing area:

(1) Areas 20A, 20B, 21A, and 21B.

(a) Closed September 1 through May 31 to all commercial fishing gear except for the spawn on kelp fishery as provided for in WAC 220-49-063.

(b) Open June 1 through August 31 with drag seine, purse seine, lampara, and dip bag net for bait and human consumption only.

(2) It is unlawful to use purse seine gear in any Puget Sound area except 22A, 22B, 23A, 23B, 23C, 23D, and 29. Areas 22A and 22B are open the entire year to purse seine gear, except for closures set out in subsections (4) and (5) of this section. Areas 23A, 23B, 23C, 23D and 29 are open to purse seine gear the entire year.

(3) All other Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas - Open entire year with drag seine, lampara, and dip bag net for human consumption or bait only except for closures set out in subsections (4) and (5) of this section.

(4) The following areas are closed the entire year to all gear except dip bag net gear:

(a) Waldron Island - Waters of Cowlitz Bay inside of a line from Sandy Point to Point Disney, and the small bay on the east side of the island.

(b) Stuart Island - Waters of Reid Harbor.

(c) Swinomish Channel - Waters between the bridge spanning the channel south of La Conner and a line perpendicular to the channel at the northeast end of the La Conner boat basin.

(5) The following areas are closed from January 16 through April 15, except to dip bag net gear:

(a) Central San Juan Islands - Waters of Area 22A south of a line from Limestone Point on San Juan Island to Steep Point on Orcas Island, north of a line from Pear Point on San Juan Island to Rock Point on Lopez Island, west of a line projected true south from Deer Point on Orcas Island to landfall on Blakely Island, west of a line projected true north from Fauntleroy Point on Decatur Island to landfall on Blakely Island, and west of a line projected true south from the Lopez Pass navigation light on south Decatur Island to landfall on Lopez Island. Notwithstanding the provisions of this subsection, the following waters are open to purse seine and lampara the entire year: Those waters inside of a line from the northern end of Humphrey Head northwesterly to the northern end of Upright Head, from Twin Rocks west to Buck Bay, from Buck Bay south to Bald Bluff, and from Bald Bluff to the northern end of Humphrey Head.

(b) Roche Harbor and Wescott Bay - Waters of Area 22A south of a line projected true east from McCracken Point to landfall on San Juan Island and east of a line projected from the Kellett Bluff navigation light on Henry Island to Bellevue Point on San Juan Island.

(c) Areas 22B, 24A, 24B, and 24D.

(d) Waters of Area 25A south of a line from Dungeness light to McCurdy Point.

(e) Waters of Area 25C south of a line from Tala Point to Foulweather Bluff.

(f) Areas 25D and 25E.

(g) Waters of Area 26B west of a line from Point Monroe to Point Jefferson.

(h) Area 26C.

(i) Waters of Area 26D north of a line from Neill Point to Piner Point.

(j) Waters of Area 27A north of a line from South Point to Lofall and contiguous waters of 27A south of a line projected true east from Hazel Point including all waters of Dabob and Quilcene Bays.

(k) Waters of Area 27B north of a line from Triton Head to Tekiu Point.

(l) Waters of Area 27C east of a line from Ayers Point to Union.

(m) Waters of Area 28A west of a line projected true north-south through Treble Point on Anderson Island, including Henderson Inlet.

(n) Waters of Area 28B west of a line projected true north from Penrose Point, including Mayo Cove and Von Geldern Cove.

(o) All contiguous waters of Area 28D north and east of a line projected from Dofflemeyer Point through Cooper Point to landfall on the west shore of Eld Inlet, including Totten Inlet, Hammersley Inlet and Oakland Bay.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-020, filed 5/19/94, effective 6/19/94; 84-08-014 (Order 84-24), § 220-49-020, filed 3/27/84; 83-24-024 (Order 83-200), § 220-49-020, filed 11/30/83, effective 1/1/84; 83-04-025 (Order 83-04), § 220-49-020, filed 1/27/83; 79-03-014 (Order 79-11), § 220-49-020, filed 2/15/79; Order 76-148, § 220-49-020, filed 12/2/76; Order 1105, § 220-49-020, filed 12/28/73.]

WAC 220-49-021 Herring for zoo food. (1) It is unlawful to take, fish for or possess herring for any purpose except human consumption or fishing bait, except that the director may authorize by permit the taking of herring in specified areas, quantities and times for emergency use as zoo food for animals. Application for a zoo food permit requires written certification from the zoo director that no other source of herring is available and the shortage of suitable zoo food will damage the health or well-being of zoo animals.

(2) Licensing: The permit issued by the director will specify the fishery license required to operate the permit.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-021, filed 5/19/94, effective 6/19/94; Order 76-148, § 220-49-021, filed 12/2/76; Order 1193, § 220-49-021, filed 3/4/75; Order 1105, § 220-49-021, filed 12/28/73.]

WAC 220-49-023 Reporting. It shall be unlawful for the original receiver of spawn on kelp product from Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, and 21B during the period April 16 through May 31 to fail to report each calendar day's receipts by noon of the following working day to the department by telephone to (206) 902-2800 or by telefacsimile to (206) 902-2944.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-023, filed 5/19/94, effective 6/19/94; 83-24-024 (Order 83-200), § 220-49-023, filed 11/30/83, effective 1/1/84; 81-02-053 (Order 81-3), § 220-49-023, filed 1/7/81; Order 77-147, § 220-49-023, filed 12/16/77; Order 77-14, § 220-49-023, filed 4/15/77; Order 76-148, § 220-49-023, filed 12/2/76; Order 1193, § 220-49-023, filed 3/4/75; Order 1105, § 220-49-023, filed 12/28/73.]

WAC 220-49-024 Herring, candlefish, anchovy and pilchard fishing—Live boxes—Identification. All herring, candlefish, anchovy and pilchard live boxes or other devices for holding live bait shall have attached thereto the fishery license number of the owner in plainly legible letters not less than 3 inches in height, clearly visible above the waterline. In the case of licensed dealers the dealer's license number shall be displayed as described above. It shall be unlawful to fail to identify live boxes as prescribed in this section.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-024, filed 5/19/94, effective 6/19/94; Order 1105, § 220-49-024, filed 12/28/73.]

WAC 220-49-056 Smelt fishing—Seasons. It shall be unlawful to take, fish for or possess smelt for commercial purposes in Puget Sound except during the following seasons:

(1) Areas 20A and 21A - July 1 to April 15.

(2) Area 22B - Closed the entire year.

(3) Areas 24A, 24B, 24C, and 24D - July 1 to April 15.

(4) Areas 25A and 25E - November 1 to April 15.

(5) Areas 26B, 26C, 26D, 27B, 27C, 28B, and 28C - October 1 to April 15 except those waters within 200 feet of shore adjacent to department property at Ross Point in Area 26C are closed to commercial smelt harvest.

(6) Areas 28A and 28D - September 1 to April 14.

(7) All other areas open the entire year.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-056, filed 5/19/94, effective 6/19/94; 91-13-051 (Order 91-39), § 220-49-056, filed 6/14/91, effective 7/15/91; 83-24-024 (Order 83-200), § 220-49-056, filed 11/30/83, effective 1/1/84; 83-04-025 (Order 83-04), § 220-49-056, filed 1/27/83; Order 76-148, § 220-49-056, filed 12/2/76; Order 76-26, § 220-49-056, filed 1:45 p.m., 4/20/76; Order 1105, § 220-49-056, filed 12/28/73.]

WAC 220-49-057 Smelt fishing—Weekly periods. It is unlawful to fish for smelt for commercial purposes in Puget Sound except from 8:00 a.m. Sunday to 8:00 a.m. Friday and it is unlawful to possess smelt taken for commercial purposes during such closed period.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-057, filed 5/19/94, effective 6/19/94; Order 1105, § 220-49-057, filed 12/28/73.]

WAC 220-49-063 Spawn on kelp licenses (SOK license)—Applications. (1) Any herring fisher holding a herring fishery license under RCW 75.30.140 may participate in an auction for a spawn on kelp license (SOK license). Proof of current herring licensing must be presented before entering the auction. No more than one SOK license will be awarded to each herring license holder.

(2) The department shall offer SOK licenses under the following conditions:

(a) The department shall establish a minimum acceptable bid for each license.

(b) Licenses shall be offered by sealed bidding at auction. The license will be awarded to the bidder with the highest bid. In the event of tie bids, the tie breaker will be by coin toss.

(c) Each SOK license shall be auctioned separately. Each bidder for a license must submit a certified check equal

to the minimum acceptable bid prior to the bidding as a down payment on the winning bid price.

(d) Bidding by proxy is allowed, provided the proxy holder has a power of attorney for the herring license holder represented.

(e) The successful bidder for a SOK license is required to sign and return to the department a copy of the SOK license within 10 days after the award of a license together with the balance of the bid amount. Failure to return the license and bid balance will invalidate the award of the license and result in forfeiture of the deposit in the amount necessary to compensate the department for any damages. In such case the license shall be offered to the other bidders in descending order of their bid amount.

(f) If the license fails to be sold as described in (c) or (e) of this subsection, the license may be offered to any person possessing a herring license who offers the largest amount within a specified time period.

(g) The department may revoke the SOK license for noncompliance with the terms of the license. In case of license revocation, the bid amount shall be retained by the department.

(3) Licensing:

(a) Herring dip bag net, herring drag seine, herring lampara and herring purse seine licenses are licenses required to operate the respective gear and retain herring for the spawn on kelp fishery.

(b) A spawn on kelp fishery license is the license issued to a successful bidder and allows the holder to participate in the spawn on kelp fishery.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-063, filed 5/19/94, effective 6/19/94; 91-05-016 (Order 91-08), § 220-49-063, filed 2/8/91, effective 3/11/91. Statutory Authority: RCW 75.08.080 and 75.28.245. 90-07-003 (Order 90-17), § 220-49-063, filed 3/8/90, effective 4/8/90.]

WAC 220-49-064 Spawn on kelp license (SOK license) contract conditions. (1) Spawn on kelp license (SOK license) contracts shall protect the environment, prevent waste, ensure compliance with applicable laws and regulations, and ensure faithful performance of lease terms and conditions.

(2) SOK licensees shall not sell any spawn on kelp to anyone who is not a licensed wholesale dealer, except that the licensee may be a licensed wholesale dealer, and, after completing a state of Washington fish receiving ticket, may sell the spawn on kelp to someone who is not a wholesale dealer.

(3) SOK licenses are transferrable only in the case of hardship and then only to any person holding a herring fishery license except the SOK license is not transferable to a person currently holding a SOK license. The transfer shall be made on a form provided by the department, and the transferee shall be subject to the same terms and conditions of the original SOK license. For purposes of this section, hardship means death or disablement of the licensee or loss of the licensee's vessel through no fault of the licensee.

(4) Every SOK licensee may surrender the SOK license and shall be relieved of any obligation under the license except as otherwise provided. The licensee must notify the department in writing of intention to surrender the license. If operations under the license have been conducted, the

licensee shall correct any adverse environmental effects caused by the operations, including but not limited to, release of any entrapped herring, removal of any herring enclosure, and placement of any herring spawn upon habitat suitable for hatch and release of herring fry. If the license is surrendered, the department will retain the amount of the bid.

(5) The SOK license shall provide for revocation for noncompliance with the terms of the license. Grounds for revocation for noncompliance shall include, but not be limited to, failure to provide catch records as required, failure to provide required data on fishing and harvesting related activities, and failure to notify the department of anticipated times of fishing and harvesting. The SOK licensee shall be notified, in writing, of noncompliance, the necessary corrective measures and the amount of time allowed to take corrective action. The licensee's remedying of the noncompliance within the specified time shall result in no revocation of the license. The licensee may appeal any cancellation under chapter 34.05 RCW.

(6) The SOK license contract shall allow the SOK licensee to conduct operations reasonably necessary for the production of spawn on kelp. Nothing in this section shall relieve the licensee of any responsibility under applicable laws or regulations.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-49-064, filed 5/19/94, effective 6/19/94. Statutory Authority: 75.08.080 and 75.28.245. 90-07-003 (Order 90-17), § 220-49-064, filed 3/8/90, effective 4/8/90.]

Chapter 220-52 WAC SHELLFISH

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-52-015	Clams—Lawful acts. [Order 807, § 220-52-015, filed 1/2/69, effective 2/1/69; Orders 414, 256, filed 3/1/60.] Repealed by 84-08-014 (Order 84-24), filed 3/27/84. Statutory Authority: RCW 75.08.080.
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 220-52-001 Shellfish—Geographical definitions. (1) "Puget Sound" means Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, 23A, 23B, 23C, 23D, 24A, 24B, 24C, 25A, 25B, 25C, 25D, 25E, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, 28D, and 29.

(2) "Grays Harbor" means Marine Fish-Shellfish Management and Catch Reporting Area 60B.

(3) "Willapa Harbor" means Marine Fish-Shellfish Management and Catch Reporting Area 60C.

(4) "Columbia River" means Marine Fish-Shellfish Management and Catch Reporting Area 60D.

(5) "Coastal Waters" means Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, and 60A.

[Statutory Authority: RCW 75.08.080. 84-08-014 (Order 84-24), § 220-52-001, filed 3/27/84.]

WAC 220-52-010 Shellfish—Unlawful acts. (1) It is unlawful to take oysters or clams for commercial purposes from tidelands reserved for public use unless authorized by a permit issued by the director.

(2)(a) It is unlawful to take shellfish for commercial purposes from state oyster reserves without permission of the director of fisheries.

(b) Licensing: An oyster reserve fishery license is the license required to take shellfish for commercial purposes from state oyster reserves.

(3) All geoduck and mechanical clam harvester vessels shall be issued an identification number. It is unlawful to fail to place this number 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.

(4) 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.

(5)(a) 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.

(b) Licensing: A burrowing shrimp fishery license is the license required to take ghost or mud shrimp for commercial purposes.

(6) It is unlawful to set any shellfish pot gear such that the pot is not covered by water at all tide levels.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-010, filed 5/19/94, effective 6/19/94; 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 220-52-018 Clams—Gear. It shall be unlawful to take, dig for or possess clams, geoducks, or mussels taken for commercial purposes from any of the tidelands in the state of Washington except with a pick, mattock, fork or shovel operated by hand, except that permits for the use of mechanical clam digging devices to take clams other than geoducks may be obtained from the director of fisheries subject to the following conditions:

(1) Any or all types of mechanical devices used in the taking or harvesting of shellfish must be approved by the director of fisheries.

(2) A separate permit shall be required for each and every device and the permit shall be attached to the specific unit at all times.

(3) All types of clams to be taken for commercial use must be of legal size and in season during the proposed operations unless otherwise provided in specially authorized permits for the transplanting of seed to growing areas or for research purposes.

(4) The holder of a permit to take shellfish from tidelands by mechanical means shall limit operations to privately owned or leased land.

(5) The taking of clams from bottoms under navigable water below the level of mean lower low water by any mechanical device shall be prohibited except as authorized by the director of fisheries. Within the enclosed bays and channels of Puget Sound, Strait of Juan de Fuca, Grays Harbor and Willapa Harbor, the operators of all mechanical

devices shall confine their operations to bottoms leased from the Washington department of natural resources, subject to the approval of the director of fisheries. The harvesting of shellfish from bottoms of the Pacific Ocean westward from the western shores of the state shall not be carried out in waters less than two fathoms deep at mean lower low water. In said waters more than two fathoms deep the director of fisheries may reserve all or certain areas thereof and prevent the taking of shellfish in any quantity from such reserves established on the ocean bottoms.

(6) Noncompliance with any part of these regulations or with special requirements of individual permits will result in immediate cancellation of and/or subsequent nonrenewal of all permits held by the operator.

(7) Applications must be made on the forms provided by the department of fisheries and permits must be in the possession of the operator before digging commences.

(8) All permits to take or harvest shellfish by mechanical means shall expire on December 31 of the year of issue.

(9) All mechanical clam harvesting machines must have approved instrumentation that will provide deck readout of water pressure.

(10) All clam harvest machines operating on intertidal grounds where less than ten percent of the substrate material is above 500 microns in size must be equipped with a propeller guard suitable for reducing the average propeller wash velocity at the end of the guard to approximately twenty-five percent of the average propeller wash velocity at the propeller. The propeller guard must also be positioned to provide an upward deflection to propeller wash.

(11) Clam harvest machines operating in fine substrate material where less than ten percent of the substrate material is above 500 microns in size, shall have a maximum harvest head width of 3 feet (overall) and the maximum pump volume as specified by the department of fisheries commensurate with the basic hydraulic relationship of 828 gpm at 30 pounds per square inch, pressure to be measured at the pump discharge.

(12) Clam harvest machines operating in coarser substrate material where more than ten percent of the substrate material is above 500 microns in size, shall have a maximum harvest head width of 4 feet (overall) and a maximum pump volume as specified by the department of fisheries commensurate with a basic hydraulic relationship of 1,252 gpm at 45 pounds per square inch, pressure to be measured at the pump discharge.

(13) All clam harvest machine operators must submit accurate performance data showing revolutions per minute, gallons per minute, and output pressure for the water pump on their machine. In addition, they shall furnish the number and sizes of the hydraulic jets on the machines. If needed, the operator shall thereafter modify the machine (install a sealed pressure relief valve) as specified by the department of fisheries to conform with values set forth in either WAC 220-52-018 (11) or (12) of this section. Thereafter, it shall be illegal to make unauthorized changes to the clam harvester water pump or the hydraulic jets. Exact description of the pump volume, maximum pressure and number and size of the hydraulic jet for each harvester machine shall be included in the department of fisheries' clam harvest permit.

(14) All clam harvest machines shall be equipped with a 3/4-inch pipe thread tap and valve that will allow rapid

coupling of a pressure gauge for periodic testing by enforcement personnel.

(15) Each mechanical clam harvester must have controls so arranged and situated near the operator which will allow the operator to immediately cut off the flow of water to the jet manifold without affecting the capability of the vessel to maneuver.

(16) Licensing: A hardshell clam mechanical harvester fishery license is the license required to operate the mechanical harvester gear provided for in this section.

[Statutory Authority: RCW 75.08.080, 94-12-009 (Order 94-23), § 220-52-018, filed 5/19/94, effective 6/19/94; 84-08-014 (Order 84-24), § 220-52-018, filed 3/27/84; 79-02-053 (Order 79-6), § 220-52-018, filed 1/30/79; Order 76-152, § 220-52-018, filed 12/17/76; Order 1258, § 220-52-018, filed 8/25/75; Order 807, § 220-52-018, filed 1/2/69, effective 2/1/69. Formerly WAC 220-52-010(2).]

WAC 220-52-019 Geoduck clams—Gear and unlawful acts. (1) It is unlawful to take, fish for or possess geoduck clams taken for commercial purposes from any of the beds of navigable waters of the state of Washington except as provided in RCW 75.24.100 and rules of the director.

(2)(a) Only a manually operated water jet, the nozzle of which shall not exceed 5/8 inch inside diameter may be used to commercially harvest geoduck clams. Use of any other gear requires a permit from the director.

(b) It is unlawful in the commercial harvest of geoducks for through-hull fittings for water discharge hoses connected to the harvest gear to be below the surface of the water. Any through-hull fitting connected to the harvest gear which is above the surface of the water must be visible at all times.

(3) It is unlawful to take or fish for geoduck clams taken for commercial purposes between one-half hour before official sunset or 7:00 p.m. whichever is earlier and 7:00 a.m. No geoduck harvest vessel may be on a geoduck tract or harvest area after 7:30 p.m. or before 6:30 a.m. It is unlawful to take or fish for geoduck clams on Sundays or on state holidays as defined by the office of financial management. It is unlawful to possess geoduck clams taken in violation of this section.

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

(5) It is unlawful to possess only the siphon or neck portion of a geoduck clam aboard a geoduck harvest vessel.

(6) It is unlawful to retain any food fish or shellfish other than geoduck clams during geoduck harvesting operations.

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

(8) The following documents must be on board the geoduck harvesting vessel at all times during geoduck operations:

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

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

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

(d) A geoduck fishery license as described in WAC 220-52-01901.

(9) It is unlawful to process geoducks on board any harvest vessel.

(10) It is unlawful to take or fish for geoduck clams for commercial purposes outside the tract or harvest area designated in the department of natural resources geoduck harvesting agreement required by subsection (8)(a) of this section. It is unlawful to possess geoduck clams taken in violation of this subsection.

(11) It is unlawful to harvest geoduck clams in areas deeper than seventy feet below the water surface at any tide height.

(12) Holders of geoduck fishery licenses shall comply with all applicable commercial diving safety regulations adopted by the Federal Occupational Safety and Health Administration established under the Federal Occupational Safety and Health Act of 1970, 29 U.S.C. 651 et seq. Some of those regulations appear at 29 C.F.R. Part 1910, Subpart T.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-019, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-52-019, filed 7/14/93, effective 8/14/93; 84-08-014 (Order 84-24), § 220-52-019, filed 3/27/84; 81-11-006 (Order 81-31), § 220-52-019, filed 5/11/81; 79-12-039 (Order 79-129), § 220-52-019, filed 11/20/79; 79-02-053 (Order 79-6), § 220-52-019, filed 1/30/79; Order 77-65, § 220-52-019, filed 8/5/77 and 8/25/77; Order 76-152, § 220-52-019, filed 12/17/76; Order 76-26, § 220-52-019, filed 1:45 p.m., 4/20/76; Order 1258, § 220-52-019, filed 8/25/75; Order 857, § 220-52-019, filed 12/11/69.]

WAC 220-52-01901 Geoduck licenses. (1) A geoduck fishery license issued by the director is required for the commercial harvest of geoduck clams. Geoduck fishery licenses were previously called "geoduck validations."

(2) Only persons holding current geoduck harvest agreements from the department of natural resources or their agents may apply for geoduck fishery licenses. An application for a geoduck fishery license must be on a form provided by the department, must be complete, and must be accompanied by a copy of the geoduck harvest agreement for which the license is sought.

(3) Each geoduck fishery license authorizes the use of two water jets or other units of geoduck harvest gear. Gear must meet the requirements of WAC 220-52-019(2). A geoduck fishery license card is a "license card" under WAC 220-69-270.

(4) The director may suspend or revoke a geoduck license used in violation of commercial diving safety regulations, including 29 C.F.R. Part 1910, Subpart T, adopted under the Occupational Safety and Health Act of 1970. The procedures of chapter 34.05 RCW apply to such suspensions or revocations. If there is a substantial probability that a violation of commercial diving safety regulations could result in death or serious physical harm to a person engaged in harvesting geoduck clams, the director may suspend the license immediately until the violation has been corrected. The director shall not revoke a geoduck license if the holder of the harvesting agreement corrects the violation within ten days of receiving written notice of the violation.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-01901, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-52-01901, filed 7/14/93, effective 8/14/93; 84-08-014 (Order 84-24), § 220-52-01901, filed 3/27/84; 80-13-064 (Order 80-123), § 220-52-01901, filed 9/17/80; 79-12-039 (Order 79-129), § 220-52-01901, filed 11/20/79; Order 77-65, § 220-52-01901, filed 8/5/77 and 8/25/77.]

WAC 220-52-020 Clams—Puget Sound—Seasons and areas. (1) It shall be unlawful to take, dig for or possess clams, cockles, borers, and mussels, not including geoduck clams, taken for commercial purposes from the tidelands of registered aquaculture farms in Puget Sound except during the following seasons:

(a) Those tidelands lying west of the tip of Dungeness Spit from November 1 through March 31.

(b) Elsewhere on Puget Sound the entire year.

(c) Licensing: No fishery license is required to retain clams taken from registered aquaculture farms but registration is required prior to commercial harvest.

(2) It shall be unlawful to take, dig for or possess clams, cockles, borers and mussels except razor clams taken for commercial purposes from the tidelands of the state of Washington except from registered aquaculture farms or by permit issued by the director.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-020, filed 5/19/94, effective 6/19/94; 91-10-024 (Order 91-22), § 220-52-020, filed 4/23/91, effective 5/24/91; 84-08-014 (Order 84-24), § 220-52-020, filed 3/27/84; Order 807, § 220-52-020, filed 1/2/69, effective 2/1/69; subsections 1 and 2 from Order 679, filed 4/20/66; subsections 1, 1a, 2 from Orders 351 and 256, filed 3/1/60; subsection 1b from Order 605, filed 4/21/64; Orders 443 and 256, filed 3/1/60.]

WAC 220-52-030 Clams—Coastal—Seasons and areas. (1)(a) It shall be lawful to take, dig for or possess clams, cockles, borers and mussels taken for commercial purposes, not including razor clams, from the tidelands of registered aquaculture farms in Grays Harbor and Willapa Harbor the entire year.

(b) Licensing: No fishery license is required to retain clams taken from registered aquaculture farms but registration is required prior to commercial harvest.

(2)(a) It shall be unlawful to take, dig for or possess razor clams taken for commercial purposes from Washington waters except during commercial razor clam seasons opened by emergency rule.

(b) Licensing: A razor clam fishery license is the license required to take razor clams for commercial purposes.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-030, filed 5/19/94, effective 6/19/94; 91-10-024 (Order 91-22), § 220-52-030, filed 4/23/91, effective 5/24/91; 84-08-014 (Order 84-24), § 220-52-030, filed 3/27/84; Order 807, § 220-52-030, filed 1/2/69, effective 2/1/69; Order 770 B, § 220-52-030, filed 2/15/68; Order 718, § 1, filed 1/26/67; subsection 1 from Order 679, filed 4/20/66; Orders 443 and 256, filed 3/1/60; subsection 2 from Order 673, filed 1/24/66; Order 631, filed 1/13/65; Order 599, filed 1/29/64; Order 566, filed 2/8/63; Order 540, filed 1/15/62; Order 524, filed 2/6/61; Order 510, filed 7/8/60; Order 508, filed 4/29/60; Order 506, filed 3/16/60; Orders 482 and 256, filed 3/1/60; subsection 3 from Order 673, filed 1/24/66; Order 599, filed 1/29/64; Orders 499 and 256, filed 3/1/60; subsection 4 from Order 599, filed 1/29/64; Order 567, filed 2/15/63; Order 524, filed 2/6/61; Order 506, filed 3/16/60; Orders 482 and 256, filed 3/1/60; subsection 5 from Order 673, filed 1/24/66.]

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 220-52-040 Crab fishery—Lawful and unlawful. (1) It is unlawful for any vessel geared or equipped with commercial net fishing gear to have aboard any quantity of crab while fishing with said gear or having commercially caught food fish or other species of shellfish aboard.

(2) Unless otherwise provided, it is unlawful to set, maintain, or operate any baited or unbaited shellfish pots or ring nets for taking crabs, for commercial purposes, in any area at any time when it is unlawful to take or fish for crabs for commercial purposes therein.

(3) It is unlawful to have in the water any baited or unbaited shellfish pots or ring nets for taking crabs for commercial purposes, in any area at any time when it is unlawful to take or fish for crabs for commercial purposes therein: *Provided*, That following the close of a commercial crab season, permission may be granted by the director on a case-by-case basis for fishermen to recover shellfish pots that have become irretrievable due to extreme weather conditions. Fishermen must apply to fisheries patrol for such permission within twenty-four hours prior to the close of season.

(4) It is unlawful for any person to take, or possess for commercial purposes female Dungeness crabs, or male Dungeness crabs measuring less than 6-1/4 inches, caliper measurement, across the back immediately in front of the tips.

(5) It is unlawful for any person to take or fish for crabs for commercial purposes in the Puget Sound licensing district with more than 100 shellfish pots or ring nets in the aggregate, and it shall be unlawful for any group of persons using the same vessel to take or fish for crabs for commercial purposes in Puget Sound with more than 100 shellfish pots or ring nets in the aggregate, provided it shall be unlawful for any person, or group of persons using the same vessel, to take or fish for crabs for commercial purposes with more than 20 shellfish pots or ring nets in the aggregate within the waters of Dungeness Bay lying west of a line projected from the new Dungeness Light southward to the outermost end of the abandoned dock at the Three Crabs Restaurant on the southern shore of Dungeness Bay.

(6) It is unlawful for any fisher or wholesale dealer or buyer to land or purchase Dungeness crab taken from Grays Harbor, Willapa Bay, Columbia River, Washington coastal or adjacent waters of the Pacific Ocean during the first thirty days following the opening of a coastal crab season from any vessel which has not been issued a Washington crab vessel inspection certificate. The certificate will be issued to vessels made available for inspection in a Washington coastal port and properly licensed for commercial crab fishing if no Dungeness crabs are aboard. Inspections will be performed by authorized department of fisheries personnel not earlier than twelve hours prior to the opening of the coastal crab season and during the following thirty-day period.

(7) It is unlawful for any licensed fisher to fish for or possess Dungeness crab taken for commercial purposes with shellfish pot gear from Puget Sound waters unless the fisher has on his/her person a current Puget Sound crab pot/buoy brand certificate. The certificate shall contain space for: Vessel name; name of vessel operator(s); buoy brand(s) to be used; number of pots to be fished; Puget Sound endorsement number. The certificate may be obtained at a time and place specified by the director prior to the season opening upon inspection of all pots and buoys to be fished. Inspected gear must meet the requirements of legal gear as defined in WAC 220-20-010 and 220-52-043 in order to be certified. It is unlawful for a fisher to have aboard the fishing vessel or in the water more pots than the number shown on the certificate or to have buoys aboard the vessel with numbers other than those shown on the certificate. Upon inspection of gear, the certificate may be amended during the fishing season.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-040, filed 5/19/94, effective 6/19/94; 91-10-024 (Order 91-22), § 220-52-040, filed 4/23/91, effective 5/24/91; 85-01-010 (Order 84-214), § 220-52-040, filed 12/7/84; 84-08-014 (Order 84-24), § 220-52-040, filed 3/27/84; 83-01-026 (Order 82-221), § 220-52-040, filed 12/8/82; 80-13-064 (Order 80-123), § 220-52-040, filed 9/17/80; 79-02-053 (Order 79-6), § 220-52-040, filed 1/30/79; Order 77-145, § 220-52-040, filed 12/13/77; Order 76-152, § 220-52-040, filed 12/17/76; Order 76-26, § 220-52-040, filed 1:45 p.m., 4/20/76; Order 1045, § 220-52-040, filed 3/8/73; Order 807, § 220-52-040, filed 1/2/69, effective 2/1/69; subsections 1, 5, 6, from Orders 409 and 256, filed 3/1/60; subsection 2 from Orders 500 and 256, filed 3/1/60; subsection 3 from Order 528, filed 6/1/61; Order 525, filed 5/3/61; Order 507, filed 4/8/60; Orders 409 and 256, filed 3/1/60; subsection 4 from Order 528, filed 6/1/61; Order 525, filed 5/3/61; Orders 409 and 256, filed 3/1/60; subsection 7 from Orders 414 and 256, filed 3/1/60; subsection 8 from Orders 410 and 256, filed 3/1/60; subsection 9 from Order 409, filed 9/14/56.]

WAC 220-52-043 Crab fishery—Gear—Licensing.

(1) It shall be unlawful to take or fish for crabs for commercial purposes except with shellfish pots and ring nets.

(2) It shall be unlawful to use or operate any shellfish pot gear in the commercial Dungeness crab fishery unless such gear meets the following requirements:

(a) Pot gear must have not less than two escape rings or ports not less than 4-1/4 inches inside diameter.

(b) Escape rings or ports described above must be located in the upper half of the trap.

(3) All buoys attached to commercial crab gear in Puget Sound waters must consist of a durable material and remain floating on the water's surface when five pounds of weight is attached. It is unlawful to use bleach or antifreeze bottles

or any other container as a float. No buoys attached to commercial crab gear in Puget Sound may be half red in color and half white in color, as these colors are reserved for personal use crab gear as described in WAC 220-56-320 (1)(c).

(4) Licensing:

(a) A dungeness crab—Puget Sound fishery license is a license required to operate the gear provided for in this section, and allows the operator to retain dungeness crab taken in Puget Sound.

(b) Crab pot—Puget Sound and crab ring net—Puget Sound fishery licenses are licenses required to operate the gear provided for in this section, and allow the operator to retain crab other than dungeness crab taken in Puget Sound.

(c) Crab pot—non-Puget Sound and crab ring net—non-Puget Sound fishery licenses are licenses required to operate the gear provided for in this section and allow the operator to retain crab taken in state waters other than Puget Sound and offshore waters.

(5) Incidental catch: It is unlawful to retain salmon or shellfish other than octopus taken incidental to any lawful crab fishery.

[Statutory Authority: RCW 75.08.080, 94-12-009 (Order 94-23), § 220-52-043, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-52-043, filed 7/14/93, effective 8/14/93; 84-08-014 (Order 84-24), § 220-52-043, filed 3/27/84; 79-02-053 (Order 79-6), § 220-52-043, filed 1/30/79; Order 77-145, § 220-52-043, filed 12/13/77; Order 1179, § 220-52-043, filed 11/19/74; Order 807, § 220-52-043, filed 1/2/69, effective 2/1/69. Formerly WAC 220-52-040(1).]

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 25C, 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 28 unless the coastal crab fishery is delayed, in which case the following provisions apply:

(a) After consultation with the Oregon Department of Fish and Wildlife, the director will, by emergency rule, establish the softshell crab demarcation line.

(b) It is unlawful for a fisher to fish north of the softshell crab demarcation line for the first thirty days following the opening of a delayed season unless the fishery license holder or primary operator certifies that the vessel designated for use on that license did not participate in the coastal crab fishery south of the softshell crab demarcation line during the previous forty-five days. This certification is an instrument for purposes of RCW 40.16.030.

(c) Fishers may not set crab gear north of the softshell crab demarcation line more than sixty-four hours in advance of the season opening time.

[Statutory Authority: RCW 75.08.080, 94-12-009 (Order 94-23), § 220-52-046, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-52-046, filed 7/14/93, effective 8/14/93; 91-10-024 (Order 91-22), § 220-52-046, filed 4/23/91, effective 5/24/91; 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 in the intermediate or codend. It is lawful to have mesh larger than two inches in the wings or body of the trawl.

(ii) It is unlawful for any fisherman to be in possession of any gear having mesh size greater than two inches in the intermediate or codend while any shrimp are aboard the vessel.

(c) **Species restriction** - It is unlawful to retain ocean pink shrimp taken within the territorial boundaries of the state.

(d) Licensing:

(i) A shrimp trawl—non-Puget Sound fishery license is a license required to operate the gear provided for in this section, and allows the operator to retain shrimp other than ocean pink shrimp.

(ii) An ocean pink shrimp delivery license is a license required to operate the gear provided for in this section, and allows the operator to retain shrimp taken in offshore waters.

(2) Shellfish pot gear:

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

(b) **Gear restrictions** - No mesh restriction.

(c) **Species restriction** - It is unlawful to retain ocean pink shrimp taken within the territorial boundaries of the state.

(d) Licensing:

(i) A shellfish pot fishery license is a license required to operate the gear provided for in this section, and allows the operator to retain shrimp other than ocean pink shrimp.

(ii) An ocean pink shrimp delivery license is a license required to operate the gear provided for in this section, and allows the operator to retain shrimp taken in offshore waters.

(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.

(4) Incidental catch:

(a) It is unlawful to take salmon incidental to any shrimp fishery.

(b) It is unlawful to retain more than 1,500 pounds per fishing day of any bottomfish species taken incidental to a shrimp trawl fishery in which ocean pink shrimp comprise more than one-half of the volume of shrimp aboard. It is unlawful to retain more than 1,000 pounds per fishing day of any bottomfish species taken incidental to a shrimp trawl fishery in which spot prawns comprise more than one-half of the volume of shrimp aboard. If a species or species complex trip limit established under WAC 220-44-050 is less than 1,500 pounds or 1,000 pounds respectively, it is unlawful to land in excess of that trip limit.

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

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-050, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-52-050, filed 7/14/93, effective 8/14/93; 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 under the provisions of an experimental fishery permit issued with an emerging commercial fishery license. See chapter 220-88A WAC for the qualifications and season, area and gear restrictions.

[Statutory Authority: RCW 75.28.740 and 75.30.220. 94-07-092 (Order 94-14), § 220-52-051, filed 3/17/94, effective 4/17/94. Statutory Authority: RCW 75.08.080. 93-15-051, § 220-52-051, filed 7/14/93, effective 8/14/93; 91-18-030 (Order 91-73), § 220-52-051, filed 8/28/91, effective 9/28/91; 87-23-006 (Order 87-187), § 220-52-051, filed 11/6/87.]

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 unlawful to fish for crawfish for commercial purposes in the following waters:

Clallam

Anderson Lake
Crescent Lake

Clark

Battleground Lake

Cowlitz

Merrill Lake

Grant

Deep Lake
Potholes Res.
Coulee Lake
Soap Lakes
Sun Lakes

Grays Harbor

Sylvia Lake

Island

Cranberry Lake

Jefferson

Anderson Lake

King

Cedar Lake
Elbow Lake
Green Lake
Green River
Margaret Lake
Sammamish Lake
Sammamish River
Sammamish Slough
Walsh Lake

Kittitas

Easton Lake

Klickitat

Horsethief Lake
Roland Lake

Lewis

Mineral Lake

Okanogan

Alta Lake
Buffalo Lake
Campbell Lake
Conconully Lake
Conconully Res.
Crawfish Lake

Omak Lake
 Osoyoos Lake
 Pearrygin Lake

Pacific

Middle Nemah River
 North Nemah River
 Smith Creek

Pend Oreille

Browns Lake (on Brown Cr)
 Calispell Lake
 Cooks Lake
 Conklin Lake
 Davis Lake
 Half Moon Lake
 Mystic Lake
 No Name Lake
 Shearer Lake
 Vanee Lake

Pierce

Clear Lake
 Spanaway Lake
 Steilacoom Lake
 Wapato Lake

Skagit

Beaver Lake
 Caskey Lake
 Cranberry Lake
 Everett Lake
 Minkler Lake
 Pass Lake
 Sixteen Lake
 Whistle Lake

Skamania

Goose Lake
 Mosquito Lake
 South Prairie Lake
 Stump (Tunnel) Lake

Snohomish

Ballinger Lake
 Chaplain Lake
 Flowing Lake
 Goodwin Lake
 Ki Lake
 Martha Lake
 Pass Lake
 Roesiger Lake
 Serene Lake
 Shoecraft Lake
 Silver Lake
 Stevens Lake
 Stickney Lake
 Storm Lake

Thurston

Deep Lake
 Hicks Lake
 Long Lake
 Patterson Lake
 Summit Lake
 Ward Lake

Whatcom

Budd Lake
 Bug Lake
 Caine Lake
 Fishtrap Creek
 Johnson Creek
 Padden Lake
 Toad or Emerald Lake

(3) 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
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
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
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
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

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 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.

(5) Licensing: A shellfish pot fishery license is the license required to operate the gear provided for in this section.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-063, filed 5/19/94, effective 6/19/94; 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).]

(4) 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 subsections (2) and (3) 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.

(5) Licensing: A shellfish pot fishery license is the license required to operate the gear provided for in this section.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-060, filed 5/19/94, effective 6/19/94; 91-10-024 (Order 91-22), § 220-52-060, filed 4/23/91, effective 5/24/91; 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

WAC 220-52-066 Squid fishery. (1) It is lawful at any time to take or fish for squid for commercial purposes with drag seine gear not exceeding 350 feet in length and having meshes of not less than 1-1/4 inches stretch measure, dip bag net, brail, and squid jiggging gear. Dip bag net and brail may not exceed 10 feet in diameter nor have a mesh less than one inch stretch measure. Other gear may be used to fish for squid commercially if authorized by a permit issued by the director.

(2) Food fish, other shellfish except octopus, and squid eggs caught while fishing for squid must be returned to the water immediately. It is lawful to retain for commercial purposes squid taken incidental to another commercial fishery.

(3) Each vessel fishing for squid may use a lighting system with a combined power of not more than 10 kilowatts (10,000 watts). Lights of 200 watts or greater must be shielded and may not be directed to any point more than 100 feet from the vessel while fishing for or attracting squid.

(4) It is unlawful to fish for squid for commercial purposes within 1/4 mile of the shoreline of an incorporated city or town.

(5) Licensing: A squid fishery license is the license required to operate the gear provided for in this section.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-066, filed 5/19/94, effective 6/19/94; 84-08-014 (Order 84-24), § 220-52-066, filed 3/27/84; 80-13-064 (Order 80-123), § 220-52-066, filed 9/17/80;

Order 807, § 220-52-066, filed 1/2/69, effective 2/1/69. Formerly WAC 220-52-060 (5) and (6).]

WAC 220-52-068 Scallop fishery—Coastal waters.

It is unlawful to fish for or possess scallops taken for commercial purposes from coastal and offshore waters except as provided for in this section.

(1) Season: July 1 through November 30.

(2) Gear: Only scallop dredge gear may be used. Scallop dredge gear may not exceed fifteen feet in width per unit of gear and must have three inch or larger net mesh or rings throughout. Scallop dredges may not use a dredge liner nor have chaffing gear covering any portion of the top half of the dredge.

(3) Licensing: A shrimp trawl—non-Puget Sound fishery license is the license required to operate the gear provided for in this section.

(4) Incidental catch: It is unlawful to retain food fish or shellfish taken incidental to any lawful scallop fishery, except that it is lawful to retain octopus and squid.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-068, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-52-068, filed 7/14/93, effective 8/14/93.]

WAC 220-52-069 Scallop fishery—Puget Sound.

It is unlawful to fish for or possess scallops taken for commercial purposes from Puget Sound except as provided for in this section:

(1)(a) Rock scallops and weathervane scallops. It is unlawful at any time to take or possess rock or weathervane scallops taken for commercial purposes from Puget Sound unless a person has first obtained a scallop brood stock permit issued by the department. The permit will specify the species, location, time, and quantity of scallops that can be taken for brood stock or culture purposes.

(b) Licensing:

(i) A shellfish dive fishery license is a license that allows a permittee to retain rock and weathervane scallops for brood stock purposes.

(ii) Shrimp trawl—Puget Sound and food fish trawl—Puget Sound fishery licenses are licenses that allow a permittee to retain weathervane scallops for brood stock purposes.

(2) Pink scallops and spiny scallops.

(a) General provisions:

(i) Pink and spiny scallops may be harvested from Puget Sound at any time.

(ii) The minimum commercial pink or spiny scallop size is 2 inches in length from the hinge to the outer margin of the shell.

(iii) Persons fishing for pink or spiny scallops must have approval of the Washington state department of health. Scallops may only be taken from areas approved by the department of health and any fisher taking pink or spiny scallops must have on board the harvesting vessel a valid department of health shellfish toxin sampling agreement.

(iv) No other shellfish except octopus and squid or food fish may be retained while scallop fishing or possessed aboard the scallop fishing vessel.

(b) Trawl gear provisions:

(i) Trawlers may only use single beam trawls not exceeding ten feet in width and having mesh size no smaller

than two inches in the intermediate portion and cod end of the trawl.

(ii) Trawling for scallops is prohibited in waters less than 120 feet below mean lower low water.

(iii) Trawling for scallops is prohibited in the following areas:

(A) All waters closed to bottomfish trawl in WAC 220-48-015.

(B) Shrimp Districts 1 and 3 as defined in WAC 220-52-051.

(C) Sea Urchin Districts 1 and 2 closed waters defined in WAC 220-52-073 (1)(a)(i), (ii), and (1)(b)(ii).

(iv) Licensing: A shrimp trawl—Puget Sound fishery license is the license required to operate the gear provided for in this section.

(c) Shellfish diver gear provisions:

(i) Diving for scallops is prohibited in Sea Urchin Districts 1 and 2 closed waters as defined in WAC 220-52-073 (1)(a)(i), (ii), (1)(b)(i), and (ii).

(ii) Licensing: A shellfish dive fishery license is the license required to take scallops with shellfish diver gear.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-069, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-52-069, filed 7/14/93, effective 8/14/93; 91-10-024 (Order 91-22), § 220-52-069, filed 4/23/91, effective 5/24/91; 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 220-52-070 Goose barnacle fishery. (1) It is unlawful to take or possess Pacific goose barnacles taken for commercial purposes without having first obtained a permit to do so issued by the director.

(2) Licensing: An emerging commercial fishery license is the license required for a permittee to retain goose barnacles.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-070, filed 5/19/94, effective 6/19/94; 86-24-046 (Order 86-190), § 220-52-070, filed 11/26/86.]

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, 1991.

(b) District 2 open May 1 through October 31, 1992.

(c) District 3 open May 1 through October 31, 1993, except:

(i) Marine Fish Shellfish Management and Catch Reporting Area 26C is closed to the harvest of sea cucumbers after August 31, 1993.

(ii) The waters of Eagle Harbor west of a line projected from Wing Point to Eagle Harbor Creosote Light Number 1 then due west to the shore on Bainbridge Island are closed to the harvest of sea cucumbers at all times.

(iii) The waters of Sinclair Inlet west of a line projected southerly from the easternmost point of Point Turner to landfall below the Veteran's Home in Annapolis are closed to the harvest of sea cucumbers at all times.

(d) District 4 open May 1 through October 31, 1994.

(e) Other areas and times as authorized by permit issued by the director.

(f) During the seasons provided for in this subsection, harvest is restricted to Monday through Wednesday May 1 through May 14, Monday through Thursday May 15 through June 30, and Monday through Friday thereafter. Divers may not take sea cucumbers from one-half hour before official sunset to official sunrise or 6:00 a.m., whichever is later.

(3) Shellfish diver gear:

(a) 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.

(b) Only one diver from each harvesting vessel is allowed in the water at any one time during the sea cucumber harvest operation or when commercial quantities of sea cucumbers are aboard.

(c) 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.

(d) Licensing: A sea cucumber dive fishery license is the license required to operate the gear provided for in this section.

(4) Trawl gear:

It is unlawful to fish for or possess sea cucumbers taken with trawl gear.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-071, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-52-071, filed 7/14/93, effective 8/14/93; 91-18-030 (Order 91-73), § 220-52-071, filed 8/28/91, effective 9/28/91; 91-10-024 (Order 91-22), § 220-52-071, filed 4/23/91, effective 5/24/91; 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 220-52-073 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 21A, 21B, 22B, 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 seasons and sizes:**

Sea urchin seasons and sizes will be set by emergency rule.

(3) **Shellfish diver gear:**

(a) It is unlawful to take sea urchins by any means other than shellfish diver gear.

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

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

(d) Purple sea urchins may not be taken.

(e) 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.

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

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

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

(i) Only one diver from each harvesting vessel is allowed in the water at any one time during the sea urchin harvesting operation or when commercial quantities of sea urchins are aboard.

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

(k) **Licensing:** A sea urchin dive fishery license is the license required to operate the gear provided for in this section.

[Statutory Authority: RCW 75.08.080, 94-12-009 (Order 94-23), § 220-52-073, filed 5/19/94, effective 6/19/94; 91-22-064 (Order 91-132), § 220-52-073, filed 11/1/91, effective 12/2/91; 91-10-024 (Order 91-22), § 220-52-073, filed 4/23/91, effective 5/24/91; 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 220-52-075 Shellfish harvest logs. It is unlawful for any vessel operator engaged in commercial crawfish, sea cucumber, sea urchin, scallop, shrimp other than ocean pink shrimp, squid, octopus, or sand shrimp 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 other than ocean pink shrimp, squid, octopus, scallops, clams, or sand shrimp aboard. The vessel operator must submit the harvest logs 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 other than ocean pink 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 must record the vessel identity, date, location, and duration of harvest and estimated weight of scallops caught for each tow or dive hour 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.

(8) Vessel operators engaged in commercial harvest of sand shrimp, except when taken incidental to any other lawful fishery, must record the location or identification number of the harvest tract, date of harvest, number of trenches pumped, average length and width of trenches (yards), total number of sand shrimp retained (dozens), total number of sand shrimp sold (dozens), and the name of the sand shrimp buyer.

[Statutory Authority: RCW 75.08.080. 94-12-009 (Order 94-23), § 220-52-075, filed 5/19/94, effective 6/19/94; 93-15-051, § 220-52-075, filed 7/14/93, effective 8/14/93; 91-10-024 (Order 91-22), § 220-52-075, filed 4/23/91, effective 5/24/91; 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

220-55-005	Personal use food fish license.
220-55-010	Personal use shellfish and seaweed license.
220-55-015	Valid personal use license required.
220-55-040	Free license definitions.
220-55-050	Two consecutive day license validation date.
220-55-055	Personal use license and catch record card expiration.
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220-55-065	Physical disability permit.
220-55-070	Valid catch record card.
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220-55-100	Personal use food fish license and shellfish and seaweed license dealer.
220-55-105	Personal use license dealer—Bonding, prepayment and remittance requirements.
220-55-110	Two consecutive day license and catch record card—License dealer issuance duties.
220-55-115	Personal use license dealer's fees.
220-55-120	Personal use licenses and recreational fisheries enhancement stamps—Redemption and inventory return.
220-55-125	Catch record cards—Accountability and inventory return.
220-55-155	Personal use license dealer's fee.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-55-020	Information required. [Statutory Authority: RCW 75.08.080. 79-09-021 (Order 79-58), § 220-55-020, filed 8/10/79.] Repealed by 89-07-071 (Order 89-05), filed 3/20/89. Statutory Authority: RCW 75.08.080.
220-55-025	Signature required. [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.] Repealed by 89-07-071 (Order 89-05), filed 3/20/89. Statutory Authority: RCW 75.08.080.
220-55-030	Razor clam license distribution agent. [Statutory Authority: RCW 75.08.080. 79-09-021 (Order 79-58), § 220-55-030, filed 8/10/79.] Repealed by 89-07-071 (Order 89-05), filed 3/20/89. Statutory Authority: RCW 75.08.080.
220-55-035	Razor clam license dealer. [Statutory Authority: RCW 75.08.080. 79-09-021 (Order 79-58), § 220-55-035, filed 8/10/79.] Repealed by 89-07-071 (Order 89-05), filed 3/20/89. Statutory Authority: RCW 75.08.080.
220-55-045	Bond requirements. [Statutory Authority: RCW 75.08.080. 79-09-021 (Order 79-58), § 220-55-045, filed 8/10/79.] Repealed by 89-07-071 (Order 89-05), filed 3/20/89. Statutory Authority: RCW 75.08.080.

220-55-080	Validation date. [Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-55-080, filed 4/2/91, effective 5/3/91; 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.] Repealed by 94-01-001, filed 12/1/93, effective 1/1/94. Statutory Authority: RCW 75.08.080.
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.
220-55-086	Two-consecutive-day personal use license. [Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-55-086, filed 4/2/91, effective 5/3/91; 90-03-068 (Order 90-05), § 220-55-086, filed 1/19/90, effective 2/19/90; 89-07-071 (Order 89-05), § 220-55-086, filed 3/20/89.] Repealed by 94-01-001, filed 12/1/93, effective 1/1/94. Statutory Authority: RCW 75.08.080.
220-55-090	Recreational license dealer. [Statutory Authority: RCW 75.08.080. 89-07-071 (Order 89-05), § 220-55-090, filed 3/20/89; 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.] Repealed by 94-01-001, filed 12/1/93, effective 1/1/94. 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.
220-55-130	Valid personal use license. [Statutory Authority: RCW 75.08.080. 89-07-071 (Order 89-05), § 220-55-130, filed 3/20/89; 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.] Repealed by 94-01-001, filed 12/1/93, effective 1/1/94. Statutory Authority: RCW 75.08.080.
220-55-135	Stamp redemption. [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.] Repealed by 89-07-071 (Order 89-05), filed 3/20/89. Statutory Authority: RCW 75.08.080.
220-55-140	Valid recreational Hood Canal shrimp license. [Statutory Authority: RCW 75.08.080. 89-07-071 (Order 89-05), § 220-55-140, filed 3/20/89.] Repealed by 94-01-001, filed 12/1/93, effective 1/1/94. Statutory Authority: RCW 75.08.080.
220-55-150	Dealers fees. [Statutory Authority: RCW 75.08.080. 90-03-068 (Order 90-05), § 220-55-150, filed 1/19/90, effective 2/19/90.] Repealed by 94-01-001, filed 12/1/93, effective 1/1/94. Statutory Authority: RCW 75.08.080.

WAC 220-55-005 Personal use food fish license. A personal use food fish license is a license card issued by the department and shall be color coded to designate resident, nonresident, two consecutive day, or senior citizen. The license is invalid unless the fisher identification information on the license has been completed and the fisher has signed the license. A license is invalid for taking salmon and other food fish from Catch Record Card Areas 5 through 13 and Lake Washington unless a recreational fisheries enhancement stamp has been permanently affixed to a license card in the space provided, and that license is in the physical possession of the fisher except that a recreational fisheries enhancement stamp is not required for two consecutive day licenses, five-year disability licenses or for any licenses issued at no cost. Any fisher who has filled a salmon catch record card and purchased another personal use food fish license in order to

continue fishing for salmon need not purchase a second recreational fisheries enhancement stamp, provided the fisher has the original license card with recreational fisheries enhancement stamp attached in the fisher's possession.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-55-005, filed 12/1/93, effective 1/1/94.]

WAC 220-55-010 Personal use shellfish and seaweed license. A personal use shellfish and seaweed license shall consist of a tag printed and issued by the department. The license shall be provided with an opening for attachment or display on outer clothing and shall be color-coded to designate resident, nonresident, two consecutive day or senior citizen. The license shall be invalid unless the harvester information on the license has been completed and the harvester has signed the license.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-55-010, filed 12/1/93, effective 1/1/94; 93-08-034 (Order 93-20), § 220-55-010, filed 3/31/93, effective 5/1/93; 89-07-071 (Order 89-05), § 220-55-010, filed 3/20/89; 79-09-021 (Order 79-58), § 220-55-010, filed 8/10/79.]

WAC 220-55-015 Valid personal use license required. (1) It is unlawful for any person required to have a license to take or possess food fish or shellfish for personal use without having in physical possession a valid license. A personal use shellfish and seaweed license is not required for private tideland owners or lessees of state tidelands or members of their immediate family to harvest clams, oysters, cockles, borers, or mussels taken for personal use from their own tidelands.

(2) A shellfish and seaweed license must be displayed on outer clothing while harvesting or transporting shellfish in the field.

(3) The department will not replace lost or mutilated personal use licenses.

[Statutory Authority: RCW 75.08.080. 94-23-059 (Order 94-162), § 220-55-015, filed 11/14/94, effective 12/15/94; 94-01-001, § 220-55-015, filed 12/1/93, effective 1/1/94; 89-07-071 (Order 89-05), § 220-55-015, filed 3/20/89; 79-09-021 (Order 79-58), § 220-55-015, filed 8/10/79.]

WAC 220-55-040 Free license definitions. For purposes of free licenses issued by the department:

(1) A person who is blind, or blind person, means a person who has no vision or whose vision with corrective lenses is so defective as to prevent the performance of ordinary activities for which eyesight is essential.

(2) Veteran means a veteran of the United States Armed Forces.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-55-040, filed 12/1/93, effective 1/1/94; 89-07-071 (Order 89-05), § 220-55-040, filed 3/20/89; 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 220-55-050 Two consecutive day license validation date. On a two consecutive day personal use food fish or shellfish and seaweed license, the validation date is the first date on which an angler may fish for, harvest or possess food fish and shellfish.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-55-050, filed 12/1/93, effective 1/1/94; 79-09-021 (Order 79-58), § 220-55-050, filed 8/10/79.]

WAC 220-55-055 Personal use license and catch record card expiration. The expiration date for all personal use licenses and catch record cards is December 31st of the year printed on the license or catch record card, except a two consecutive day license expires at midnight of the day after the validation date or December 31st, whichever occurs first, and a disability license expires five years after the date of issue.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-55-055, filed 12/1/93, effective 1/1/94; 91-08-054 (Order 91-13), § 220-55-055, filed 4/2/91, effective 5/3/91; 79-09-021 (Order 79-58), § 220-55-055, filed 8/10/79.]

WAC 220-55-060 Free personal use license issuing procedure. Upon request and presentation of required documentation, a free personal use license and catch record card will be issued by the license supervisor of the department to any qualified applicant under RCW 75.25.110. Persons not required to have a license under RCW 75.25.091 or 75.25.092 will be issued a free license, for their convenience, upon request. A lost, mutilated, or illegible free license will be replaced by the license supervisor upon request.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-55-060, filed 12/1/93, effective 1/1/94; 89-07-071 (Order 89-05), § 220-55-060, filed 3/20/89; 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 Physical disability permit. (1) Persons who are disabled, but are not entitled to a free license under RCW 75.25.110 or WAC 220-55-060, may obtain a physical disability permit upon application to the license supervisor of the department. Application must be made on a form supplied by the department and be accompanied by a statement of condition signed by a physician.

(2) Any personal use licensed fisher or shellfish harvester who has a disability permit and is present at the fishing or harvest site may have another personal use licensed fisher or harvester fish or harvest for the person who is disabled.

(3) A seaweed and shellfish licensee with a disability permit need not be present at the site for another licensee to harvest razor clams, but must be in a direct line of sight or within one-quarter mile of the harvest site if the direct line of sight is obstructed. A person harvesting razor clams for a person who has a disability permit must keep his or her razor clams separate from the razor clams being harvested for the person who is disabled.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-55-065, filed 12/1/93, effective 1/1/94; 91-08-054 (Order 91-13), § 220-55-065, filed 4/2/91, effective 5/3/91; 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 required while fishing for halibut in Catch Record Card Areas 5 through 13, sturgeon in Grays Harbor, Willapa Bay or the Columbia River and tributaries to these three systems, or anadromous salmon anywhere in the state (see WAC 220-56-175) shall be invalid unless:

(1) The angler possesses the appropriate personal use license for the fishery in which the angler is participating, if a license is required.

(2) The catch record card number is written in ink in the appropriate space on the back of the personal use license, if a license is required.

(3) The license issuance date is legible and not altered, and the license has not been mutilated.

[Statutory Authority: RCW 75.08.080, 94-01-001, § 220-55-070, filed 12/1/93, effective 1/1/94; 91-08-054 (Order 91-13), § 220-55-070, filed 4/2/91, effective 5/3/91; 89-07-071 (Order 89-05), § 220-55-070, filed 3/20/89; 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 Recreational fisheries enhancement stamp. (1) The annual recreational fisheries enhancement surcharge required by RCW 75.54.140, is administered by the department as a recreational fisheries enhancement stamp.

(2) The recreational fisheries enhancement stamp is a stamp issued by the department, which is required to be affixed to an annual license for which there is a cost prior to the fisher fishing for salmon or other food fish in Catch Record Card Areas 5 through 13 or Lake Washington.

(3) A recreational fisheries enhancement stamp is not required for two consecutive day licenses, five year disability licenses, or any license issued at no cost.

[Statutory Authority: RCW 75.08.080, 94-01-001, § 220-55-075, filed 12/1/93, effective 1/1/94; 91-08-054 (Order 91-13), § 220-55-075, filed 4/2/91, effective 5/3/91; 89-07-071 (Order 89-05), § 220-55-075, filed 3/20/89; 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 220-55-100 Personal use food fish license and shellfish and seaweed license dealer. A personal use food fish license and shellfish and seaweed license dealer is any person, business, corporation or governmental agency authorized by the director to issue personal use licenses, recreational fisheries enhancement stamps, and catch record cards.

[Statutory Authority: RCW 75.08.080, 94-01-001, § 220-55-100, filed 12/1/93, effective 1/1/94; 80-03-064 (Order 80-12), § 220-55-100, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-040.]

WAC 220-55-105 Personal use license dealer—Bonding, prepayment and remittance requirements. (1) A personal use license dealer who has been authorized less than twenty-four months must either post a surety bond or prepay for licenses and recreational fisheries enhancement stamps. The total value of licenses and stamps issued to bonded dealers will not exceed the amount of the bond.

(2) Personal use license dealers who have been authorized for twenty-four months or longer and who have had no more than three late remittances or more than one audit exception in a twelve-month period and who provide proof of casualty, theft or loss insurance may be issued licenses without bonding or prepayment.

(3) Personal use license dealers who have been issued licenses without bonding or prepayment and thereafter have more than three late remittances in a twelve-month period or

two audit exceptions in a twelve-month period will resume status as a new dealer.

(4) Personal use license dealers who make a remittance with insufficient funds must obtain a surety bond or prepay for all further licenses.

(5) Personal use license dealers shall report license sales on forms provided by the department and shall 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. Receipts from sales of personal use licenses are the property of the state of Washington. Failure to remit receipts from the sales of personal use licenses within sixty days of the sale of the license may result in criminal prosecution pursuant to Title 9A RCW, the Washington Criminal Code.

[Statutory Authority: RCW 75.08.080, 94-01-001, § 220-55-105, filed 12/1/93, effective 1/1/94; 89-07-071 (Order 89-05), § 220-55-105, filed 3/20/89; 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 Two consecutive day license and catch record card—License dealer issuance duties. (1) A personal use license dealer must, at the time of sale of a two consecutive day license, write the validation date in ink on the license document. The validation date is the first day on which a licensee may fish for, harvest or possess food fish or shellfish.

(2) A personal use license dealer must, at the time of distribution of a catch record card, record in ink the number of the catch record card in the appropriate space on the personal use food fish license, if a personal use food fish license is required for the fisher.

[Statutory Authority: RCW 75.08.080, 94-01-001, § 220-55-110, filed 12/1/93, effective 1/1/94; 89-07-071 (Order 89-05), § 220-55-110, filed 3/20/89; 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 Personal use license dealer's fees. Personal use dealers may retain a license fee of one dollar for each personal use food fish license, personal use shellfish and seaweed license, and recreational fisheries enhancement stamp sold. No dealer's fee may be charged for free licenses issued by dealers to residents seventy years of age or older, or for distributing catch record cards to any fisher.

[Statutory Authority: RCW 75.08.080, 94-01-001, § 220-55-115, filed 12/1/93, effective 1/1/94; 89-07-071 (Order 89-05), § 220-55-115, filed 3/20/89; 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 Personal use licenses and recreational fisheries enhancement stamps—Redemption and inventory return. (1) Personal use license dealers may redeem prepaid personal use food fish licenses, personal use shellfish and seaweed licenses, and recreational fisheries enhancement stamps for full value by returning unused stock to the department licensing division not later than January 31 of the year following expiration. Dealers who return stock by mail are entitled to a refund if the postmark is no later

than January 31st. No redemption will be made for licenses or stamps received or postmarked after January 31st.

(2) Bonded dealers and dealers who are not required to prepay or bond must return all unused personal use licenses and recreational fisheries enhancement stamps by January 31st of the year following expiration. After January 31st any unreturned licenses or stamps will be presumed to have been sold and remittance will be required under WAC 220-55-105.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-55-120, filed 12/1/93, effective 1/1/94; 89-07-071 (Order 89-05), § 220-55-120, filed 3/20/89; 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 Catch record cards—Accountability and inventory return. A personal use license dealer issuing catch record cards for salmon, sturgeon, and halibut is subject to the following rules:

(1) Catch record card books may not be transferred from one dealer to another without written permission from the department.

(2) All catch record card books from which all cards have been issued, and any catch record card returned to a dealer by a fisher, must be returned to the department within ten days after the end of each calendar month.

(3) Any dealer terminating business or closing for the year prior to December 31st must return any unused or partially used catch record card books within thirty days of terminating business or closing for the year.

(4) All partially used catch record card books must be returned to the department by January 31st of the year following the year printed on the catch record cards. All complete unused catch record card books, and any catch record cards that are void, lost, destroyed or otherwise missing from a dealership, must be accounted for in writing to the department by January 31st of the year following the year printed on the catch record cards.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-55-125, filed 12/1/93, effective 1/1/94; 91-08-054 (Order 91-13), § 220-55-125, filed 4/2/91, effective 5/3/91; 89-07-071 (Order 89-05), § 220-55-125, filed 3/20/89; 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 220-55-155 Personal use license dealer's fee. A personal use license dealer may retain a license fee of one dollar for each personal use food fish and personal use shellfish and seaweed license sold. No dealers fee may be charged for distributing catch record cards or collecting the recreational fisheries enhancement surcharge and issuing stamps.

[Statutory Authority: RCW 75.08.080. 94-23-059 (Order 94-162), § 220-55-155, filed 11/14/94, effective 12/15/94.]

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

WAC

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- 220-56-330 Crab—Areas and seasons.
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- 220-56-340 General provisions—Clams, cockles, mussels—Gear.
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- 220-56-375 Oysters and scallops—Gear.
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- 220-56-390 Squid, octopus.

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

- 220-56-010 Definitions. [Statutory Authority: RCW 75.08.080. 78-03-034 (Order 78-8), § 220-56-010, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-56-010, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-56-010, filed 3/15/76, effective 5/1/76; Order 858, § 220-56-010, filed 1/14/70; Order 806, § 220-56-010, filed 12/20/68, effective 1/20/69; Order 767, § 2, filed 12/22/67; Order 717, § 1 (part), filed 12/21/66; subsections 1, 2 from Orders 356, 256, filed 3/1/60; subsections 3 and 7 from Order 525, filed 5/3/61; Orders 356, 256, filed 3/1/60; subsections 4 and 5 from Orders 391 and 256, filed 3/1/60; subsection 6 from Order 507, filed 4/13/60; subsection 8 from Order 630, filed 12/2/64.] See WAC 220-56-013, 220-56-016, and 220-56-019. Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.
- 220-56-013 Definitions—Bag limit code definitions. [Statutory Authority: RCW 75.08.080. 79-07-046 (Order 79-43), § 220-56-013, filed 6/22/79; 78-03-034 (Order 78-8), § 220-56-013, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-56-013, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-56-013, filed 4/5/76; Order 76-14, § 220-56-013, filed 3/15/76 and 3/24/76, effective 5/1/76; Order 1116, § 220-56-013, filed 4/30/74; Order 1101, § 220-56-013, filed 11/14/73, effective 1/1/74; Order 1039, § 220-56-013, filed 12/22/72; Order 910, § 220-56-013, filed 12/28/70; Order 806, § 220-56-013, filed 12/20/68, effective 1/20/69. Formerly (9) of WAC 220-56-010.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.
- 220-56-016 Definitions—Season code definitions. [Order 806, § 220-56-016, filed 12/20/68, effective 1/20/68; Formerly (10) of WAC 220-56-010.] Repealed by Order 77-71, filed 8/18/77.
- 220-56-019 Definitions—River mouth definitions. [Statutory Authority: RCW 75.08.080. 79-02-052 (Order 79-7), § 220-56-019, filed 1/30/79, effective 4/1/79; Order 76-14, § 220-56-019, filed 4/5/76; Order 76-14, § 220-56-019, filed 3/15/76, effective 5/1/76; Order 1186, § 220-56-019, filed 1/13/75; Order 978, § 220-56-019, filed 12/10/71; Order 910, § 220-56-019, filed 12/28/70; Order 867, § 220-56-019, filed 6/16/70; Order 858, § 220-56-019, filed 1/14/70; Order 806, § 220-56-019, filed 12/20/68, effective 1/20/69. Formerly (11) of WAC 220-56-010.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.
- 220-56-020 Definitions—Lawful and unlawful provisions. [Statutory Authority: RCW 75.08.080. 78-03-034 (Order 78-8), § 220-56-020, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-56-020, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-56-020, filed 3/15/76, effective 5/1/76; Order 1186, § 220-56-020, filed 1/13/75; Order 1101, § 220-56-020, filed 11/14/73, effective 1/1/74; Order 1039, § 220-56-020, filed 12/22/72; Order 978, § 220-56-020, filed 12/10/71 and 12/17/71; Order 910, § 220-56-020, filed 12/28/70; Order 866, § 220-56-020, filed 6/12/70; Order 858, § 220-56-020, filed 1/14/70; Order 806, § 220-56-020, filed 12/20/68, effective 1/20/69; Order 720, § 1, filed 2/1/67; Order 717, § 1 (part), filed 12/21/66; subsection 1 from Order 525, filed 5/3/61; Order 507, filed 4/13/60; subsections 2 and 11 from Order 569, filed 4/11/63; subsection 3 from Order 527, filed 5/16/61; Orders 356 and 256, filed 3/1/60; subsection 4 from Orders 356 and 256, filed 3/1/60; subsections 6, 7, 8, 9 from Order 525, filed 5/3/61; Orders 356 and 256, filed 3/1/60; subsection 7 amended by Order 635, filed 3/31/65; subsection 10 from Order 672, filed 12/28/65; subsection 11 amended by Order 630, filed 12/2/64.] See WAC 220-56-023. Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.
- 220-56-021 Definitions—Hook regulations—Fresh water angling. [Statutory Authority: RCW 75.08.080. 79-02-052 (Order 79-7), § 220-56-021, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-56-021, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-56-021, filed 3/15/76, effective 5/1/76; Order 1186, § 220-56-021, filed 1/13/75; Order 1101, § 220-56-021, filed 11/14/73, effective 1/1/74; Order 978, § 220-56-021, filed 12/10/71; Order 910, § 220-56-021, filed 12/28/70.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.
- 220-56-022 Definitions—Special fishery—Elderly and handicapped persons. [Statutory Authority: RCW 75.08.080. 78-03-034 (Order 78-8), § 220-56-022, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-56-022, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-56-022, filed 4/5/76; Order 76-14, § 220-56-022, filed 3/15/76 and 3/24/76, effective 5/1/76; Order 910, § 220-56-022, filed 12/18/70.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.
- 220-56-023 Salmon catch record cards. [Statutory Authority: RCW 75.08.080. 79-02-052 (Order 79-7), § 220-56-023, filed 1/30/79, effective 4/1/79; Order 77-121, § 220-56-023, filed 10/19/77; Order 76-153, § 220-56-023, filed 12/17/76; Order 910, § 220-56-023, filed 12/28/70; Order 806, § 220-56-023, filed 12/20/68, effective 1/20/69; Formerly (12) of WAC 220-56-020.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-175.
- 220-56-030 Definitions—Possession limits—Food fish other than salmon. [Statutory Authority: RCW 75.08.080. 78-03-034 (Order 78-8), § 220-56-030, filed 2/21/78, effective 4/1/78; Order 1186, § 220-56-030, filed 1/13/75; Order 1101, § 220-56-030, filed 11/14/73, eff. 1/1/74; Order 717, § 1, (part), filed 12/21/66; subsection 1 from Order 525, filed 5/3/61; subsection 2 from Order 672, filed 12/28/65; Order 569, filed 4/11/63; Order 544, filed 4/13/62; Order 525, filed 5/3/61; Orders 457 and 256, filed 3/1/60; subsection 2(b) amended by Order 630, filed 12/2/64.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.
- 220-56-040 Definitions—Shellfish—Possession limits. [Statutory Authority: RCW 75.08.080. 78-03-034 (Order 78-8), § 220-56-040, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-56-040, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-56-040, filed 4/5/76; Order 76-14, § 220-56-040, filed 3/15/76, effective 5/1/76; Order 1186, § 220-56-040, filed 1/13/75; Order 1039, § 220-56-040, filed 12/22/72; Order 990, § 220-56-040, filed 5/11/72; Order 910, § 220-56-040, filed 12/28/70; Order 767, § 3, filed 12/22/67; Order 717, § 1 (part), filed 12/21/66; subsections 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13 from Order 525, filed 5/3/61; Orders 483 and 256, filed 3/1/60; subsection 2 from Order 525, filed 5/3/61; Order 506, filed 3/16/60; Order 569, subsection 4, filed 4/11/63; Order 525, filed 5/3/61; Orders 483 and 256, filed 3/1/60.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.
- 220-56-050 General provisions. [Statutory Authority: RCW 75.08.080. 79-04-041 (Order 79-17), § 220-56-050, filed 3/23/79; Order 1106, § 220-56-050, filed 1/10/74; Order 717, § 1, (part), filed 12/21/66; subsections 1, 3, 4-9 from Orders 356 and 256, filed 3/1/60; subsection 2 from Orders 391 and 256, filed 3/1/60; subsection 5 from Order 569, filed 4/11/63; Orders 356 and 256, filed 3/1/60; subsection 10 from Order 630, filed 12/2/64; Orders 429 and 256, filed 3/1/60; subsection 11 from Orders 453 and 256, filed 3/1/60; subsection 12 from Order 525, filed 5/3/61.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.
- 220-56-060 General provisions—Personal use fishery—Areas and seasons—Salmon. [Statutory Authority: RCW 75.08.080.

- 78-03-034 (Order 78-8), § 220-56-060, filed 2/21/78, effective 4/1/78; Order 978, § 220-56-060, filed 12/10/71; Order 910, § 220-56-060, filed 12/28/70; Order 867, § 220-56-060, filed 6/16/70; Order 858, § 220-56-060, filed 1/14/70; Order 806, § 220-56-060, filed 12/20/68, eff. 1/20/69; Order 767, §§ 4, 5, filed 12/22/67; Order 717, § 1, (part), filed 12/21/66; subsection 1 from Orders 356 and 256, filed 3/1/60; subsection 2 from Order 672, (part), filed 12/28/65; Order 635, (part), filed 3/31/65; Order 630, filed 12/2/64; Order 569, filed 4/11/63; Order 543, filed 3/20/62; Order 525, filed 5/3/61; Order 511, filed 6/27/60; Order 507, filed 4/13/60; Orders 356 and 256, filed 3/1/60; subsection 3 from Order 569, filed 4/11/63; Orders 429 and 256, filed 3/1/60; subsection 4 from Order 569, filed 4/11/63; Orders 356 and 256, filed 3/1/60; subsection 5 from Order 672, (part), filed 12/28/65; Order 630, (part), filed 12/2/64; Order 569, filed 4/11/63; Order 525, filed 5/3/61; Orders 391, 384, 383, and 256, filed 3/1/60; subsection 6 from Order 630, filed 12/2/64; subsections 7, 14 from Orders 356 and 256, filed 3/1/60; subsection 8 from Order 672, (part), filed 12/28/65; Order 630, (part), filed 12/2/64; Order 543, filed 3/20/62; Order 507, filed 4/13/60; Orders 404 and 256, filed 3/1/60; subsection 9 from Orders 404 and 256, filed 3/1/60; subsection 10 from Order 569, filed 4/11/63; Orders 476 and 256, filed 3/1/60; subsection 11 from Orders 417 and 256, filed 3/1/60; subsection 12 from Order 630, filed 12/2/64; Order 569, filed 4/11/63; Orders 455 and 256, filed 3/1/60; subsection 13 from Order 543, filed 3/20/62; Order 507, filed 4/13/60; Orders 452 and 256, filed 3/1/60; subsection 15 from Order 569, filed 4/11/63; Orders 356 and 256, filed 3/1/60; subsection 16 from Orders 357 and 256, filed 3/1/60; subsection 17 from Order 672, filed 12/28/65; Order 543, filed 3/20/62; Orders 400 and 256, filed 3/1/60; subsection 18 from Order 544, filed 4/3/62; Order 525, filed 5/3/61; Order 507, filed 4/13/60; Orders 502 and 256, filed 3/1/60; subsections 19 and 20 from Order 630, filed 12/2/64; Order 507, filed 4/13/60; Orders 452 and 256, filed 3/1/60; subsection 21 from Order 672, filed 12/28/65; Order 569, filed 4/11/63; Order 507, filed 4/13/60; subsection 22 from Order 672, filed 12/28/65; Order 630, filed 12/2/64; subsection 23 from Order 525, filed 5/3/61; Order 507, filed 4/13/60.] Later promulgation, see WAC 220-56-063 and 220-56-066. Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.
- 220-56-063 General provisions—Salt water seasons and bag limits. [Order 77-31, § 220-56-063, filed 5/11/77; Order 77-3, § 220-56-063, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-56-063, filed 3/15/76 and 3/24/76, effective 5/1/76; Order 1221, § 220-56-063, filed 7/1/75; Order 1193, § 220-56-063, filed 3/4/75; Order 1186, § 220-56-063, filed 1/13/75; Order 1143, § 220-56-063, filed 8/8/74; Order 1116, § 220-56-063, filed 4/30/74; Order 1101, § 220-56-063, filed 11/14/73, effective 1/1/74; Order 982, § 220-56-063, filed 2/16/72; Order 978, § 220-56-063, filed 12/10/71; Order 910, § 220-56-063, filed 12/28/70; Order 806, § 220-56-063, filed 12/20/68, effective 1/20/69. Formerly (2) of WAC 220-56-060.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.
- 220-56-064 Special provisions—Saltwater seasons and bag limits. [Statutory Authority: RCW 75.08.080. 78-03-034 (Order 78-8), § 220-56-064, filed 2/21/78, effective 4/1/78; Order 77-31, § 220-56-064, filed 5/11/77; Order 77-3, § 220-56-064, filed 1/28/77, effective 3/1/77.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-190.
- 220-56-065 Personal use fishery—Areas and seasons—Other food fish and shellfish. [Statutory Authority: RCW 75.08.080. 79-02-052 (Order 79-7), § 220-56-065, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-56-065, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-56-065, filed 1/28/77, effective 3/1/77; Order 910, § 220-56-065, filed 12/28/70.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-128.
- 220-56-066 Personal use fishery—Fresh water seasons and bag limits. [Order 866, § 220-56-066, filed 6/12/70; Order 858, § 220-56-066, filed 1/14/70; Order 806, § 220-56-066, filed 12/20/68, effective 1/20/69; Formerly (3) of WAC 220-56-060.] Repealed by Order 77-71, filed 8/18/77. See WAC 220-57-001 through 220-57-105.
- 220-56-070 General provisions—Smelt—Areas and seasons. [Order 76-14, § 220-56-070, filed 3/15/76, effective 5/1/76; Order 1186, § 220-56-070, filed 1/13/75; Order 910, § 220-56-070, filed 12/28/70; Order 806, § 220-56-070, filed 12/20/68, effective 1/20/69; Order 717, § 1 (part), filed 12/21/66; subsection 1 from Order 591, filed 10/28/63; Orders 447 and 256, filed 3/1/60; subsection 2 from Orders 378 and 256, filed 3/1/60.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-270 and 220-56-275.
- 220-56-071 General provisions—Halibut—Season. [Order 1101, § 220-56-071, filed 11/14/73, effective 1/1/74.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-255.
- 220-56-072 General provisions—Shad and sturgeon areas and seasons. [Order 912, § 220-56-072, filed 1/26/71; Order 858, § 220-56-072, filed 1/14/70.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-285 and 220-56-295.
- 220-56-073 General provisions—Sturgeon—Snake River. [Order 867, § 220-56-073, filed 6/16/70.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-305.
- 220-56-074 General provisions—Sturgeon—Area—Bonneville Dam. [Order 76-14, § 220-56-074, filed 3/15/76, effective 5/1/76.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-300.
- 220-56-080 General provisions—Clams—Areas and seasons. [Statutory Authority: RCW 75.08.080. 79-02-052 (Order 79-7), § 220-56-080, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-56-080, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-56-080, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-56-080, filed 3/15/76, effective 5/1/76; Order 1186, § 220-56-080, filed 1/13/75; Order 1101, § 220-56-080, filed 11/14/73, effective 1/1/74; Order 990, § 220-56-080, filed 5/11/72; Order 807, § 220-56-080, filed 1/2/69, effective 2/1/69; Order 717, § 1 (part), filed 12/21/66; subsections 1, 3 from Order 605, filed 4/21/64; subsection 3 amended by Order 679, filed 4/20/66; subsection 2 from Order 631, filed 1/13/65; Order 599, filed 1/29/64; Order 540, filed 1/15/62; Order 524, filed 2/6/61; subsections 4, 6 from Orders 356 and 256, filed 3/1/60; subsection 6 amended by Order 672, filed 12/28/65; subsection 5 from Order 507, filed 4/13/60; Orders 356 and 256, filed 3/1/60; subsection 7 from Order 569, filed 4/11/60.] See WAC 220-56-082, 220-56-084, 220-56-086 and 220-56-088. Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.
- 220-56-082 General provisions—Crab—Areas and seasons. [Statutory Authority: RCW 75.08.080. 78-03-034 (Order 78-8), § 220-56-082, filed 2/21/78, effective 4/1/78; Order 76-14, § 220-56-082, filed 3/15/76, effective 5/1/76; Order 807, § 220-56-082, filed 1/2/69, effective 2/1/69. Formerly WAC 220-56-080(4).] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-330, 220-56-340, 220-56-345, 220-56-350, and 220-56-355.
- 220-56-084 General provisions—Shrimp—Areas and seasons. [Statutory Authority: RCW 75.08.080. 79-02-052 (Order 79-7), § 220-56-084, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-56-084, filed 2/21/78, effective 4/1/78;

- Order 76-14, § 220-56-084, filed 3/15/76, effective 5/1/76; Order 1101, § 220-56-084, filed 11/14/73, effective 1/1/74; Order 807, filed 1/2/69, effective 2/1/69. Formerly WAC 220-56-080(5).] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-325.
- 220-56-086 General provisions—Oysters—Areas and seasons. [Statutory Authority: RCW 75.08.080. 79-02-052 (Order 79-7), § 220-56-086, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-56-086, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-56-086, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-56-086, filed 3/15/76, effective 5/1/76; Order 1101, § 220-56-086, filed 11/14/73, effective 1/1/74; Order 807, § 220-56-086, filed 1/2/69, effective 2/1/69. Formerly WAC 220-56-080(6).] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-380.
- 220-56-088 General provisions—Shellfish gear—Unlawful. [Statutory Authority: RCW 75.08.080. 79-02-052 (Order 79-7), § 220-56-088, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-56-088, filed 2/21/78, effective 4/1/78; Order 76-14, § 220-56-088, filed 3/15/76, effective 5/1/76; Order 807, § 220-56-088, filed 1/2/69, effective 2/1/69. Formerly 220-56-080(7).] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-320.
- 220-56-090 General provisions—Sea cucumbers. [Order 990, § 220-56-090, filed 5/11/72.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-410.
- 220-56-092 General provisions—Sea urchins. [Order 990, § 220-56-092, filed 5/11/72.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-56-405.
- 220-56-120 Closed areas—Angling. [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.] Repealed by 89-07-060 (Order 89-12), filed 3/16/89. Statutory Authority: RCW 75.08.080.
- 220-56-135 Edmonds and Elliott Bay fishing piers. [Statutory Authority: RCW 75.08.080. 81-05-027 (Order 81-13), § 220-56-135, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-135, filed 2/27/80, effective 4/1/80.] Repealed by 82-07-047 (Order 82-19), filed 3/18/82. Statutory Authority: RCW 75.08.080.
- 220-56-198 Duwamish Waterway—Unlawful provisions. [Statutory Authority: RCW 75.08.080. 84-09-026 (Order 84-22), § 220-56-198, filed 4/11/84; 83-07-043 (Order 83-16), § 220-56-198, filed 3/17/83.] Repealed by 85-09-017 (Order 85-20), filed 4/9/85. Statutory Authority: RCW 75.08.080.
- 220-56-201 Marking sport-caught salmon. [Statutory Authority: RCW 75.08.080. 84-09-026 (Order 84-22), § 220-56-201, filed 4/11/84.] Repealed by 85-09-017 (Order 85-20), filed 4/9/85. Statutory Authority: RCW 75.08.080.
- 220-56-260 Bottomfish—Lawful gear. [Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-260, filed 2/27/80, effective 4/1/80.] Repealed by 82-13-040 (Order 82-61), filed 6/9/82. Statutory Authority: RCW 75.08.080.
- 220-56-300 Sturgeon—Area—Bonneville Dam. [Statutory Authority: RCW 75.08.080. 82-13-040 (Order 82-61), § 220-56-300, filed 6/9/82; 80-03-064 (Order 80-12), § 220-56-300, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-074.] Repealed by 83-07-043 (Order 83-16), filed 3/17/83. Statutory Authority: RCW 75.08.080.
- 220-56-345 Clams, oysters—Culling prohibited. [Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-345, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-082.] Repealed by 89-07-060 (Order 89-12), filed 3/16/89. Statutory Authority: RCW 75.08.080.

WAC 220-56-100 Definitions—Personal use. (1) "Personal-use possession" and "daily bag limits" are defined as the numbers or pounds of food fish or shellfish which may be taken in a single day or held in possession at one time, unless otherwise provided.

(2) A "single hook" is defined as a hook having a single point or barb; a "double hook" as a hook having two points or barbs on a common shank; and a "treble hook" as a hook having three points or barbs on a common shank.

(3) A "lure" is defined as any object made of animal, vegetable or mineral materials which has attached thereto one or more hooks and is used as bait while angling for food fish.

(4) The term "processed" as it applies in this chapter is defined as food fish or shellfish which have been processed by heat for human consumption as kippered, smoked, or canned fish and is exclusive of iced, frozen, or salted fish.

(5) The term "fresh fish" is defined as salmon or other food fish which has not been processed by heat for human consumption and is inclusive of iced, frozen, or salted fish except that fresh fish as provided in WAC 220-56-180 shall not include frozen.

(6) "Hook and line" or "angling" shall be identical in meaning and, except as provided in WAC 220-56-115, shall be defined as the use of not more than one line with one lure in the act of fishing for personal use and not for sale or barter, to be attached to a pole held in hand while landing fish, or the use of a hand-operated line without rod or reel, to which may be attached not more than one lure. When fishing for bottomfish, "angling" and "jigging" shall be identical in meaning.

(7) The term "snag or snagging" is defined as any method of taking or attempting to take food fish with one or more hooks in such a manner that the fish does not take the hook or hooks voluntarily in its mouth.

(8) The term "underwater spearfishing" is defined as any method of taking or attempting to take food fish by using any object or objects to impale or hook fish while the fisherman is swimming or floating in the water.

(9) The term "bow and arrow fishing" is defined as any method of taking, or attempting to take, food fish by the use of an arrow equipped with a barbed head and a line attached, and propelled by a bow, as in the sport of archery, while the fisherman is above the surface of the water.

(10) The term "natural bait," unless otherwise provided, is defined as a lure consisting of an animal or part of an animal with one single hook.

(11) The term "freshwater area" means, for purposes of this chapter:

(a) Within any freshwater river, lake, stream, or pond.

(b) On the bank or within 10 yards of any freshwater river, lake, stream, or pond.

(c) On or within any boat launch, ramp, or parking facility associated with any freshwater river, lake, stream, or pond.

(12) The term "Bonilla-Tatoosh Line" is defined as a line projected from the most westerly point on Cape Flattery to the buoy adjacent Duntz Rock then to Bonilla Point on Vancouver Island.

(13) The term "Buoy 10 Line" is defined as a true north-south line projected through Buoy 10 near the mouth of the Columbia River.

(14) The term "Buoy 10 Fishery" is defined as a fishery between the down stream side of the Megler-Astoria Bridge and the Buoy 10 Line.

(15) The term "Channel Marker 13 Line" is defined as a true north-south line through Grays Harbor Channel Marker 13.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-100, filed 7/1/94, effective 8/1/94; 91-08-054 (Order 91-13), § 220-56-100, filed 4/2/91, effective 5/3/91; 86-09-020 (Order 86-08), § 220-56-100, filed 4/9/86; 85-09-017 (Order 85-20), § 220-56-100, filed 4/9/85; 82-13-040 (Order 82-61), § 220-56-100, filed 6/9/82; 80-03-064 (Order 80-12), § 220-56-100, filed 2/27/80, effective 4/1/80.]

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 - Downstream side of the Highway 4 Bridge.
- Hoquiam River - Highway 101 Bridge.
- Humptulips River - Mouth of Jessie Slough.
- Johns River - Highway 105 Bridge.
- Kennedy Creek - An arc 500 yards east of the midpoint of the northbound Highway 101 Bridge.
- Lake Washington Ship Canal - Line 400 feet below the fish ladder at the Chittenden Locks.
- Lewis River - A straight line running from a boundary marker on a piling at Austin Point southerly across the Lewis River to a boundary marker on the opposite shore.
- Methow River - Highway 97 Bridge.
- Mill Creek - Downstream side of the 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 - 68th Avenue NE 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.
- Skookum Creek - A line 400 yards below the old railroad 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.
- Wallace River - The furthest downstream railroad 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.
- Whatcom Creek - A line projected approximately 14 degrees true from the flashing light at the south-westerly end of the Port of Bellingham North Terminal to the southernmost point of the dike surrounding the Georgia Pacific treatment pond.
- 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. 94-14-069, § 220-56-105, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-105, filed 3/31/93, effective 5/1/93; 91-08-054 (Order 91-13), § 220-56-105, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-105, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-105, filed 3/16/89; 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 220-56-110 Possession of personal-use food fish and shellfish. (1) The personal-use possession limit of food fish shall include all fresh, frozen, canned and other processed fish in the immediate possession of an individual, together with fish held for him by a custom canner or processor, and fish consigned by him for processing, preserving, storing, or transporting to a place other than where such food fish were taken.

(2) It shall be unlawful for any custom canner, or any person operating as a canner or processor of personal-use catches of food fish to accept, process or hold in the name of an individual more than his lawful possession limit.

(3) Custom canners or processors of personal-use food fish or shellfish, resort operators and others who hold fish on their premises for sport fishermen, shall maintain accurate written accounts of such fish. These records shall be made available for inspection by the department of fisheries, and shall contain the name, signature and permanent address of the taker, the date and area of catch; the number, weight, species and date submitted for processing or holding and the final quantities processed by numbers of units.

(4) It shall be unlawful for any commercial fish dealer, cold storage plant operator, restaurant or hotel to store or have in possession any food fish or shellfish taken by any person for personal use, unless it is identified by tags attached bearing the names and addresses of the persons taking such food fish or shellfish.

(5) It shall be unlawful for any person taking food fish or shellfish for personal use to intermingle his catch or part of his catch with that of any duly licensed person taking food fish or shellfish for commercial purposes except for commercially caught fish retained for personal use as provided for in WAC 220-20-016 and 220-20-021.

[Statutory Authority: RCW 75.08.080. 85-11-020 (Order 85-43), § 220-56-110, filed 5/10/85; 80-03-064 (Order 80-12), § 220-56-110, filed 2/27/80, effective 4/1/80.]

WAC 220-56-112 Sampling data and tag recovery.

It is unlawful for any person to fail to comply with the directions of authorized department of fisheries personnel related to the collection of sampling data or material from salmon or other food fish. It is also unlawful for any person to fail to relinquish upon request to the department any fish tag or 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. 82-07-047 (Order 82-19), § 220-56-112, filed 3/18/82.]

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.

(d) It is lawful to use two lines (two rods) to fish for salmon in Catch Record Card Areas 10, 11 and 13, and lawful to use a third line using baitfish jigger gear in these areas.

(2) It shall be unlawful for any person to take, fish for or possess food fish taken 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 except as follows:

(a) It is lawful to leave the pole in a pole holder while playing or landing the fish if the pole is capable of being readily removed from the pole holder.

(b) It is lawful to use an electric power-operated reel designed for sport fishing attached to a pole.

(c) It is lawful to fish for or possess salmon taken for personal use with hand lines (lines not attached to a hand-held pole) except use of hand lines is unlawful in those waters west of the mouth of the Sekiu River, the 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.

(3) 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. 91-08-054 (Order 91-13), § 220-56-115, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-115, filed 2/28/90, effective 3/31/90; 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 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 except that it is lawful to use barbed hooks when fishing from the North Jetty at the mouth of the Columbia River.

[Statutory Authority: RCW 75.08.080. 92-11-012 (Order 92-19), § 220-56-116, filed 5/12/92, effective 6/12/92; 89-10-032 (Order 89-26), § 220-56-116, filed 4/27/89; 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 220-56-117 Retention of tagged bottomfish and herring. Nothing in Title 220 WAC shall prohibit the retention and landing of any bottomfish or herring which bears a tag of a governmental agency at the time of capture.

[Statutory Authority: RCW 75.08.080. 82-07-047 (Order 82-19), § 220-56-117, filed 3/18/82.]

WAC 220-56-123 Unlawful provisions—Westport Boat Basin. During the period July 1 through November 30, in the waters of the Westport Boat Basin:

(1) It is unlawful to fish for or possess salmon taken for personal use using any gear other than the gear provided for in this section:

(a) 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 may not exceed 3/4 inch from point to shank. Nonbuoyant natural bait lures may have no more than two single hooks each of which may not exceed 3/4 inch from point to shank.

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

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

(d) All hooks must be attached within 3 inches of the bait or lure.

(2) It is unlawful to fish for or possess food fish or shellfish from one hour after official sunset to one hour before official sunrise.

(3) It is unlawful to use baitfish jigger gear.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-123, filed 7/1/94, effective 8/1/94.]

WAC 220-56-124 Unlawful provisions—Hoodspout Hatchery. During the period October 16 through December 15, those waters of Catch Record Card Area 12 within a 1,000 foot arc seaward of yellow buoys at the mouth of Finch Creek at the Hoodspout Salmon Hatchery are regulated as provided for in this section:

(1) These waters are open to salmon angling regardless of the status of the surrounding waters of Area 12.

(2) If the surrounding waters are open to salmon angling, the bag and possession limit are the same as in the surrounding waters. If the surrounding waters are closed, there is a special daily bag limit of three chum salmon.

(3) During the period October 16 through December 15 it is unlawful to fish for or possess salmon taken from these waters from 8:00 p.m. to 6:00 a.m.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-124, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-124, filed 3/31/93, effective 5/1/93.]

WAC 220-56-125 Unlawful provisions—Shilshole Bay. (1) It is unlawful to use artificial lures to fish for food fish in that portion of Shilshole Bay east of a line which is parallel to the Burlington Northern Railroad Bridge and approximately 175 feet westerly of the bridge, and which runs through the wooden piling tower structure near the south shore (west of the Chittenden Locks).

(2) It is unlawful to take, or fish for food fish, for personal use, from a boat in that portion of Shilshole Bay easterly of the Burlington Northern Railroad Bridge.

[Statutory Authority: RCW 75.08.080. 90-06-026, § 220-56-125, filed 2/28/90, effective 3/31/90; 84-09-026 (Order 84-22), § 220-56-125, filed 4/11/84; 80-03-064 (Order 80-12), § 220-56-125, filed 2/27/80, effective 4/1/80.]

WAC 220-56-126 Unlawful provisions—Duwamish Waterway. During the period July 1 through November 30, in those waters of the Duwamish Waterway downstream from the First Avenue South Bridge to an east-west line through SW Hanford Street on Harbor Island and parallel to SW Spokane Street where it crosses Harbor Island:

(1) It is unlawful to take, fish for or possess salmon using any gear other than that gear that meets the requirements of this subsection:

(a) 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.

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

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

(d) All hooks must be attached within 3 inches of the bait or lure.

(2) It is unlawful to take, fish for or possess food fish or shellfish from one hour after official sunset to one hour before official sunrise.

(3) It is unlawful to use baitfish jigger gear.

[Statutory Authority: RCW 75.08.080. 93-08-034 (Order 93-20), § 220-56-126, filed 3/31/93, effective 5/1/93; 90-06-026, § 220-56-126, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-126, filed 3/16/89; 85-09-017 (Order 85-20), § 220-56-126, filed 4/9/85.]

WAC 220-56-127 Unlawful provisions—Budd Inlet. During the period July 16 through October 31, in those waters of Budd Inlet south of a line projected true west from the KGY Radio Station Tower to the western shore of the inlet and northerly of a line from the northwesterly corner of the Bayview Market Building to a point 100 yards north of the railroad bridge located on the western side of the inlet opposite the Bayview Market Building (excluding waters of the embayment west of the railroad bridge):

(1) It is unlawful to take, fish for, or possess food fish using any gear other than that gear which meets the requirements of this subsection:

(a) 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 use either one or two single hooks, none of which may exceed 3/4 inch from point to shank.

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

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

(d) All hooks must be attached within 3 inches of the bait or lure.

(2) It is unlawful to take, fish for, or possess food fish or shellfish from one hour after official sunset to one hour before official sunrise.

(3) It is unlawful to use baitfish jigger gear.

[Statutory Authority: RCW 75.08.080. 90-06-026, § 220-56-127, filed 2/28/90, effective 3/31/90.]

WAC 220-56-128 Food fish fishing—Closed areas. It is unlawful to fish for or possess food fish taken from the following areas during the times indicated.

(1) It is unlawful at all times 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) Waters of Budd Inlet at Olympia south of the Fourth Avenue Bridge are closed at all times, and all contiguous waters lying between the Fourth Avenue Bridge and a line from the northwesterly corner of the Bayview Market

Building to a point 100 yards north of the railroad bridge located on the western side of the inlet opposite the Bayview Market Building are closed during the period July 16 through October 31.

(3) The waters of Percival Cove are closed at all times.

(4) Those waters of Hood Canal inshore from yellow marker buoys to the mouth of Finch Creek are closed the entire year.

(5) Waters within a radius of 100 yards from the Enetai Hatchery Outfall Creek where it enters saltwater are closed at all times.

(6) Those waters of Sinclair Inlet inside a line fifty yards from the pierhead line of the Puget Sound Naval Shipyard at Bremerton are closed at all times.

(7) Those waters of Hood Canal within 100 feet of the Seabeck Highway Bridge over Big Beef Creek are closed August 1 through November 30.

(8) In Shilshole Bay waters east of the Burlington Northern Railroad Bridge are closed to salmon angling. For food fish other than salmon, those waters easterly of the Burlington Northern Railroad Bridge are closed June 1 through September 30. During the period October 1 through May 31 it is lawful to fish for food fish other than salmon up to the mouth of the Lake Washington Ship Canal.

(9) Those waters of the Chinook River upstream from tide gate at the Highway 101 Bridge are closed at all times.

(10) Those waters of the Columbia River between the Vernita Bridge and the Hanford power line crossing (wooden towers at S24, T13N, R27E) are closed October 23 through June 15.

(11) Those waters of the Columbia River between the upstream line of Bonneville Dam to a point 600 feet below the fish ladder at the new Bonneville Dam Powerhouse are closed at all times.

(12) Waters of the Lake Washington Ship Canal west of a north-south line 400 feet east of the eastern end of the north wing wall of Chittenden Locks to the mouth of the Lake Washington Ship Canal are closed to food fish angling at all times.

(13) Waters of Catch Record Card Area 10 west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point are closed to food fish angling from January 1 through March 31.

(14) Waters within 200 yards of the salmon net pens located near Sund Rock in Hood Canal are closed to the taking of food fish other than salmon at all times.

(15) Waters of the Titlow Beach Marine Preserve Area are closed to the taking of food fish at all times except that it is lawful to fish for salmon with artificial lures only from shore or a nonmotorized vessel.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-128, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-128, filed 3/31/93, effective 5/1/93; 91-08-054 (Order 91-13), § 220-56-128, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-128, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-128, filed 3/16/89; 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 220-56-130 Edmonds underwater marine park. (1) It shall be unlawful to take, fish for or possess food fish and shellfish by any means from within the

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boundaries of the city of Edmonds underwater marine park located inside the following lines:

That portion of Edmonds tidelands fronting on Government Lot 2, Section 23, Township 27 North, Range 3 East, W.M., described as extending between the mean high tide and the Outer Harbor Line, and lying between the northeasterly line of Main Street and its westerly projection and a line parallel with and 250 feet northerly of (measured at right angles) the northeasterly line of Main Street.

(2) It shall be unlawful to take, fish for or possess food fish or shellfish taken by any means from within the boundaries of the underwater artificial reef surrounding the Edmonds public fishing pier as described in this subsection, except while fishing from the Edmonds public fishing pier.

Underwater artificial reef area: Those waters lying northerly and easterly of the north breakwater of the port of Edmonds marina inside of a line from a boundary marker on the north breakwater, northwesterly 275 feet to a marker buoy thence northeasterly 1350 feet to a marker buoy thence southeasterly to the northeastern end of the city of Edmonds public beach.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-130, filed 2/27/80, effective 4/1/80.]

WAC 220-56-131 Elliott Bay public fishing pier underwater artificial reef area. It is unlawful to fish for or possess food fish or shellfish taken within 100 yards of the Elliott Bay public fishing pier except while fishing from the Elliott Bay public fishing pier.

[Statutory Authority: RCW 75.08.080. 93-08-034 (Order 93-20), § 220-56-131, filed 3/31/93, effective 5/1/93; 82-07-047 (Order 82-19), § 220-56-131, filed 3/18/82; 81-05-027 (Order 81-13), § 220-56-131, filed 2/17/81, effective 4/1/81.]

WAC 220-56-132 Les Davis public fishing pier underwater artificial reef area. It is unlawful to fish for or possess food fish or shellfish taken within 100 yards of the Les Davis public fishing pier except while fishing from the Les Davis public fishing pier.

[Statutory Authority: RCW 75.08.080. 93-08-034 (Order 93-20), § 220-56-132, filed 3/31/93, effective 5/1/93; 84-09-026 (Order 84-22), § 220-56-132, filed 4/1/84.]

WAC 220-56-133 Des Moines public fishing pier. It is unlawful to fish for or possess food fish or shellfish taken within 100 yards of the Des Moines public fishing pier except while fishing from the Des Moines public fishing pier.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-56-133, filed 3/16/89.]

WAC 220-56-140 Wastage of food fish or shellfish. It shall be unlawful to take, fish for or possess food fish or shellfish taken for personal use with the intent of wasting or destroying such food fish or shellfish.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-140, filed 2/27/80, effective 4/1/80.]

WAC 220-56-145 Possession of food fish or shellfish in unlawful condition. (1) It is unlawful to possess in the field for any purpose any salmon in such a condition:

(a) That its size or species cannot be determined.

(b) That its weight or sex cannot be determined if a weight or sex restriction is prescribed for said salmon.

(2) It is unlawful to possess in the field for any purpose any food fish other than salmon in such a condition that its size, weight, or sex cannot be determined, if a size, weight, or sex restriction is prescribed for said food fish.

(3) It is unlawful to possess in the field for any purpose any shellfish in such a condition that its size, weight, or sex cannot be determined, if a size, weight, or sex restriction is prescribed for said shellfish.

[Statutory Authority: RCW 75.08.080. 83-07-043 (Order 83-16), § 220-56-145, filed 3/17/83; 82-13-040 (Order 82-61), § 220-56-145, filed 6/9/82; 80-03-064 (Order 80-12), § 220-56-145, filed 2/27/80, effective 4/1/80.]

WAC 220-56-150 Unlawful to take another's limit.

It is unlawful for any person to catch, dig or possess food fish or shellfish for another person except razor clams as provided in WAC 220-56-370.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-56-150, filed 4/9/86; 80-03-064 (Order 80-12), § 220-56-150, filed 2/27/80, effective 4/1/80.]

WAC 220-56-155 Total possession limit. The lawful total cumulative number of salmon or amounts of other food fish and shellfish possessed when taken from more than one area shall not exceed the daily catch or possession limit for a single area.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-155, filed 2/27/80, effective 4/1/80.]

WAC 220-56-156 Landing Canadian origin food fish and shellfish. It is unlawful to land in any Washington state port shellfish or food fish taken for personal use from Canadian waters unless the person landing the shellfish or food fish possesses a Canadian sport fishing license and catch record, if one is required, valid for the period when the shellfish or food fish were taken. Salmon taken for personal use from Canadian waters and landed at a Washington port must meet current salmon regulations for that port.

[Statutory Authority: RCW 75.08.080. 92-11-012 (Order 92-19), § 220-56-156, filed 5/12/92, effective 6/12/92; 90-08-001 (Order 90-22), § 220-56-156, filed 3/22/90, effective 4/22/90; 85-09-017 (Order 85-20), § 220-56-156, filed 4/9/85.]

WAC 220-56-160 Spearfishing. It shall be lawful to take, fish for and possess food fish taken for personal use in saltwater, except salmon and sturgeon, if such food fish are taken with underwater spearfishing gear commonly used in the sport of "skin diving."

[Statutory Authority: RCW 75.08.080. 90-06-026, § 220-56-160, filed 2/28/90, effective 3/31/90; 80-03-064 (Order 80-12), § 220-56-160, filed 2/27/80, effective 4/1/80.]

WAC 220-56-165 Bow and arrow fishing. It shall be lawful to take, fish for and possess food fish, except salmon, shad, or sturgeon, for personal use by bow and arrow fishing.

[Statutory Authority: RCW 75.08.080. 90-06-026, § 220-56-165, filed 2/28/90, effective 3/31/90; 80-07-017 (Order 80-45), § 220-56-165, filed

6/11/80; 80-03-064 (Order 80-12), § 220-56-165, filed 2/27/80, effective 4/1/80.]

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

(1) In order to fish for or possess for personal use anadromous salmon, Columbia River, Grays Harbor, or Willapa Bay sturgeon (including sturgeon taken from any tributary), or halibut taken from Catch Record Card Areas 5 through 13, 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, 220-69-238, and 220-69-239 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 personal identification information in ink on the catch record card prior to detaching the catch record card from the underlying copy of the catch record card.

(3) Immediately upon catching and possessing a salmon, sturgeon or halibut, the angler shall enter in the appropriate space the place, date of catch, species (catch type), 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. 91-08-054 (Order 91-13), § 220-56-175, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-175, filed 2/28/90, effective 3/31/90; 89-07-071 (Order 89-05), § 220-56-175, filed 3/20/89; 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 12 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 12 inches in length
- Atlantic salmon (no minimum 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 12 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 including Atlantic salmon not less than 12 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 including Atlantic 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 16 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 G: In waters having this code designation, the bag limit is four salmon including Atlantic salmon, not more than two of which may be chinook salmon and the minimum size for chinook salmon is 22 inches in length.

(6) Code H: In waters having this code designation, the bag limit in any one day is three salmon including Atlantic 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 16 through June 15 in Catch Record Card Areas 5, 6, and 7, 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.

(d) During the period July 1 through September 30 the daily bag limit is 2 salmon of any species in Catch Record Card Areas 5, 6, 7, 8-1, 8-2, and 9.

(7) 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.

(8) The possession limit in all waters regulated under Bag Limits A, C, D, F, G, 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.

(9) In all freshwater areas where the bag limit allows adult salmon to be taken, it is unlawful to continue to fish for salmon after the adult portion of the bag limit has been retained.

[Statutory Authority: RCW 75.08.080, 93-08-034 (Order 93-20), § 220-56-180, filed 3/31/93, effective 5/1/93; 91-14-046 (Order 91-40), § 220-56-180, filed 6/27/91, effective 7/28/91; 91-08-054 (Order 91-13), § 220-56-180, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-180, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-180, filed 3/16/89; 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. Area 2 excludes waters of Willapa Bay and Grays Harbor.

(b) Area 2-1: Willapa Bay east of a line from Leadbetter Point to Willapa Channel Marker 8 (Buoy 8) then to the westerly most landfall on Cape Shoalwater.

(c) Area 2-2: Grays Harbor east of a line from the outermost end of the north jetty to the outermost exposed end of the south jetty.

(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-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) 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) 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, 91-08-054 (Order 91-13), § 220-56-185, filed 4/2/91, effective 5/3/91; 89-07-060 (Order 89-12), § 220-56-185, filed 3/16/89; 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 Coastal salmon—Saltwater seasons and bag limits. It shall be unlawful to take, fish for or possess salmon taken by angling for personal use except from the following coastal 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) Catch Record Card Areas 1, 2, 3, 4 and those waters of the Strait of Juan de Fuca west of the mouth of the Sekiu River - Closed to salmon angling through December 31, 1994.

(2) Grays Harbor (Catch Record Card Area 2-2) (a) Open to salmon angling coincidentally with the season, daily and weekly bag limits, size, and gear restrictions in adjacent waters of the Pacific Ocean (Catch Record Card Area 2). Lawful to fish from the bank only of the north and south jetties 7 days per week when the recreational season is in progress in adjacent ocean waters, (b) Bag Limit A - December 1 through January 31 in the Westport and Ocean Shores boat basins only. There are additional restrictions at the Westport Boat Basin as provided for in WAC 220-56-123, (c) Bag Limit A - December 1 through January 31: Waters of Catch Record Card Area 2-2 east of the Channel Marker 13 Line.

(3) Willapa Bay (Catch Record Card Area 2-1) (a) Open to salmon angling coincidentally with the season, daily and weekly bag limits, size, and gear restrictions in adjacent waters of the Pacific Ocean (Catch Record Card Area 2), (b) Bag Limit A - August 16 through January 31.

[Statutory Authority: RCW 75.08.080, 94-14-069, § 220-56-190, filed 7/1/94, effective 8/1/94; 93-14-043 (Order 93-36), § 220-56-190, filed 6/29/93, effective 7/30/93; 91-08-054 (Order 91-13), § 220-56-190, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-190, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-190, filed 3/16/89; 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 220-56-191 Puget Sound salmon—Saltwater seasons and bag limits. It is unlawful to fish for or possess salmon taken by angling for personal use except from the following Puget Sound 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. Puget Sound waters west of the mouth of the Sekiu River are managed concurrent with ocean waters as provided for in WAC 220-56-190.

(1) Catch Record Card Areas 5 and 6 - November 1 through December 31 - Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon. During the period April 16 through June 15 all chinook salmon greater than 30 inches in length must be released.

(2) Catch Record Card Area 7:

(a) May 1 through September 5 - Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon. During the period April 16 through June 15 all chinook salmon greater than 30 inches in length must be released.

(b) September 6 through October 31 - Daily bag limit of 1 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(c) November 1 through December 31 - Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(3) Catch Record Card Area 8-1:

(a) May 1 through October 31 - Open only in those waters of Oak Harbor west of a line from Forbes Point to Blowers Bluff. Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(b) November 1 through December 31 - Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(4) Catch Record Card Area 8-2:

(a) August 1 through October 31 - Open only in those waters adjacent Tulalip Bay west of a line from Mission Point to Hermosa Point and within 2,000 feet from shore between the pilings at Old Bowers Resort northerly to a fishing boundary marker approximately 1.4 miles northwest of Hermosa Point. Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(b) September 1 through October 31 - Open only in those waters at the Snohomish River mouth east of a line from Priest Point to the northernmost point of the Snohomish River entrance jetty, and waters inside of a line from the lighted buoy at the southern tip of the Snohomish River entrance jetty to the green lighted bell buoy westerly of the entrance to the Snohomish River, thence southerly to the railroad overpass tower at Pidgeon Creek. Daily bag limit of 2 salmon, except no chinook or pink salmon may be retained. No minimum size for retained salmon.

(c) November 1 through December 31 - Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(5) Catch Record Card Area 9:

(a) May 1 through June 30 - Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(b) July 1 through October 31 - Open only when fishing from the Edmonds public fishing pier. Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(c) November 1 through December 31 - Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(6) Catch Record Card Area 10:

(a) May 1 through June 30 - Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(b) July 1 through August 31 - Open only when fishing from the Seacrest Park Fishing Pier. Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(c) July 1 through October 15 - Open only in those waters adjacent to and westerly of Bainbridge Island defined as all waters west of a line from the Indianola Dock to Point Monroe and waters west of a line from Beans Point to Orchard Point, and open only in those waters of Allen Bank within a line from the southeast tip of Blake Island to the east tip of the Southworth Ferry Dock, then to the buoy at the northerly tip of Vashon Island, then to the buoy at the northeasterly tip of Blake Island, then to point of origin. Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(d) September 1 through October 15 - Open only in those waters of Elliott Bay east of a line from Alki Point to Fourmile Rock. Daily bag limit of 2 salmon. Chinook minimum size 22 inches and no minimum size for other salmon.

(e) October 16 through December 31 - Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(7) Catch Record Card Area 11 - May 1 through December 31 - Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(8) Catch Record Card Area 12 - November 1 through December 31 - Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(9) Catch Record Card Area 13 - May 1 through December 31 - Daily bag limit of 2 salmon. Chinook minimum size 22 inches, and no minimum size for other salmon.

(10) In the above waters there are specified closures as provided for in WAC 220-56-128 and 220-56-195. Additionally, there are gear and area restrictions at Shilshole Bay, the Duwamish Waterway, and Budd Inlet, and at Titlow Beach and the Edmonds underwater park and the Elliott Bay, Les Davis, and Des Moines public fishing piers. See specific sections in chapter 220-56 WAC for salmon angling restrictions at these locations.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-191, filed 7/1/94, effective 8/1/94; 93-14-043 (Order 93-36), § 220-56-191, filed 6/29/93, effective 7/30/93.]

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 16 through June 15.

(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 16 through July 31.

(3) Carr Inlet:

(a) Those waters north of a line from Green Point to Penrose Point are closed to salmon angling from April 16 through July 31.

(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 April 16 through September 30.

(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 16 through June 15.

(4) Dungeness Bay: Those waters westerly of a line projected 155 degrees true from Dungeness Spit Light to Kulakala Point are closed to salmon angling April 16 through June 30.

(5) Samish Bay: Those waters southerly of a line projected true east from Fish Point are closed to salmon angling August 1 through October 15.

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

(7) Columbia River Mouth Conservation Zone 1: Washington waters within Conservation Zone 1, which Conservation Zone is described as the ocean area surrounding the Columbia River mouth west of the Buoy 10 line and bounded by a line extending for 6 nautical miles due west from North Head along 46°18'00" N. latitude to 124°13'18" W. longitude, then southerly along a line of 167° true to 46°11'06" N. latitude and 124°11'00" W. longitude (Columbia River Buoy), then northeast along Red Buoy Line to the tip of the south jetty are closed to salmon angling at all times except open to fishing from the north jetty when adjacent waters north of the Conservation Zone are open to salmon angling or the Buoy 10 fishery is open.

(8) Commencement Bay: Those waters east of a line projected from the Sperry Ocean Dock to landfall below the Cliff House Restaurant on the north shore of Commencement Bay are closed from April 16 through June 30.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-195, filed 7/1/94, effective 8/1/94; 93-14-043 (Order 93-36), § 220-56-195, filed 6/29/93, effective 7/30/93; 92-11-012 (Order 92-19), § 220-56-195, filed 5/12/92, effective 6/12/92; 90-06-026, § 220-56-195, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-195, filed 3/16/89; 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 220-56-196 Closed areas—Pink salmon angling. It is unlawful to take or possess pink salmon taken for personal use from the following marine waters: None.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-56-196, filed 3/16/89; 84-09-026 (Order 84-22), § 220-56-196, filed 4/11/84; 83-07-043 (Order 83-16), § 220-56-196, filed 3/17/83.]

WAC 220-56-197 Closed areas—Coho salmon angling. Coho only closures—None.

[Statutory Authority: RCW 75.08.080. 90-06-026, § 220-56-197, filed 2/28/90, effective 3/31/90; 85-09-017 (Order 85-20), § 220-56-197, filed 4/9/85.]

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 220-56-200 Salmon angling unlawful from commercial vessels. It shall be unlawful to take, fish for or possess salmon for personal use by angling from any vessel engaged in any type of commercial fishing or having commercially caught food fish aboard.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-200, filed 2/27/80, effective 4/1/80.]

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 except nonbuoyant lures used in the Columbia River downstream from Bonneville Dam may have up to three hooks, which may be single, double, or treble hooks. Nonbuoyant natural bait lures may have up to two single hooks not exceeding 3/4 inch from point to shank except in the Columbia River downstream from Bonneville Dam, natural bait lures may have up to three hooks in total on the combination of all terminal gear.

(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 lure.

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

(5) On the lower Columbia River (downstream from Bonneville Dam), single hooks may not measure more than 1 inch from point to shank, and multiple point hooks may not measure more than 9/16 inch from point to shank.

[Statutory Authority: RCW 75.08.080. 92-11-012 (Order 92-19), § 220-56-205, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-205, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-205, filed 2/28/90, effective 3/31/90; 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 220-56-210 Fly fishing—Salmon. It is unlawful for any person to fish for or take salmon in or from waters restricted to fly fishing only by use of any metal, plastic, or wooden lure, plug, spinner, or spinner fly, or to use tackle where a weight of any kind is attached externally to either the line or the leader. Fixed spool reels and/or monofilament lines may not be used in fishing those waters restricted to fly fishing only. Under this regulation, monofilament line may be used for backing and leader, provided this backing is attached to not less than twenty-five feet of conventional fly line at the terminal end and the leader is not less than four feet nor more than fifteen feet in length, nor more than twelve pounds in breaking strength. Any type of angling whereby the fly is cast directly from the reel shall be prohibited.

Lawful fly sizes shall not exceed 1/2 inch when measured from the outside of the shank of the hook directly across the gap of the hook to the point.

Thread, feathers, hackle, and yarn are to be used as decorations on the hook, and a minimum of half the shank of the hook is to be covered by this decoration. Metallic colored tape, tinsel, mylar or beadeyes may be used as an integral design of the fly pattern, but not as an additional weight to the fly itself.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-210, filed 2/27/80, effective 4/1/80.]

WAC 220-56-215 Unlawful possession of snagged salmon. It shall be unlawful to possess salmon taken for personal use from freshwater areas that were not hooked inside the mouth or on the head.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-215, filed 2/27/80, effective 4/1/80.]

WAC 220-56-220 Salmon eggs—Unlawful acts. It shall be unlawful to remove eggs from any salmon for the purpose of using or preserving them for bait without retaining the carcass of the fish from which they were removed.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-220, filed 2/27/80, effective 4/1/80.]

WAC 220-56-225 Salmon angling hours—Freshwater. It is unlawful to take, fish for or possess salmon for personal use in all freshwater areas of the state from one hour after official sunset to one hour before official sunrise.

[Statutory Authority: RCW 75.08.080. 81-05-027 (Order 81-13), § 220-56-225, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-225, filed 2/27/80, effective 4/1/80.]

WAC 220-56-230 Bottomfish—Closed areas. It is unlawful to fish for or possess bottomfish taken for personal use from the San Juan Islands Marine Preserve Area.

[Statutory Authority: RCW 75.08.080, 90-06-026, § 220-56-230, filed 2/28/90, effective 3/31/90.]

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. Unless otherwise provided bottomfish fishing is open the entire year.

(1) Coastal (Catch Record Card Areas 1 through 4):

(a) Lingcod:

(i) 3 fish in Catch Record Card Areas 1 through 3 and Area 4 west of the Bonilla-Tatoosh line;

(ii) 2 fish in Catch Record Card Area 4 east of the Bonilla-Tatoosh line.

(b) Rockfish - 12 fish except 15 fish if taken from Catch Record Card Area 1.

(c) Surfperch (excluding shiner perch) - 15 fish.

(d) Wolfeel - 2 fish east of the Bonilla-Tatoosh line.

(e) Cabezon - 2 fish east of the Bonilla-Tatoosh line.

(f) All other species - no limit.

(2) Inner Puget Sound (Catch Record Card Areas 5 through 13):

(a) Catch Record Card Areas 5 and 6 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish	5 fish
Surfperch	10 fish
Pacific cod	15 fish
Pollock	15 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	2 fish
Cabezon	2 fish

(b) Catch Record Card Area 7 - 15 fish in the aggregate of all species of bottomfish, which may include no more than:

Rockfish	5 fish
Surfperch	10 fish
Pacific cod	15 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish

(c) Catch Record Card Areas 8-1 through 13 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish	3 fish
Surfperch	10 fish
Pacific cod	2 fish
Pollock	5 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish

(d) It is unlawful to possess lingcod taken by angling less than 26 inches in length or greater than 40 inches in length.

(e) The daily bag limit taken by spear fishing may include no more than one lingcod. There is no size restric-

tion on the one lingcod allowed in the daily bag limit if taken by spear fishing.

(f) It is unlawful to use a gaff to land lingcod taken in Catch Record Card Areas 5 through 13.

[Statutory Authority: RCW 75.08.080, 94-14-069, § 220-56-235, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-235, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-235, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-235, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-235, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-235, filed 3/16/89; 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 Bag limits—Other food fish. It is unlawful for any one person to fish for or possess in any one day more than the following quantities and sizes of food fish taken for personal use. Unless otherwise provided, other food fish fishing is open the entire year:

(1) Sturgeon:

(a) 1 fish not less than 48 inches nor more than 66 inches in length in the Columbia River and tributaries upstream from the Dalles Dam to the United States/Canada border and those waters of the Snake River and tributaries from its mouth upstream to the powerline crossing below Highway 12 Bridge at Clarkston.

(b) 2 fish with the following size restrictions in all other state waters:

(i) Minimum size is 42 inches in length;

(ii) Maximum size is 66 inches in length;

(iii) Not more than one of the two fish may be less than 48 inches in length; and

(iv) Not more than one of the two fish may equal or exceed 48 inches in length.

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

(d) There is an annual personal use bag limit of 10 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, 94-14-069, § 220-56-240, filed 7/1/94, effective 8/1/94; 93-22-004 (Order 93-125), § 220-56-240, filed 10/20/93, effective 1/1/94; 93-08-034 (Order 93-20), § 220-56-240, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-240, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-240, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-240, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-240, filed 3/16/89; 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 1 halibut taken from state or United States waters in any one day.

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

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-245, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-245, filed 3/31/93, effective 5/1/93; 89-07-060 (Order 89-12), § 220-56-245, filed 3/16/89; 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 220-56-250 Lingcod—Areas and seasons. It is unlawful to take, fish for or possess lingcod for personal use except during the seasons and within the areas herein provided:

(1) Coastal area (a) Catch Record Card Areas 1 through 3 - open the entire year, (b) Catch Record Card Area 4 - April 16 through November 30.

(2) Catch Record Card Areas 5 through 13 - May 1 through June 15.

[Statutory Authority: RCW 75.08.080. 92-11-012 (Order 92-19), § 220-56-250, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-250, filed 4/2/91, effective 5/3/91; 89-10-032 (Order 89-26), § 220-56-250, filed 4/27/89; 84-09-026 (Order 84-22), § 220-56-250, filed 4/11/84; 83-07-043 (Order 83-16), § 220-56-250, filed 3/17/83; 82-07-047 (Order 82-19), § 220-56-250, filed 3/18/82; 80-07-017 (Order 80-45), § 220-56-250, filed 6/11/80; 80-03-064 (Order 80-12), § 220-56-250, 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) Catch Record Card Areas 1 and 2: June 2 and June 9.

(2) Catch Record Card Area 3 and those waters of Catch Record Card Area 4 west of the Bonilla-Tatoosh line: 12:01 a.m. Tuesday through 11:59 p.m. Saturday, beginning May 3, except that the following area southwest of Cape Flattery is closed to halibut fishing at all times:

Those waters within a line from 48°17'N, 125°10'W to 48°17'N, 125°00'W to 48°05'N, 125°10'W to 48°05'N, 125°00'W to the point of origin.

(3) Catch Record Card Area 4 east of the Bonilla-Tatoosh line and Catch Record Card Areas 5 through 13: May 2 through July 5 - Open 12:01 a.m. Thursday through 11:59 p.m. Tuesday of each week during the open period (closed Wednesdays).

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-255, filed 7/1/94, effective 8/1/94; 93-15-011, § 220-56-255, filed 7/8/93, effective 8/8/93; 93-08-034 (Order 93-20), § 220-56-255, filed 3/31/93, effective 5/1/93; 89-07-060 (Order 89-12), § 220-56-255, filed 3/16/89; 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 220-56-270 Smelt—Areas and seasons. (1) Smelt fishing is permitted the entire year on Pacific Ocean beaches and in all rivers.

(2) Except as provided in subsection (3) of this section, smelt fishing is open in Puget Sound and the Strait of Juan de Fuca the entire year except they are closed weekly from 8:00 a.m. Wednesday to 8:00 a.m. Friday for all types of gear except jigger gear.

(3) That portion of Catch Record Card Area 7 south of a line projected true east from the south tip of the Cap Sante Peninsula and north of the Burlington Northern Railroad Bridge at the north end of Swinomish Slough is closed to the taking of smelt for personal use from October 16 through April 15.

[Statutory Authority: RCW 75.08.080. 93-08-034 (Order 93-20), § 220-56-270, filed 3/31/93, effective 5/1/93; 80-03-064 (Order 80-12), § 220-56-270, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-070.]

WAC 220-56-275 Smelt—Unlawful acts. It shall be unlawful for any person taking smelt for personal use to fail to retain the first 20 pounds of smelt caught.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-275, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-070.]

WAC 220-56-280 Carp—Lawful gear. It shall be lawful to take, fish for and possess in any quantity carp taken for personal use by angling or spearing or with bow and arrow.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-280, filed 2/27/80, effective 4/1/80.]

WAC 220-56-282 Sturgeon—Lawful gear. It is unlawful to fish for sturgeon with other than natural bait and barbless hooks, and it is unlawful to use more than two single barbless hooks per natural bait, or to use more than two natural baits.

[Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-56-282, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-282, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-282, filed 3/16/89.]

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 powerline 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 850 feet downstream from the fish ladder entrance to the lowermost Bonneville Dam powerline crossing. Closed to angling inside the south navigation lock at Bonneville Dam from a marker on the westernmost point of Robins Island to a marker on the Oregon mainland shore).

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-285, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-285, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-285, filed 5/12/92, effective 6/12/92; 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 220-56-290 Sturgeon angling hours. It is unlawful to take, fish for or possess sturgeon for personal use in all freshwater areas, except the Chehalis River, from one hour after official sunset to one hour before official sunrise.

[Statutory Authority: RCW 75.08.080. 82-07-047 (Order 82-19), § 220-56-290, filed 3/18/82; 80-03-064 (Order 80-12), § 220-56-290, filed 2/27/80, effective 4/1/80.]

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.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-56-295, filed 3/16/89; 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 220-56-305 Sturgeon—Snake River. It is unlawful to fish for and possess sturgeon taken for personal use from those waters of the Snake River within 400 feet down stream below any dam, rack or obstruction, and it is unlawful to retain sturgeon taken from any waters of the Snake River or tributaries upstream from Lower Granite Dam, and those hooked must be immediately released and returned to the water.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-305, filed 7/1/94, effective 8/1/94; 86-09-020 (Order 86-08), § 220-56-305, filed 4/9/86; 80-03-064 (Order 80-12), § 220-56-305, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-073.]

WAC 220-56-307 Shellfish—Closed areas. It is unlawful to fish for or possess shellfish taken for personal use from the following areas:

(1) The San Juan Islands Marine Preserve Area, except that it is lawful to take crab for personal use from Parks Bay, using personal use crab gear.

(2) Waters within 200 yards of the salmon net pens located near Sund Rock in Hood Canal, except that it is lawful to take shrimp during the Hood Canal shrimp season provided for in WAC 220-56-325.

(3) The Titlow Beach Marine Preserve Area.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-307, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-307, filed 3/31/93, effective 5/1/93; 90-06-026, § 220-56-307, filed 2/28/90, effective 3/31/90.]

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, or 10 pounds, whichever is achieved first except:

(a) In 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: 10 pounds or 5 quarts in the shell.

(9) Shrimp:

(a) In all waters except Shrimp District 5 - 10 pounds, whole in the shell.

(b) In Shrimp District 5 (Hood Canal) - 7 pounds, whole in the shell.

(10) Octopus: 2 octopus.

(11) Pinto abalone: 3 abalone, minimum size limit 4 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. 93-08-034 (Order 93-20), § 220-56-310, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-310, filed 5/12/92, effective 6/12/92; 90-06-026, § 220-56-310, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-310, filed 3/16/89; 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 220-56-312 Shellfish—Possession limits. It is unlawful for any one person to possess at any time more than one daily bag limit of fresh shellfish. Additional shellfish may be possessed in a frozen or processed form.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-56-312, filed 4/9/86.]

WAC 220-56-315 Crabs, shrimp, crawfish—Unlawful acts. (1) It is unlawful to take and possess crabs, shrimp, and crawfish taken for personal use except by hand or with hand dip nets, ring nets, shellfish pots, and any hand-operated instrument that will not penetrate the shell.

(2) It is unlawful to use more than two units of gear at any one time except:

(a) In Puget Sound waters other than Shrimp District 5 it is unlawful to use at any one time more than two units of gear for the purpose of taking crabs and two additional units of gear for the purpose of taking shrimp.

(b) In Shrimp District 5 (Hood Canal) it is unlawful to use more than one shrimp pot and one star trap or ring net during the Hood Canal shrimp season.

(3) It is unlawful for any person to operate a shellfish pot not attached to a buoy bearing that person's name, except that a second person may assist the pot owner in operation of the gear.

(4) 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.

(5) It is unlawful to fish for or possess crab taken for personal use from the waters of Fidalgo Bay within 25 yards of the Burlington Northern Railroad trestle connecting March Point and Anacortes.

(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 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.

(7) 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.

(8) One unit of gear is equivalent to one ring net or one shellfish pot.

(9) In Catch Record Card Areas 5 through 13 (Puget Sound east of the Sekiu River) each unit of gear must be attached to its own buoy line and have a separate buoy for each unit of gear.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-315, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-315, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-315, filed 5/12/92, effective 6/12/92; 89-07-060 (Order 89-12), § 220-56-315, filed 3/16/89; 81-05-027 (Order 81-13), § 220-56-315, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-315, 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 recreational license form. 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 red or 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) The maximum perimeter of any shrimp pot shall not exceed 10 feet, and the pot shall not exceed 1-1/2 feet in height.

(3) It is unlawful to 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.

Effective January 1, 1996, it is unlawful to fish for crab with shellfish pot gear unless such gear has two escape rings located in the upper half of the pot:

(a) Not less than 4-1/4 inches inside diameter if used in Puget Sound outside Hood Canal; or

(b) Not less than 4-1/8 inches inside diameter if used in Hood Canal, the Columbia River, Grays Harbor, Willapa Bay, or the Pacific Ocean.

(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) 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 fish for or possess shellfish taken for personal use with shellfish pot gear unless the gear allows for escapement using at least one of the following methods:

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

(b) An opening in the pot mesh no less than three inches by five inches which is laced or sewn closed with untreated, 100 percent cotton twine no larger than thread size 120. 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.

(c) Attachment of pot lid or one pot side serving as a pot lid with no more than three single loops of untreated 100 percent cotton or other natural fiber twine no larger than thread size 120 so that the pot lid or side will open freely if the twine or fiber is broken.

(6) Shellfish pots must be set in a manner that they are covered by water at all times.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-320, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-320, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-320, filed 5/12/92, effective 6/12/92; 90-06-026, § 220-56-320, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-320, filed 3/16/89; 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 220-56-325 Shrimp—Areas and seasons. (1) The following areas shall be defined as personal use shrimp fishing Districts 1 through 6:

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

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

(c) Shrimp District 3 - All waters of Port Angeles Harbor west of a line from the eastern tip of Ediz Hook to the ITT-Rayonier dock;

(d) Shrimp District 4 - All waters of Sequim Bay south of a line projected west from Travis Spit on the Miller Peninsula;

(e) Shrimp District 5 - All waters of Hood Canal south of the Hood Canal Floating Bridge;

(f) Shrimp District 6 - All waters of Carr Inlet north of a line from Penrose Point to Green Point.

(2) It shall be unlawful to fish for or possess shrimp taken for personal use from the following areas, except as provided in this subsection:

(a) District 1 - May 16 through September 15;

(b) District 2 - May 16 through September 15;

(c) District 3 - May 16 through September 15;

(d) District 4 - Closed to all shrimp fishing;

(e) District 5 - 9:00 a.m. on the third Saturday in May until closed by emergency regulation. Open 9:00 a.m. Saturday to 2:00 p.m. Tuesday each week during the season set by emergency regulation. Shrimp pots may only be pulled between the hours of 9:00 a.m. and 2:00 p.m. All shrimp gear must be removed from the water from 2:00 p.m. Tuesday through 9:00 a.m. Saturday of each week;

(f) District 6 - Closed to all shrimp fishing;

(g) All other areas - April 16 through October 15.

(3) It is unlawful to possess spot shrimp taken for personal use from Catch Record Card Area 6 that are less than 6 inches in length and it is unlawful to land spot shrimp that are less than 6 inches in length in any port in Catch Record Card Area 6. The length of spot shrimp is measured from the tip of the rostrum to the tip of the tail.

[Statutory Authority: RCW 75.08.080. 93-08-034 (Order 93-20), § 220-56-325, filed 3/31/93, effective 5/1/93; 89-07-060 (Order 89-12), § 220-56-325, filed 3/16/89; 86-09-020 (Order 86-08), § 220-56-325, filed 4/9/86; 84-09-026 (Order 84-22), § 220-56-325, filed 4/11/84; 80-03-064 (Order 80-12), § 220-56-325, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-084.]

WAC 220-56-330 Crab—Areas and seasons. (1) It is unlawful to fish for or possess crab taken for personal use with shellfish pot gear or to have in the water, set or fish any shellfish pot gear except during the open shellfish pot gear season. The open shellfish pot gear season for crab in Puget Sound waters may open by emergency regulation prior to July 16, but if not previously opened by emergency regulation will open July 16 through April 15. The open shellfish pot gear season in waters of the Pacific Ocean, Grays Harbor, Willapa Harbor, and waters of the Columbia River is December 1 through September 15.

(2) Except as provided in subsection (1) of this section and except when waters of Hood Canal are open to recreational shrimp fishing, it is lawful to fish for and possess male Dungeness crabs taken for personal use the entire year in state waters.

(3) Except as provided in subsection (1) of this section and except when waters of Hood Canal are open to recreational shrimp fishing, it is lawful to fish for and possess red rock crabs of either sex taken for personal use the entire year in state waters.

(4) On days that Hood Canal is open to recreational shrimp fishing, it is unlawful to fish for or possess crab taken with shellfish pot or ring net gear except during the times that it is lawful to fish for shrimp.

[Statutory Authority: RCW 75.08.080. 93-08-034 (Order 93-20), § 220-56-330, filed 3/31/93, effective 5/1/93; 90-06-026, § 220-56-330, filed 2/28/90, effective 3/31/90; 86-09-020 (Order 86-08), § 220-56-330, filed 4/9/86; 85-09-017 (Order 85-20), § 220-56-330, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-330, filed 4/11/84; 80-03-064 (Order 80-12), § 220-56-330, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-082.]

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 taken for personal use which measure less than the following sizes:

(a) In Puget Sound (all contiguous waters east of the Bonilla-Tatoosh Line) except those waters of Hood Canal south of the Hood Canal Floating Bridge - 6 1/4 inch minimum size.

(b) In those waters of Hood Canal south of the Hood Canal Floating Bridge - 6 inch minimum size.

(c) In coastal waters west of the Bonilla-Tatoosh Line, Pacific Ocean waters, Grays Harbor, Willapa Bay and the Columbia River - 6 inch minimum size.

(3) All measurement shall be made at the widest part of the shell (caliper measurement) immediately in front of the points (tips).

(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. 93-08-034 (Order 93-20), § 220-56-335, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-335, filed 5/12/92, effective 6/12/92; 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 220-56-340 General provisions—Clams, cockles, mussels—Gear. (1)(a) It is lawful to take, dig for and possess clams (excluding razor clams), cockles, and mussels taken for personal use by hand or with hand-operated forks, picks, mattocks and shovels.

(b) It is lawful to take, dig for and possess razor clams taken for personal use by hand, shovels or with cylindrical cans, tubes or hinged digging devices. The opening of tubes or cans must be either circular or elliptical with the circular can/tube having a minimum outside diameter of 4 inches and the elliptical can/tube having a minimum dimension of 4 inches long and 3 inches wide outside diameter. The hinged digging device when opened in a cylindrical position, must have a minimum outside diameter of 4 inches at the bottom.

(2) Any newly-designed or modified digging device intended for the recreational use of razor clams must receive the specific approval of the director of fisheries.

(3) Each digger, including holders of razor clam disability permits, must have his or her daily bag limit in a separate container.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-56-340, filed 4/9/86; 82-07-047 (Order 82-19), § 220-56-340, filed 3/18/82; 81-05-027 (Order 81-13), § 220-56-340, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-340, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-082.]

WAC 220-56-350 Clams other than razor clams, cockles, borers, 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 public tidelands at the following beaches are closed unless otherwise provided:

(a) Brown Point - DNR Beach 57-B is open April 1 through August 15.

(b) Camano Island State Park: Open June 1 through June 30.

(c) Dabob Bay - All state-owned tidelands in Dabob Bay north of a line drawn from Camp Harmony to Lindsays Beach are closed to the harvest of clams the entire year except as follows: State-owned tidelands from a row of tires at Camp Discovery south approximately 2,000 feet to a

second row of tires, and state-owned tidelands beginning approximately 3/4 mile north of Camp Harmony extending approximately 1,200 feet north.

(d) Duckabush - All state-owned tidelands on the west shore of Hood Canal from Quatsap Point to the south end of the Duckabush flats are closed to the harvest of clams.

(e) Eagle Creek: Open January 1 through May 15.

(f) Fort Flagler State Park: Open April 1 through June 30.

(g) Garrison Bay: Tidelands at Guss Island and those tidelands at British camp between the National Park Service dinghy dock at the north end and the park boundary at the south end are closed the entire year.

(h) Hoodsport: Tidelands at Hoodsport Salmon Hatchery are closed the entire year.

(i) Hope Island State Park (South Puget Sound): Open April 1 through June 15.

(j) Illahee State Park: Open April 1 through April 30.

(k) Kayak Point County Park: All tidelands are closed except tidelands north of the county fishing pier are open April 16 through May 15 of even-numbered years and tidelands south of the county fishing pier are open April 16 through May 15 of odd-numbered years.

(l) Kitsap Memorial State Park: Open April 1 through June 30.

(m) Kopachuck State Park: Open January 1 through April 15.

(n) Liberty Bay - All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed to the harvest of clams the entire year.

(o) North Bay - All state-owned tidelands in North Bay (Case Inlet) north of a line drawn southwest from Rocky Point to the north end of Reach Island thence due west to the mainland are closed to the harvest of clams the entire year except as follows: State-owned Oyster Reserves on the east side of North Bay north of the power transmission lines which cross the bay at the north end of the inlet will remain open.

(p) Oak Bay County Park: Open January 1 through June 15.

(q) Oyster Reserves: Puget Sound state oyster reserves are closed the entire year except the following are open the entire year:

(i) Case Inlet: Tidelands on the east side of North Bay at the north end of the inlet.

(ii) Oakland Bay: Tidelands on the channel of the northwest shore of the Bayshore Peninsula between department markers.

(r) Penrose Point State Park: Open April 16 through December 31.

(s) Point Whitney: Open April 1 through May 31.

(t) Point Whitney Lagoon: Open June 1 through June 15.

(u) Port Townsend Ship Canal: Open January 1 through May 15.

(v) Saltwater State Park: Open April 1 through April 30.

(w) Quilcene Bay - All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed to the harvest of clams the entire year.

(x) South Indian Island County Park: Open April 1 through December 31.

(y) South Lilliwaup: Open January 1 through May 31 on those tidelands marked by orange posts attached to trees at south end of Lilliwaup Bay (approximately 700 feet of beach).

(z) Spencer Spit State Park: Open April 1 through June 30.

(aa) Strait of Juan de Fuca: All beaches west of the tip of Dungeness Spit: Open November 1 through March 31.

(bb) Triton Cove State Park: Open April 1 through June 30.

(cc) Twanoh State Park: Closed the entire year.

(dd) West Dewatto: DNR beach 44A is closed the entire year.

(ee) Wolfe Property State Park: Open January 1 through May 15 from 7 Sisters Road north to spit connecting Hood Head to the mainland.

(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. 94-14-069, § 220-56-350, filed 7/1/94, effective 8/1/94; 93-15-011, § 220-56-350, filed 7/8/93, effective 8/8/93; 93-08-034 (Order 93-20), § 220-56-350, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-350, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-350, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-56-350, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-350, filed 3/16/89; 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) 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.

(3) 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.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-56-355, filed 3/16/89; 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, Twin Harbors, or Copalis Beach Razor Clam Sanctuaries as defined in WAC 220-56-372.

[Statutory Authority: RCW 75.08.080. 92-11-012 (Order 92-19), § 220-56-360, filed 5/12/92, effective 6/12/92; 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 220-56-365 Razor clams—Unlawful acts. It is unlawful to return any razor clams to the beach or water regardless of size or condition, and all razor clams taken for personal use must be retained by the digger as a part of his daily bag limit.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-56-365, filed 4/9/86; 81-05-027 (Order 81-13), § 220-56-365, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-365, filed 2/27/80, effective 4/1/80.]

WAC 220-56-370 Razor clams—Disability permits. It shall be lawful to dig the personal use daily bag limit of razor clams for another person if that person has in possession a physical disability permit signed by the director and is physically present with the digger on the site where such digging occurs and both the disabled person and the digger are licensed to dig razor clams for personal use under chapter 75.25 RCW. Such permit may be obtained by providing to the director written certification from a licensed physician that said person is physically unable to dig razor clams.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-370, 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 220-56-375 Oysters and scallops—Gear. It shall be lawful to take, fish for and possess oysters and scallops taken for personal use by hand or with any hand-operated instrument.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-375, filed 2/27/80, effective 4/1/80.]

WAC 220-56-380 Oysters—Areas and seasons. (1)

It is lawful to take and possess oysters taken for personal use from public tidelands the entire year, except that public tidelands at the following beaches are closed unless otherwise provided:

(a) Brown Point: DNR Beach 57-B is closed the entire year.

(b) Dabob Bay - All state-owned tidelands in Dabob Bay north of a line drawn from Camp Harmony to Lindsays Beach are closed to the harvest of oysters the entire year, except as follows: State-owned tidelands from a row of tires at Camp Discovery south approximately 2,000 feet to a second row of tires, and state-owned tidelands beginning approximately 3/4 mile north of Camp Harmony extending approximately 1,200 feet north.

(c) Duckabush - All state-owned tidelands on the west shore of Hood Canal from Quatsap Point to the south end of the Duckabush flats are closed to the harvest of oysters the entire year.

(d) Hoodspout: Tidelands at the Hoodspout Salmon Hatchery are closed the entire year.

(e) Illahee State Park: Open January 1 through April 30.

(f) Kitsap Memorial State Park: Open April 1 through June 30.

(g) Liberty Bay - All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed to the harvest of oysters the entire year.

(h) Mystery Bay State Park: Open January 1 through August 15.

(i) North Bay - All state-owned tidelands in North Bay (Case Inlet) north of a line drawn southwest from Rocky Point to the north end of Reach Island thence due west to the mainland are closed to the harvest of oysters the entire year, except as follows: State-owned Oysters Reserves on the east side of North Bay north of the power transmission lines which cross the bay at the north end of the inlet will remain open.

(j) Oyster Reserves: All Puget Sound oyster reserves are closed the entire year.

(k) Point Whitney Lagoon: Closed the entire year.

(l) Potlatch State Park: Open April 1 through June 30.

(m) Quilcene Bay - All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed.

(n) Rendland Creek: Open April 1 through June 30.

(o) Triton Cove State Park: Open April 1 through June 30.

(p) Twanoh State Park: Open January 1 through July 31.

(q) West Dewatto: DNR beach 44A is open April 1 through June 15.

(2) 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. 94-14-069, § 220-56-380, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-380, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-56-380, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-56-380, filed

4/2/91, effective 5/3/91; 90-06-026, § 220-56-380, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-56-380, filed 3/16/89; 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.]

WAC 220-56-382 Oysters and clams on private

tidelands—Personal use. (1) WAC 220-56-340 through 220-56-355, 220-56-375 through 220-56-380 and 220-56-385 shall not apply to private tideland owners or lessees of state tidelands or immediate family members taking or possessing oysters, clams, cockles, borers and mussels for personal use from their own tidelands or leased state tidelands.

(2) This section shall not apply to razor clams.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-382, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-382, filed 3/31/93, effective 5/1/93; 86-09-020 (Order 86-08), § 220-56-382, filed 4/9/86; 80-13-064 (Order 80-123), § 220-56-382, filed 9/17/80.]

WAC 220-56-385 Oysters—Unlawful acts. Oysters

taken for personal use from the waters or beaches of the state of Washington must be shucked before removing oysters from the intertidal zone and the shells replaced on the tidelands at the approximate tide level from which originally taken and it shall be unlawful for any person to fail to do so.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-56-385, filed 2/27/80, effective 4/1/80.]

WAC 220-56-390 Squid, octopus. (1) It is lawful to take fish for squid and octopus the entire year.

(2) It is unlawful to take, fish for or possess squid taken for personal use with more than one line. A maximum of four squid lures may be used. If gear utilizes conventional hooks, it shall not exceed a total of nine points. Herring rakes and hand dip net gear may be used to take squid. Octopus may be taken by hand or by any instrument which will not penetrate or mutilate the body except that it is lawful to retain octopus taken while angling with hook and line gear.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-390, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-56-390, filed 3/31/93, effective 5/1/93; 83-07-043 (Order 83-16), § 220-56-390, filed 3/17/83; 82-07-047 (Order 82-19), § 220-56-390, filed 3/18/82; 80-03-064 (Order 80-12), § 220-56-390, filed 2/27/80, effective 4/1/80.]

WAC 220-56-400 Abalone. It is unlawful to fish for or possess abalone taken for personal use the entire year.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-400, filed 7/1/94, effective 8/1/94; 92-11-012 (Order 92-19), § 220-56-400, filed 5/12/92, effective 6/12/92; 90-06-026, § 220-56-400, filed 2/28/90, effective 3/31/90; 86-09-020 (Order 86-08), § 220-56-400, filed 4/9/86; 85-09-017 (Order 85-20), § 220-56-400, filed 4/9/85; 80-03-064 (Order 80-12), § 220-56-400, filed 2/27/80, effective 4/1/80.]

WAC 220-56-405 Sea urchins. (1) It is lawful to fish for sea urchins for personal use the entire year.

(2) It shall be lawful to take, fish for and possess sea urchins for personal use with any hand-operated instrument which does not penetrate the shell.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-405, filed 7/1/94, effective 8/1/94; 80-03-064 (Order 80-12), § 220-56-405, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-090.]

WAC 220-56-410 Sea cucumbers. (1) It is lawful to fish for sea cucumbers for personal use the entire year.

(2) It shall be lawful to take, fish for and possess sea cucumbers for personal use with any hand-operated instrument which does not penetrate the animal.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-410, filed 7/1/94, effective 8/1/94; 80-03-064 (Order 80-12), § 220-56-410, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-090.]

WAC 220-56-415 Goose barnacles. It is lawful to take goose barnacles for personal use the entire year.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-56-415, filed 7/1/94, effective 8/1/94.]

Chapter 220-57 WAC

FRESH WATER ANGLING—OPEN AREAS AND SEASONS

WAC

220-57-001	Freshwater seasons and bag limits.
220-57-120	Bear River.
220-57-125	Big Beef Creek.
220-57-130	Bogachiel River.
220-57-135	Calawah River.
220-57-137	Carbon River.
220-57-138	Chambers Creek.
220-57-140	Chehalis River.
220-57-145	Cispus River.
220-57-150	Clallam River.
220-57-155	Clearwater River (Jefferson County).
220-57-160	Columbia River.
220-57-165	Copalis River.
220-57-170	Coweeman River.
220-57-175	Cowlitz River.
220-57-180	Curley Creek (Kitsap County).
220-57-181	Dakota Creek.
220-57-185	Deep Creek (Clallam County).
220-57-190	Deschutes River.
220-57-195	Dewatto Creek.
220-57-200	Dickey River.
220-57-205	Dosewallips River.
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220-57-215	Dungeness River.
220-57-220	Duwamish River.
220-57-225	East Twin River.
220-57-230	Elk River.
220-57-235	Elochoman River.
220-57-240	Elwha River.
220-57-245	Grande Ronde River.
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220-57-255	Green River (Cowlitz County).
220-57-260	Green River (King County).
220-57-265	Hamma Hamma River.
220-57-270	Hoh River.
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220-57-285	Humptulips River.
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220-57-295	Joe Creek (Grays Harbor County).
220-57-300	Johns River.
220-57-305	Kalaloch Creek.
220-57-310	Kalama River.
220-57-313	Kennedy Creek.
220-57-315	Klickitat River.
220-57-319	Lewis River.
220-57-325	Lyre River.

220-57-326	McAllister Creek.
220-57-327	McLane Creek.
220-57-330	Morse Creek (Clallam County).
220-57-335	Naselle River.
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220-57-342	Niawiakum River.
220-57-345	Nisqually River.
220-57-350	Nooksack River.
220-57-355	North River.
220-57-365	Palix River.
220-57-370	Puyallup River.
220-57-375	Pysht River.
220-57-380	Quilcene (Big Quilcene) River.
220-57-385	Quillayute River.
220-57-390	Quinault River.
220-57-395	Salmon Creek (Clark County).
220-57-400	Salmon River (Jefferson County).
220-57-405	Samish River.
220-57-410	Sammamish River (Slough).
220-57-415	Satsop River.
220-57-420	Sekiu River.
220-57-425	Skagit River.
220-57-427	Skamokawa Creek.
220-57-430	Skokomish River.
220-57-435	Skykomish River.
220-57-440	Smith Creek (Pacific County).
220-57-445	Snake River.
220-57-450	Snohomish River.
220-57-455	Snoqualmie River.
220-57-460	Sol Duc River.
220-57-465	Stillaguamish River.
220-57-470	Tahuya River.
220-57-473	Tilton River.
220-57-475	Tolt River.
220-57-480	Toutle River.
220-57-485	Tucannon River.
220-57-490	Union River.
220-57-495	Washougal River.
220-57-497	Wenatchee River.
220-57-500	West Twin River.
220-57-502	Whatcom Creek.
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.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-57-002	Personal use fishery—Armstrong, Lake (Snohomish County). [Order 1193, § 220-57-002, filed 3/4/75; Order 1186, § 220-57-002, filed 1/13/75; Order 1101, § 220-57-002, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-002, filed 12/22/72; Order 910, § 220-57-002, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-010.
220-57-003	Personal use fishery—Big Beef Creek. [Order 910, § 220-57-003, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-125.
220-57-004	Personal use fishery—Bogachiel River. [Order 910, § 220-57-004, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-130.
220-57-005	Personal use fishery—Bosworth, Lake. [Order 1101, § 220-57-005, filed 11/14/73, effective 1/1/74; Order 910, § 220-57-005, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-020.
220-57-006	Personal use fishery—Calawah River. [Order 910, § 220-57-006, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-135.

- 220-57-007 Personal use fishery—Capitol Lake. [Order 910, § 220-57-007, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-030.
- 220-57-008 Personal use fishery—Chehalis River. [Order 1221, § 220-57-008, filed 7/1/75; Order 910, § 220-57-008, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-140.
- 220-57-009 Personal use fishery—Clallam River. [Order 910, § 220-57-009, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-150.
- 220-57-010 Personal use fishery—Clearwater River (Jefferson County). [Order 910, § 220-57-010, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-155.
- 220-57-011 Personal use fishery—Columbia River. [Order 1186, § 220-57-011, filed 1/13/75; Order 1116, § 220-57-011, filed 4/30/74; Order 1101, § 220-57-011, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-011, filed 12/22/72; Order 910, § 220-57-011, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-160.
- 220-57-012 Personal use fishery—Copolis River. [Order 1101, § 220-57-012, filed 11/14/73, effective 1/1/74; Order 978, § 220-57-012, filed 12/10/71; Order 910, § 220-57-012, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-165.
- 220-57-013 Personal use fishery—Coweeman River. [Order 1039, § 220-57-013, filed 12/22/72; Order 910, § 220-57-013, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-170.
- 220-57-014 Personal use fishery—Cowlitz River. [Order 1186, § 220-57-014, filed 1/13/75; Order 1101, § 220-57-014, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-014, filed 12/22/72; Order 978, § 220-57-014, filed 12/10/71; Order 910, § 220-57-014, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-175.
- 220-57-015 Personal use fishery—Curley Creek (Kitsap County). [Order 910, § 220-57-015, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-180.
- 220-57-016 Personal use fishery—Cushman, Lake (Mason County). [Order 1186, § 220-57-016, filed 1/13/75; Order 1101, § 220-57-016, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-016, filed 12/22/72; Order 910, § 220-57-016, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-040.
- 220-57-017 Personal use fishery—Davisson Lake (Lewis County). [Order 910, § 220-57-017, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-045.
- 220-57-018 Personal use fishery—Deep Creek (Clallam County). [Order 910, § 220-57-018, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-185.
- 220-57-019 Personal use fishery—Deep Lake (Grant County). [Order 1101, § 220-57-019, filed 11/14/73, effective 1/1/74; Order 910, § 220-57-019, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-050.
- 220-57-020 Personal use fishery—Deep Lake (King County). [Order 1101, § 220-57-020, filed 11/14/73, effective 1/1/74; Order 910, § 220-57-020, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-055.
- 220-57-021 Personal use fishery—Deschutes River. [Order 910, § 220-57-021, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-190.
- 220-57-022 Personal use fishery—Dewatto Creek. [Order 910, § 220-57-022, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-195.
- 220-57-023 Personal use fishery—Dickey River. [Order 910, § 220-57-023, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-200.
- 220-57-024 Personal use fishery—Dosewallips River. [Order 910, § 220-57-024, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-205.
- 220-57-025 Personal use fishery—Drano Lake. [Order 1101, § 220-57-025, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-025, filed 12/22/72; Order 910, § 220-57-025, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-060.
- 220-57-026 Personal use fishery—Duckabush River. [Order 910, § 220-57-026, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-210.
- 220-57-027 Personal use fishery—Dungeness River. [Order 1101, § 220-57-027, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-027, filed 12/22/72; Order 910, § 220-57-027, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-215.
- 220-57-028 Personal use fishery—Duwamish River. [Order 1039, § 220-57-028, filed 12/22/72; Order 910, § 220-57-028, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-220.
- 220-57-029 Personal use fishery—East Twin River. [Order 910, § 220-57-029, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-225.
- 220-57-030 Personal use fishery—Elk River. [Order 910, § 220-57-030, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-230.
- 220-57-031 Personal use fishery—Elokomin River. [Order 1101, § 220-57-031, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-031, filed 12/22/72; Order 910, § 220-57-031, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-235.
- 220-57-032 Personal use fishery—Elwha River. [Order 1101, § 220-57-032, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-032, filed 12/22/72; Order 910, § 220-57-032, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-240.
- 220-57-033 Personal use fishery—Flowing Lake (Snohomish County). [Order 1101, § 220-57-033, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-033, filed 12/22/72; Order 910, § 220-57-033, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-075.
- 220-57-034 Personal use fishery—Goodwin, Lake (Snohomish County). [Order 1186, § 220-57-034, filed 1/13/75; Order 1101, § 220-57-034, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-034, filed 12/22/72; Order 910, § 220-57-034, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-080.
- 220-57-035 Personal use fishery—Grande Ronde River. [Order 910, § 220-57-035, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-245.
- 220-57-036 Personal use fishery—Grays River. [Order 1101, § 220-57-036, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-036, filed 12/22/72; Order 910, § 220-57-036, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-250.

- 220-57-037 Personal use fishery—Green River (Cowlitz County). [Order 1186, § 220-57-037, filed 1/13/75; Order 1101, § 220-57-037, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-037, filed 12/22/72; Order 978, § 220-57-037, filed 12/10/71; Order 910, § 220-57-037, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-255.
- 220-57-038 Personal use fishery—Green River (King County). [Order 1186, § 220-57-038, filed 1/13/75; Order 1101, § 220-57-038, filed 11/14/73, effective 1/1/74; Order 910, § 220-57-038, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-260.
- 220-57-039 Personal use fishery—Hamma Hamma River. [Order 910, § 220-57-039, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-265.
- 220-57-040 Personal use fishery—Hoh River. [Order 910, § 220-57-040, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-270.
- 220-57-041 Personal use fishery—Hoko River. [Order 910, § 220-57-041, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-275.
- 220-57-042 Personal use fishery—Hoquiam River. [Order 1101, § 220-57-042, filed 11/14/73, effective 1/1/74; Order 910, § 220-57-042, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-280.
- 220-57-043 Personal use fishery—Humptulips River. [Order 1039, § 220-57-043, filed 12/22/72; Order 910, § 220-57-043, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-285.
- 220-57-044 Personal use fishery—Icicle River. [Order 1186, § 220-57-044, filed 1/13/75; Order 910, § 220-57-044, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-290.
- 220-57-045 Personal use fishery—Joe Creek (Grays Harbor County). [Order 1101, § 220-57-045, filed 11/14/73, effective 1/1/74; Order 910, § 220-57-045, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-295.
- 220-57-046 Personal use fishery—Johns River. [Order 910, § 220-57-046, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-300.
- 220-57-047 Personal use fishery—Kalaloch Creek. [Order 910, § 220-57-047, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-305.
- 220-57-048 Personal use fishery—Kalama River. [Order 1186, § 220-57-048, filed 1/13/75; Order 1101, § 220-57-048, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-048, filed 12/22/72; Order 978, § 220-57-048, filed 12/10/71; Order 910, § 220-57-048, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-310.
- 220-57-049 Personal use fishery—Klickitat River. [Order 1039, § 220-57-049, filed 12/22/72; Order 910, § 220-57-049, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-315.
- 220-57-050 Personal use fishery—Lewis River. [Order 1186, § 220-57-050, filed 1/13/75; Order 1039, § 220-57-050, filed 12/22/72; Order 910, § 220-57-050, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-319 and 220-57-320.
- 220-57-051 Personal use fishery—Lower Goose Lake (Grant County). [Order 1101, § 220-57-051, filed 11/14/73, effective 1/1/74; Order 910, § 220-57-051, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-100.
- 220-57-052 Personal use fishery—Lyre River. [Order 910, § 220-57-052, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-325.
- 220-57-053 Personal use fishery—Martha Lake (Snohomish County, Alderwood Manor). [Order 1193, § 220-57-053, filed 3/4/75; Order 1186, § 220-57-053, filed 1/13/75; Order 1101, § 220-57-053, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-053, filed 12/22/72; Order 910, § 220-57-053, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-105.
- 220-57-054 Personal use fishery—Mayfield, Lake (Lewis County). [Order 910, § 220-57-054, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-110.
- 220-57-055 Personal use fishery—Meridian, Lake (King County). [Order 1186, § 220-57-055, filed 1/13/75; Order 1101, § 220-57-055, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-055, filed 12/22/72; Order 910, § 220-57-055, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-115.
- 220-57-056 Personal use fishery—Morse Creek (Clallam County). [Order 1101, § 220-57-056, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-056, filed 12/22/72; Order 910, § 220-57-056, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-330.
- 220-57-057 Personal use fishery—Naselle River. [Order 1101, § 220-57-057, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-057, filed 12/22/72; Order 910, § 220-57-057, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-335.
- 220-57-058 Personal use fishery—Nemah River. [Order 1101, § 220-57-058, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-058, filed 12/22/72; Order 978, § 220-57-058, filed 12/10/71; Order 910, § 220-57-058, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-340.
- 220-57-059 Personal use fishery—Nisqually River. [Order 1101, § 220-57-059, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-059, filed 12/22/72; Order 910, § 220-57-059, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-345.
- 220-57-060 Personal use fishery—Nooksack River. [Order 1186, § 220-57-060, filed 1/13/75; Order 910, § 220-57-060, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-350.
- 220-57-061 Personal use fishery—North River. [Order 910, § 220-57-061, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-355.
- 220-57-062 Personal use fishery—Ozette Lake. [Order 910, § 220-57-062, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-125.
- 220-57-063 Personal use fishery—Ozette River. [Order 910, § 220-57-063, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-360.
- 220-57-064 Personal use fishery—Palix River. [Order 910, § 220-57-064, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-365.
- 220-57-065 Personal use fishery—Park Lake (Grant County). [Order 1101, § 220-57-065, filed 11/14/73, effective 1/1/74; Order 910, § 220-57-065, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-130.
- 220-57-066 Personal use fishery—Puyallup River. [Order 1186, § 220-57-066, filed 1/13/75; Order 1101, § 220-57-066, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-066, filed

- 12/22/72; Order 910, § 220-57-066, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-370.
- 220-57-067 Personal use fishery—Pysht River. [Order 910, § 220-57-067, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-375.
- 220-57-068 Personal use fishery—Queets River. [Order 910, § 220-57-068, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76.
- 220-57-069 Personal use fishery—Quilcene River. [Order 1039, § 220-57-069, filed 12/22/72; Order 910, § 220-57-069, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-380.
- 220-57-070 Personal use fishery—Quillayute River. [Order 1186, § 220-57-070, filed 1/13/75; Order 910, § 220-57-070, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-385.
- 220-57-071 Personal use fishery—Quinault River. [Order 910, § 220-57-071, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-390.
- 220-57-072 Personal use fishery—Roesiger, Lake. [Order 1186, § 220-57-072, filed 1/13/75; Order 1101, § 220-57-072, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-072, filed 12/22/72; Order 910, § 220-57-072, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-135.
- 220-57-073 Personal use fishery—Salmon Creek (Clark County). [Order 910, § 220-57-073, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-395.
- 220-57-074 Personal use fishery—Salmon River. [Order 910, § 220-57-074, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-400.
- 220-57-075 Personal use fishery—Samish River. [Order 1039, § 220-57-075, filed 12/22/72; Order 910, § 220-57-075, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-405.
- 220-57-076 Personal use fishery—Sammamish, Lake. [Order 910, § 220-57-076, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-145.
- 220-57-077 Personal use fishery—Sammamish River. [Order 910, § 220-57-077, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-410.
- 220-57-078 Personal use fishery—Satsop River. [Order 978, § 220-57-078, filed 12/10/71; Order 910, § 220-57-078, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-415.
- 220-57-079 Personal use fishery—Sekiu River. [Order 910, § 220-57-079, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-420.
- 220-57-080 Personal use fishery—Serene, Lake. [Order 1193, § 220-57-080, filed 3/4/75; Order 1186, § 220-57-080, filed 1/13/75; Order 1101, § 220-57-080, filed 11/14/73, effective 1/1/74; Order 910, § 220-57-080, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-150.
- 220-57-081 Personal use fishery—Skagit River. [Order 1186, § 220-57-081, filed 1/13/75; Order 1039, § 220-57-081, filed 12/22/72; Order 978, § 220-57-081, filed 12/10/71; Order 910, § 220-57-081, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-425.
- 220-57-082 Personal use fishery—Skokomish River. [Order 1101, § 220-57-082, filed 11/14/73, effective 1/1/74; Order 910, § 220-57-082, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-430.
- 220-57-083 Personal use fishery—Skykomish River. [Order 1039, § 220-57-083, filed 12/22/72; Order 910, § 220-57-083, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-435.
- 220-57-084 Personal use fishery—Smith Creek (Pacific County). [Order 1101, § 220-57-084, filed 11/14/73, effective 1/1/74; Order 910, § 220-57-084, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-440.
- 220-57-085 Personal use fishery—Snake River. [Order 910, § 220-57-085, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-445.
- 220-57-086 Personal use fishery—Snohomish River. [Order 1186, § 220-57-086, filed 1/13/75; Order 910, § 220-57-086, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-450.
- 220-57-087 Personal use fishery—Snoqualmie River. [Order 910, § 220-57-087, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-455.
- 220-57-088 Personal use fishery—Soleduck River. [Order 1186, § 220-57-088, filed 1/13/75; Order 1101, § 220-57-088, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-088, filed 12/22/72; Order 910, § 220-57-088, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-460.
- 220-57-089 Personal use fishery—Stillaguamish River. [Order 1186, § 220-57-089, filed 1/13/75; Order 1101, § 220-57-089, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-089, filed 12/22/72; Order 910, § 220-57-089, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-465.
- 220-57-090 Personal use fishery—Storm Lake (Snohomish County). [Order 1101, § 220-57-090, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-090, filed 12/22/72; Order 910, § 220-57-090, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-170.
- 220-57-091 Personal use fishery—Tahuya River. [Order 910, § 220-57-091, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-470.
- 220-57-092 Personal use fishery—Tolt River. [Order 910, § 220-57-092, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-475.
- 220-57-093 Personal use fishery—Toutle River. [Order 1186, § 220-57-093, filed 1/13/75; Order 1101, § 220-57-093, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-093, filed 12/22/72; Order 978, § 220-57-093, filed 12/10/71; Order 910, § 220-57-093, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-480.
- 220-57-094 Personal use fishery—Tucannon River. [Order 910, § 220-57-094, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-485.
- 220-57-095 Personal use fishery—Union River. [Order 910, § 220-57-095, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-490.
- 220-57-096 Personal use fishery—Washington, Lake. [Order 1039, § 220-57-096, filed 12/22/72; Order 978, § 220-57-096, filed 12/10/71; Order 910, § 220-57-096, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-175.
- 220-57-097 Personal use fishery—Washington Ship Canal, Lake (Including Lake Union). [Order 1039, § 220-57-097, filed 12/22/72; Order 910, § 220-57-097, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-180.

- 220-57-098 Personal use fishery—Washougal River. [Order 1186, § 220-57-098, filed 1/13/75; Order 1039, § 220-57-098, filed 12/22/72; Order 910, § 220-57-098, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-495.
- 220-57-099 Personal use fishery—West Twin River. [Order 910, § 220-57-099, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-500.
- 220-57-100 Personal use fishery—White Salmon River. [Order 910, § 220-57-100, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-505.
- 220-57-101 Personal use fishery—Lake Wilderness (King County). [Order 1186, § 220-57-101, filed 1/13/75; Order 1101, § 220-57-101, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-101, filed 12/22/72; Order 910, § 220-57-101, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-185.
- 220-57-102 Personal use fishery—Willapa River. [Order 1186, § 220-57-102, filed 1/13/75; Order 1101, § 220-57-102, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-102, filed 12/22/72; Order 910, § 220-57-102, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-510.
- 220-57-103 Personal use fishery—Wind River. [Order 1039, § 220-57-103, filed 12/22/72; Order 910, § 220-57-103, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-515.
- 220-57-104 Personal use fishery—Wishkah River. [Order 1221, § 220-57-104, filed 7/1/75; Order 1186, § 220-57-104, filed 1/13/75; Order 1101, § 220-57-104, filed 11/14/73, effective 1/1/74; Order 910, § 220-57-104, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-520.
- 220-57-105 Personal use fishery—Wynoochee River. [Order 1101, § 220-57-105, filed 11/14/73, effective 1/1/74; Order 1039, § 220-57-105, filed 12/22/72; Order 910, § 220-57-105, filed 12/28/70.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-525.
- 220-57-106 Personal use fishery—Bear River. [Order 1039, § 220-57-106, filed 12/22/72.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-120.
- 220-57-107 Personal use fishery—American Lake (Pierce County). [Order 1186, § 220-57-107, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-005.
- 220-57-108 Personal use fishery—Banks Lake (Grant County). [Order 1186, § 220-57-108, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-015.
- 220-57-109 Personal use fishery—Campbell Lake (Skagit County). [Order 1186, § 220-57-109, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-025.
- 220-57-110 Personal use fishery—Chelan, Lake (Chelan County). [Order 1186, § 220-57-110, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-035.
- 220-57-111 Personal use fishery—Cispus River. [Order 1186, § 220-57-111, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57-145.
- 220-57-112 Personal use fishery—Duck Lake (Grays Harbor County). [Order 1186, § 220-57-112, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-065.
- 220-57-113 Personal use fishery—Green Lake (King County). [Order 1186, § 220-57-113, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-085.
- 220-57-114 Personal use fishery—Hewitt Lake (Thurston County). [Order 1186, § 220-57-114, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-090.
- 220-57-115 Personal use fishery—East Medical Lake (Spokane County). [Order 1186, § 220-57-115, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-070.
- 220-57-116 Personal use fishery—Roosevelt Lake (Ferry County). [Order 1186, § 220-57-116, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-140.
- 220-57-117 Personal use fishery—Shoecraft Lake (Snohomish County). [Order 1193, § 220-57-117, filed 3/4/75; Order 1186, § 220-57-117, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-155.
- 220-57-118 Personal use fishery—Sprague Lake (Lincoln County). [Order 1186, § 220-57-118, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-160.
- 220-57-119 Personal use fishery—Wynoochee Reservoir (Grays Harbor County). [Order 1186, § 220-57-119, filed 1/13/75.] Repealed by Order 76-14, filed 3/15/76, effective 5/1/76. Later promulgation, see WAC 220-57A-190.
- 220-57-320 Lewis River (North Fork). [Statutory Authority: RCW 75.08.080. 78-03-034 (Order 78-8), § 220-57-320, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57-320, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-320, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-050(part).] Repealed by 83-10-023 (Order 83-34), filed 4/28/83. Statutory Authority: RCW 75.08.080.
- 220-57-360 Ozette River. [Order 76-14, § 220-57-360, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-063.] Repealed by 80-03-064 (Order 80-12), filed 2/27/80, effective 4/1/80. Statutory Authority: RCW 75.08.080.

WAC 220-57-001 Freshwater seasons and bag limits. It shall be unlawful to take, fish for or possess salmon taken for personal use, except from the following areas during the seasons, in the quantities, sizes, and for the species designated as follows in chapters 220-57 and 220-57A WAC and for the bag limits as defined in WAC 220-56-180. All freshwater streams and lakes not listed as open for salmon fishing are closed.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-57-001, filed 4/9/86; 82-07-047 (Order 82-19), § 220-57-001, filed 3/18/82; 78-03-034 (Order 78-8), § 220-57-001, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57-001, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-001, filed 3/15/76, effective 5/1/76; Order 910, § 220-57-001, filed 12/28/70.]

WAC 220-57-120 Bear River. Bag Limit A - July 1 through January 31: Downstream from the lime quarry road to Highway 101 Bridge (a distance of approximately 2 stream miles).

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-120, filed 3/16/89; 84-09-026 (Order 84-22), § 220-57-120, filed 4/11/84; 82-07-047 (Order 82-19), § 220-57-120, filed 3/18/82; 80-03-064 (Order 80-12), § 220-57-120, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-120, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-120, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-106.]

WAC 220-57-125 Big Beef Creek. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-57-125, filed 2/27/80, effective 4/1/80; Order 76-14, § 220-57-125, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-003.]

WAC 220-57-130 Bogachiel River. Bag Limit A - July 1 through October 9: Downstream from the Highway 101 Bridge.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-130, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-130, filed 3/16/89; 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. Bag Limit A - July 1 through October 9: Downstream from the Highway 101 Bridge.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-135, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-135, filed 3/16/89; 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 220-57-137 Carbon River. Bag Limit A - September 1 through November 30 downstream from the old bridge abutments near the east end of Bridge Street in Orting.

[Statutory Authority: RCW 75.08.080. 93-08-034 (Order 93-20), § 220-57-137, filed 3/31/93, effective 5/1/93; 89-07-060 (Order 89-12), § 220-57-137, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-137, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-137, filed 2/17/81, effective 4/1/81; 79-02-052 (Order 79-7), § 220-57-137, filed 1/30/79, effective 4/1/79.]

WAC 220-57-138 Chambers Creek. Bag Limit A - July 1 through November 15: Downstream from a set of markers 400 feet below the Boise-Cascade Dam (immediately upstream from the Boise-Cascade West Tacoma Mill).

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-57-138, filed 4/9/86; 83-07-043 (Order 83-16), § 220-57-138, filed 3/17/83; 82-13-040 (Order 82-61), § 220-57-138, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-138, filed 2/17/81, effective 4/1/81.]

WAC 220-57-140 Chehalis River. (1) Bag Limit A - May 1 through June 30: Downstream from the Porter Bridge.

(2) Bag Limit A - July 1 through September 30: Downstream from the Mellon Street Bridge in Centralia.

(3) Bag Limit A - October 1 through January 31: Downstream from the Highway 603 Bridge.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-140, filed 7/1/94, effective 8/1/94; 90-06-026, § 220-57-140, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-57-140, filed 3/16/89; 86-09-020 (Order 86-08), § 220-57-140, filed 4/9/86; 84-08-024 (Order 84-25), § 220-57-140, filed 3/28/84; 83-07-043 (Order 83-16), § 220-57-140, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-140, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-140, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-140, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-140, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-140, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-008.]

WAC 220-57-145 Cispus River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 79-02-052 (Order 79-7), § 220-57-145, filed 1/30/79, effective 4/1/79; Order 76-14, § 220-57-145, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-111.]

WAC 220-57-150 Clallam River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-150, filed 3/16/89; 84-09-026 (Order 84-22), § 220-57-150, filed 4/11/84; 82-13-040 (Order 82-61), § 220-57-150, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-150, filed 2/17/81, effective 4/1/81; Order 76-14, § 220-57-150, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-009.]

WAC 220-57-155 Clearwater River (Jefferson County). Bag Limit A - September 1 through November 30: Downstream from the mouth of the Snahapish River.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-155, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-155, filed 3/16/89; 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 west end of the tailrace deck downstream 400 feet to boundary markers in Okanogan County.

(b) Wells Dam - waters between the upstream line of Wells Dam to boundary markers 400 feet below the spawning channel discharge on the Chelan County side and the fish ladder on the Douglas County side.

(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 boundary markers 400 feet downstream of the fish ladders at Rocky Reach and Rock Island Dams and boundary markers at Wanapum Dam 750 feet below the east fish ladder and 500 feet below the west fish ladder.

(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 boundary markers 650 feet below the fish ladders.

(b) Jackson (Moran) Creek - All waters of the Priest Rapids hatchery system including Columbia River waters out to midstream between markers located 100 feet upstream and 400 feet downstream of the mouth of the hatchery outlet.

(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 22.

(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. Additionally, Special Bag Limit: 2 salmon per day - April 1 through July 31: Bank fishing only from the hatchery side of the Columbia River from the WDF marker located approximately 1/2 mile upstream of Spring Creek (Ringold Hatchery rearing pond outlet) downstream to a WDF boundary marker approximately 1/4 mile downstream of Ringold waterway outlet.

(6) Highway 395 Bridge connecting Pasco and Kennewick to the Interstate 5 Bridge: Bag Limit A - August 1 through December 31. It is unlawful to take or possess sockeye salmon taken downstream of the Highway 395 Bridge.

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 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. It is unlawful to take or possess sockeye salmon taken downstream from the Interstate 5 Bridge to the Megler-Astoria Bridge.

(8) Megler-Astoria Bridge to the Buoy 10 Line:

(a) Bag Limit F - August 1 through Labor Day.

(b) Special daily bag limit of 3 adult salmon - the day after Labor Day through September 30.

(c) Special daily bag limit of 6 salmon, only 3 of which may be adult salmon - October 1 through December 31.

(d) Bag Limit A - January 1 through March 31.

(e) It is unlawful to take or possess sockeye salmon taken downstream from the Megler-Astoria Bridge to the Buoy 10 Line.

(9) North Jetty (mouth of Columbia River): Open to angling from the bank only when state waters north of the conservation zone are open to salmon angling. During such periods fishing from the north jetty is open 7 days per week and the bag limit shall be the same as for the ocean waters when open. Also 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. It is unlawful to take or possess sockeye salmon taken from the North Jetty.

[Statutory Authority: RCW 75.08.080. 93-08-034 (Order 93-20), § 220-57-160, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-57-160, filed 5/12/92, effective 6/12/92; 90-06-026, § 220-57-160, filed 2/28/90, effective 3/31/90; 89-15-022 (Order 89-56), § 220-57-160, filed 7/12/89; 89-07-060 (Order 89-12), § 220-57-160, filed 3/16/89; 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 220-57-165 Copalis River. Bag Limit A - July 1 through January 31: Downstream from the Carlisle Bridge.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-165, filed 3/16/89; 80-03-064 (Order 80-12), § 220-57-165, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-165, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-165, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-012.]

WAC 220-57-170 Coweeman River. Bag Limit C - September 1 through December 31 - downstream from the mouth of Mulholland Creek.

[Order 76-14, § 220-57-170, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-013.]

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 12 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 except that during the period October 16 through December 31 the daily bag limit may contain up to 4 adult coho salmon - August 1 through March 31: Downstream from fishing boundary markers approximately 400 feet below the barrier dam structures. 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 except minimum size of 8 inches - 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. 93-08-034 (Order 93-20), § 220-57-175, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-57-175, filed 5/12/92, effective 6/12/92; 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 220-57-180 Curley Creek (Kitsap County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-180, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-180, filed 6/9/82; Order 76-14, § 220-57-180, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-015.]

WAC 220-57-181 Dakota Creek. Bag Limit A - October 1 through December 31: Downstream from the Giles Road Bridge.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-181, filed 3/16/89; 83-07-043 (Order 83-16), § 220-57-181, filed 3/17/83.]

WAC 220-57-185 Deep Creek (Clallam County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-185, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-185, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-185, filed 2/17/81, effective 4/1/81; Order 76-14, § 220-57-185, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-018.]

WAC 220-57-190 Deschutes River. Bag Limit A - July 1 through November 30: Upstream from Interstate 5 Bridge except closed from a point 400 feet below the lower fish ladder at Tumwater Falls upstream to the Old Highway 99 Bridge immediately upstream from Tumwater Falls.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-190, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-190, filed 6/9/82; 80-03-064 (Order 80-12), § 220-57-190, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-190, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-190, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-021.]

WAC 220-57-195 Dewatto Creek. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 91-14-047 (Order 91-41), § 220-57-195, filed 6/27/91, effective 7/28/91; 89-07-060 (Order 89-12), § 220-57-195, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-195, filed 6/9/82; Order 76-14, § 220-57-195, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-022.]

WAC 220-57-200 Dickey River. Bag Limit A - July 1 through October 9: Downstream of the mouth of east fork of the Dickey River to the National Park boundary.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-200, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-200, filed 3/16/89; 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 220-57-205 Dosewallips River. Special Bag Limit - 2 adult chum salmon - November 1 through January 31: Downstream from the Highway 101 Bridge. Coho salmon must be released immediately.

[Statutory Authority: RCW 75.08.080. 92-11-012 (Order 92-19), § 220-57-205, filed 5/12/92, effective 6/12/92; 91-14-047 (Order 91-41), § 220-57-205, filed 6/27/91, effective 7/28/91; 89-07-060 (Order 89-12), § 220-57-205, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-205, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-205, filed 2/17/81, effective 4/1/81; 79-02-052 (Order 79-7), § 220-57-205, filed 1/30/79, effective 4/1/79; Order 76-14, § 220-57-205, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-024.]

WAC 220-57-210 Duckabush River. Special Bag Limit - 2 chum salmon - November 1 through December 15: Downstream from the Mason County Public Utility District #1 overhead electrical distribution line. All other salmon must be released immediately.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-210, filed 7/1/94, effective 8/1/94; 93-14-043 (Order 93-36), § 220-57-210, filed 6/29/93, effective 7/30/93; 92-11-012 (Order 92-19), § 220-57-210, filed 5/12/92, effective 6/12/92; 91-14-047 (Order 91-41), § 220-57-210, filed 6/27/91, effective 7/28/91; 89-07-060 (Order 89-12), § 220-57-210, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-210, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-210, filed 2/17/81, effective 4/1/81; 79-02-052 (Order 79-7), § 220-57-210, filed 1/30/79, effective 4/1/79; Order 76-14, § 220-57-210, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-026.]

WAC 220-57-215 Dungeness River. Closed to salmon angling.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-215, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-215, filed 3/16/89; 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. Bag Limit A - July 1 through November 30: Downstream from the Highway 405 Bridge.

[Statutory Authority: RCW 75.08.080. 90-06-026, § 220-57-220, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-57-220, filed 3/16/89; 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 220-57-225 East Twin River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-225, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-225, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-225, filed 2/17/81, effective 4/1/81; Order 76-14, § 220-57-225, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-029.]

WAC 220-57-230 Elk River. Bag Limit A - July 1 through January 31: Downstream from the confluence of the west and middle forks to the Highway 105 Bridge.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-230, filed 3/16/89; 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 October 15: 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) Special Bag Limit - 6 salmon not less than 12 inches in length not more than 4 of which may be adult coho salmon and all chinook salmon greater than 28 inches in length must be released: Downstream from the mouth of west fork to the Foster Road Bridge.

(4) Bag Limit A except that during the period October 16 through December 31 the daily bag limit may contain up to 4 adult coho salmon - October 1 through December 31: Downstream from the Foster Road Bridge.

(5) 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. 93-08-034 (Order 93-20), § 220-57-235, filed 3/31/93, effective 5/1/93; 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) Bag Limit A except that up to six coho salmon may be retained in the daily bag limit. Chinook salmon and pink salmon must be released immediately - 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. 89-07-060 (Order 89-12), § 220-57-240, filed 3/16/89; 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 220-57-245 Grande Ronde River. Closed the entire year.

[Order 77-3, § 220-57-245, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-245, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-035.]

WAC 220-57-250 Grays River. Bag Limit A - September 1 through October 31: Open from mouth to 7000-line bridge. During the period October 1 through October 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. 94-14-069, § 220-57-250, filed 7/1/94, effective 8/1/94; 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 220-57-255 Green River (Cowlitz County). Bag Limit A - except chinook salmon greater than 28 inches in length must be released - open September 1 through November 30: Downstream from fishing boundary markers located 1500 feet below the Toutle Hatchery temporary rack. Open waters are restricted to fly fishing gear only and it is unlawful to use any gear except fly fishing gear.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-255, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-57-255, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-57-255, filed 5/12/92, effective 6/12/92; 82-07-047 (Order 82-19), § 220-57-255, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-255, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-255, filed 2/27/80, effective 4/1/80; 78-03-034 (Order 78-8), § 220-57-255, filed 2/21/78, effective 4/1/78; Order 76-14, § 220-57-255, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-037.]

WAC 220-57-260 Green River (King County). Bag Limit A - July 1 through October 15: Downstream from the Auburn Eighth Street N.E. Bridge to the Highway 405 Bridge. Bay [Bag] Limit A - October 16 through November 30: Downstream from the downstream side of the Highway 18 Bridge to the Highway 405 Bridge.

[Statutory Authority: RCW 75.08.080. 90-06-026, § 220-57-260, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-57-260, filed 3/16/89; 86-09-020 (Order 86-08), § 220-57-260, filed 4/9/86; 83-07-043 (Order 83-16), § 220-57-260, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-260, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-260, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-260, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-260, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-260, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-260, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-038.]

WAC 220-57-265 Hamma Hamma River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 91-14-047 (Order 91-41), § 220-57-265, filed 6/27/91, effective 7/28/91; 89-07-060 (Order 89-12), § 220-57-265, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-265, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-265, filed 2/17/81, effective 4/1/81; 79-02-052 (Order 79-7), § 220-57-265, filed 1/30/79, effective 4/1/79; Order 76-14, § 220-57-265, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-039.]

WAC 220-57-270 Hoh River. (1) Bag Limit C - May 16 through August 31: Downstream from the mouth of the south fork Hoh to the Morgan's Crossing boat launch, including Olympic National Park.

(2) Bag Limit A - May 16 through August 31: Downstream from the Morgan's Crossing boat launch.

(3) Bag Limit A - September 1 through November 30: Downstream from the Highway 101 Bridge.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-270, filed 7/1/94, effective 8/1/94; 90-06-026, § 220-57-270, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-57-270, filed 3/16/89; 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 220-57-275 Hoko River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-275, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-275, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-275, filed 2/17/81, effective 4/1/81; Order 76-14, § 220-57-275, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-041.]

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 - Bag Limit A - December 1 through January 31.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-280, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-280, filed 3/16/89; 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 220-57-285 Humptulips River. (1) Bag Limit C - December 1 through January 31: Downstream of confluence of east and west forks to Highway 101 Bridge.

(2) Bag Limit A - December 1 through January 31: Downstream from the Highway 101 Bridge.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-285, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-285, filed 3/16/89; 85-09-048 (Order 85-33), § 220-57-285, filed 4/16/85; 84-09-026 (Order 84-22), § 220-57-285, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-285, filed 3/17/83; 82-13-040 (Order 82-61), § 220-57-285, filed 6/9/82; 82-07-047 (Order 82-19), § 220-57-285, filed 3/18/82; Order 77-3, § 220-57-285, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-285, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-043.]

WAC 220-57-290 Icicle River. Special Bag Limit: Two salmon per day, minimum size 12 inches - May 16 through June 30: Downstream from a point 400 feet below Leavenworth National Fish Hatchery to fishing boundary markers at the mouth of the Icicle River.

[Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-57-290, filed 4/2/91, effective 5/3/91; 90-06-026, § 220-57-290, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-57-290, filed 3/16/89; 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 220-57-295 Joe Creek (Grays Harbor County). Bag Limit A - September 1 through November 30: Downstream from the County Highway 101 Bridge to the State Highway 109 Bridge, except that chinook salmon greater than 24 inches in length must be released immediately.

[Statutory Authority: RCW 75.08.080. 85-09-048 (Order 85-33), § 220-57-295, filed 4/16/85; 84-09-026 (Order 84-22), § 220-57-295, filed 4/11/84; Order 77-3, § 220-57-295, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-295, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-045.]

WAC 220-57-300 Johns River. Bag Limit A - December 1 through January 31: Downstream from Old M&B Logging Camp Bridge at upper boundary of Johns River Habitat Management Area to Highway 105 Bridge.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-300, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-300, filed 3/16/89; 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 220-57-305 Kalaloch Creek. Bag Limit C - July 1 through October 31.

[Statutory Authority: RCW 75.08.080. 79-02-052 (Order 79-7), § 220-57-305, filed 1/30/79, effective 4/1/79; Order 76-14, § 220-57-305, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-047.]

WAC 220-57-310 Kalama River. (1) Bag Limit A except that during the period October 16 through December 31 the daily bag limit may contain up to 4 adult coho salmon - June 1 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 that during the period October 16 through December 31 the daily bag limit may contain up to 4 adult coho salmon - open the entire year: Downstream from the mouth of Summers Creek to the markers at the Kalama Falls (Upper) Salmon Hatchery.

(3) Bag Limit A except that during the period October 16 through December 31 the daily bag limit may contain up to 4 adult coho salmon - 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. 94-14-069, § 220-57-310, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-57-310, filed 3/31/93, effective 5/1/93; 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 220-57-313 Kennedy Creek. Special Bag Limit - 2 adult salmon - October 1 through November 30: Downstream from the Highway 101 Bridge to mouth. Barbless hooks only.

[Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-57-313, filed 4/2/91, effective 5/3/91.]

WAC 220-57-315 Klickitat River. (1) Bag Limit A - April 1 through January 31 except that during the period October 16 through December 31 the daily bag limit may contain up to 4 adult coho salmon: 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 except that during the period October 16 through December 31 the daily bag limit may contain up to 4 adult coho salmon: 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. 93-08-034 (Order 93-20), § 220-57-315, filed 3/31/93, effective 5/1/93; 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 220-57-319 Lewis River. (1) Mainstem - Bag Limit A except that during the period October 16 through December 31 the daily bag limit may contain up to 4 adult coho salmon - open entire year: Downstream from east fork to mouth.

(2) East fork:

(a) Bag Limit A - open entire year: Downstream from the LaCenter Bridge.

(b) Bag Limit A - June 1 through December 31: Downstream from Lucia Falls to the LaCenter Bridge. All chinook salmon over 28 inches caught after September 30 must be released immediately.

(3) North fork:

(a) Bag Limit A - January 1 through September 30: Downstream from overhead power lines below Ariel Dam except as provided in subsection (3)(b).

(b) Bag Limit A except that during the period October 16 through December 31 the daily bag limit may contain up to 4 adult coho salmon - open entire year: Downstream from the mouth of Colvin Creek (approximately 1/4 mile upstream of the salmon hatchery) to the mouth of the east fork, except that at all times it is unlawful to take, fish for or possess salmon taken for personal use from waters shoreward of the cable, buoy, and corkline located at the mouth of the Lewis River Salmon Hatchery Fishway.

(c) During the period September 1 through November 30, in those waters downstream from the mouth of Colvin Creek to the lower Cedar Creek concrete boat ramp, lawful salmon angling gear is limited to bait or lures with one single pointed hook only, which hook measures not more than 1/2 inch from point to shank.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-319, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-57-319, filed 3/31/93, effective 5/1/93; 86-09-020 (Order 86-08), § 220-57-319, filed 4/9/86; 84-09-026 (Order 84-22), § 220-57-319, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-319, filed 3/17/83; 81-05-027 (Order 81-13), § 220-57-319, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-319, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-319, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-319, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-050 (part).]

WAC 220-57-325 Lyre River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-325, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-325, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-325, filed 2/17/81, effective 4/1/81; Order 76-14, § 220-57-325, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-052.]

WAC 220-57-326 McAllister Creek. Bag Limit A - July 1 through November 30: Downstream from the downstream side of the Olympia-Steilacoom Road Bridge.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-326, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-326, filed 6/9/82.]

WAC 220-57-327 McLane Creek. Bag Limit A - July 1 through November 30: 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. 89-07-060 (Order 89-12), § 220-57-327, filed 3/16/89; 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 220-57-330 Morse Creek (Clallam County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-330, filed 3/16/89; 83-07-043 (Order 83-16), § 220-57-330, filed 3/17/83; 82-13-040 (Order 82-61), § 220-57-330, filed 6/9/82; Order 76-14, § 220-57-330, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-056.]

WAC 220-57-335 Naselle River. (1) Bag Limit A - October 16 through January 31: Downstream from the Highway 4 Bridge to Highway 101 Bridge.

(2) Bag Limit A - October 16 through January 31: Downstream from the Big Hill Bridge to the Highway 4 Bridge.

(3) 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. 94-14-069, § 220-57-335, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-335, filed 3/16/89; 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 220-57-340 Nemah River. (1) Middle Nemah, Bag Limit A - July 1 through January 31: Downstream from the department of natural resources bridge on the Middle Nemah A Line Road.

(2) North Nemah - Bag Limit A - October 1 through January 31: Downstream from lower bridge on dead end Lower Nemah Road to the mouth.

(3) South Nemah - Bag Limit A - July 1 through January 31: Downstream from the confluence of the Middle Nemah to the mouth.

[Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-57-340, filed 4/2/91, effective 5/3/91; 89-07-060 (Order 89-12), § 220-57-340, filed 3/16/89; 84-09-026 (Order 84-22), § 220-57-340, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57-340, filed 3/17/83; 80-03-064 (Order 80-12), § 220-57-340, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-340, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-340, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-058.]

WAC 220-57-342 Niawiakum River. Bag Limit A - July 1 through January 31: Downstream from the South Bend-Palix Road Bridge to the Highway 101 Bridge.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-342, filed 3/16/89.]

WAC 220-57-345 Nisqually River. Bag Limit A - July 1 through January 31: Downstream from military tank-crossing bridge located one mile upstream from the mouth of Muck Creek. Closed to the taking of pink salmon in odd-numbered years.

[Statutory Authority: RCW 75.08.080. 82-13-040 (Order 82-61), § 220-57-345, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-345, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-345, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-345, filed 1/30/79, effective 4/1/79; Order 76-14, § 220-57-345, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-059.]

WAC 220-57-350 Nooksack River. (1) Bag Limit A - September 1 through December 31: Downstream from the confluence of north and south forks to Lummi Indian Reservation boundary.

(2) North Fork - Bag Limit A - October 1 through December 31: Downstream from Maple Creek to mouth of north fork.

(3) South Fork - Bag Limit A - October 1 through December 31: Downstream from the Saxon Bridge to mouth of south fork.

(4) Closed to the taking of pink salmon.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-350, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-57-350, filed 3/31/93, effective 5/1/93; 89-07-060 (Order 89-12), § 220-57-350, filed 3/16/89; 86-09-020 (Order 86-08), § 220-57-350, filed 4/9/86; 85-09-017 (Order 85-20), § 220-57-350, filed 4/9/85; 83-07-043 (Order 83-16), § 220-57-350, filed 3/17/83; 82-13-040 (Order 82-61), § 220-57-350, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-350, filed 2/17/81, effective 4/1/81; 79-02-052 (Order 79-7), § 220-57-350, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-350, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-350, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-060.]

WAC 220-57-355 North River. Bag Limit A - July 1 through January 31 - downstream from the mouth of Salmon Creek.

[Order 76-14, § 220-57-355, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-061.]

WAC 220-57-365 Palix River. Bag Limit A - July 1 through January 31: Downstream from the confluence of the south and middle forks to the Highway 101 Bridge.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-365, filed 3/16/89; 84-09-026 (Order 84-22), § 220-57-365, filed 4/11/84; Order 76-14, § 220-57-365, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-064.]

WAC 220-57-370 Puyallup River. Bag Limit A - July 16 through November 30: Downstream from the mouth of the Carbon River to the 11th Street Bridge.

[Statutory Authority: RCW 75.08.080. 93-15-011, § 220-57-370, filed 7/8/93, effective 8/8/93; 89-07-060 (Order 89-12), § 220-57-370, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-370, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-370, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-370, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-370, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-370, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-370, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-066.]

WAC 220-57-375 Pysht River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-375, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-375, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-375, filed 2/17/81, effective 4/1/81; Order 76-14, § 220-57-375, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-067.]

WAC 220-57-380 Quilcene (Big Quilcene) River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 93-08-034 (Order 93-20), § 220-57-380, filed 3/31/93, effective 5/1/93; 89-07-060 (Order 89-12), § 220-57-380, filed 3/16/89; 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.]

WAC 220-57-385 Quillayute River. Bag Limit A - March 1 through October 9: Downstream from the confluence of north and south forks to the mouth of the river.

ence of the Soleduck and Bogachiel rivers including Olympic National Park waters.

[Statutory Authority: RCW 75.08.080, 94-14-069, § 220-57-385, filed 7/1/94, effective 8/1/94; 92-11-012 (Order 92-19), § 220-57-385, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-57-385, filed 4/2/91, effective 5/3/91; 89-07-060 (Order 89-12), § 220-57-385, filed 3/16/89; 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 220-57-390 Quinault River. Bag Limit C - July 1 through October 31: Downstream from the bridge connecting Graves Creek and North Shore roads.

[Statutory Authority: RCW 75.08.080, 83-07-043 (Order 83-16), § 220-57-390, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57-390, filed 3/18/82; Order 76-14, § 220-57-390, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-071.]

WAC 220-57-395 Salmon Creek (Clark County). Bag Limit C - July 1 through October 31 - downstream from the Interstate 5 freeway bridge.

[Order 76-14, § 220-57-395, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-073.]

WAC 220-57-400 Salmon River (Jefferson County). Bag Limit A - September 1 through November 30: Downstream from the Q 1000 Road Bridge including waters within Olympic National Park outside the boundaries of the Quinault Indian Reservation.

[Statutory Authority: RCW 75.08.080, 94-14-069, § 220-57-400, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-400, filed 3/16/89; 85-09-017 (Order 85-20), § 220-57-400, filed 4/9/85; 80-03-064 (Order 80-12), § 220-57-400, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-400, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-400, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-400, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-074.]

WAC 220-57-405 Samish River. Bag Limit A - July 1 through October 15: Downstream from the Thomas Road Bridge to the Bayview-Edison Road Bridge. Terminal gear is limited to a single bait or lure with one single-point hook measuring no more than 1/2 inch from point to shank. Bag Limit A - October 16 through December 31: Downstream from Interstate 5 Bridge to markers located approximately one-quarter mile downstream from Samish Island Bridge.

[Statutory Authority: RCW 75.08.080, 92-11-012 (Order 92-19), § 220-57-405, filed 5/12/92, effective 6/12/92; 89-07-060 (Order 89-12), § 220-57-405, filed 3/16/89; 82-07-047 (Order 82-19), § 220-57-405, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-405, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-405, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-405, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-405, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-075.]

WAC 220-57-410 Sammamish River (Slough). (1) Bag Limit A - August 16 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 16 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, 89-07-060 (Order 89-12), § 220-57-410, filed 3/16/89; 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. Bag Limit A - December 1 through January 31: Downstream from the bridge at Schafer State Park on east fork. Chinook salmon must be released immediately.

[Statutory Authority: RCW 75.08.080, 94-14-069, § 220-57-415, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-415, filed 3/16/89; 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 220-57-420 Sekiu River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080, 89-07-060 (Order 89-12), § 220-57-420, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-420, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-420, filed 2/17/81, effective 4/1/81; Order 76-14, § 220-57-420, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-079.]

WAC 220-57-425 Skagit River. Special Bag Limit of 2 chum salmon per day - October 16 through December 31: Downstream from the mouth of Gilligan Creek. All waters of the Skagit River between a line projected across the thread of the river 200 feet above the east bank of the Baker River and a line projected across the thread of the river 200 feet below the west bank of the Baker River are closed.

[Statutory Authority: RCW 75.08.080, 94-14-069, § 220-57-425, filed 7/1/94, effective 8/1/94; 93-14-043 (Order 93-36), § 220-57-425, filed 6/29/93, effective 7/30/93; 92-11-012 (Order 92-19), § 220-57-425, filed 5/12/92, effective 6/12/92; 91-14-047 (Order 91-41), § 220-57-425, filed 6/27/91, effective 7/28/91; 89-07-060 (Order 89-12), § 220-57-425, filed 3/16/89; 85-09-017 (Order 85-20), § 220-57-425, filed 4/9/85; 82-07-047 (Order 82-19), § 220-57-425, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-425, filed 2/17/81, effective 4/1/81; Order 77-3, § 220-57-425, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-425, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-081.]

WAC 220-57-427 Skamokawa Creek. Bag Limit A - August 16 through December 31: Downstream from mouth of first west fork downstream to Highway 4 Bridge.

[Statutory Authority: RCW 75.08.080, 82-07-047 (Order 82-19), § 220-57-427, filed 3/18/82.]

WAC 220-57-430 Skokomish River. Bag Limit A - August 1 through August 31 except all coho salmon must be released and November 1 through December 15, except all coho salmon must be released: Downstream from the Highway 101 Bridge. Terminal gear on the Skokomish River is limited to one bait or lure with one single-pointed hook only, measuring no more than 1/2 inch from point to shank.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-430, filed 7/1/94, effective 8/1/94; 93-14-043 (Order 93-36), § 220-57-430, filed 6/29/93, effective 7/30/93; 92-11-012 (Order 92-19), § 220-57-430, filed 5/12/92, effective 6/12/92; 91-14-047 (Order 91-41), § 220-57-430, filed 6/27/91, effective 7/28/91; 89-07-060 (Order 89-12), § 220-57-430, filed 3/16/89; 84-09-026 (Order 84-22), § 220-57-430, filed 4/11/84; 82-13-040 (Order 82-61), § 220-57-430, filed 6/9/82; Order 77-3, § 220-57-430, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-430, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-082.]

WAC 220-57-435 Skykomish River. Bag Limit A - September 1 through December 31 except all chinook salmon must be released: Downstream from the confluence of north and south forks. During even-numbered years it is unlawful to retain pink salmon.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-435, filed 7/1/94, effective 8/1/94; 92-11-012 (Order 92-19), § 220-57-435, filed 5/12/92, effective 6/12/92; 89-07-060 (Order 89-12), § 220-57-435, filed 3/16/89; 86-09-020 (Order 86-08), § 220-57-435, filed 4/9/86; 82-13-040 (Order 82-61), § 220-57-435, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-435, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-435, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-435, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-435, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-435, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-083.]

WAC 220-57-440 Smith Creek (Pacific County). Bag Limit A - July 1 through January 31: Downstream from Highway 101 Bridge to the mouth.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-440, filed 3/16/89; 84-09-026 (Order 84-22), § 220-57-440, filed 4/11/84; 80-03-064 (Order 80-12), § 220-57-440, filed 2/27/80, effective 4/1/80; Order 76-14, § 220-57-440, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-084.]

WAC 220-57-445 Snake River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 93-08-034 (Order 93-20), § 220-57-445, filed 3/31/93, effective 5/1/93; 89-07-060 (Order 89-12), § 220-57-445, filed 3/16/89; 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 220-57-450 Snohomish River. Bag Limit A - September 1 through December 31 except all chinook salmon must be released: Downstream from confluence of Skykomish and Snoqualmie rivers. During even-numbered years it is unlawful to retain pink salmon.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-450, filed 7/1/94, effective 8/1/94; 92-11-012 (Order 92-19), § 220-57-450, filed 5/12/92, effective 6/12/92; 89-07-060 (Order 89-12), § 220-57-450, filed 3/16/89; 86-09-020 (Order 86-08), § 220-57-450, filed 4/9/86; 82-13-040 (Order 82-61), § 220-57-450, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-450, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-450, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-450, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-450, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-086.]

WAC 220-57-455 Snoqualmie River. Bag Limit A - September 1 through December 31 except all chinook salmon must be released. During even-numbered years it is unlawful to retain pink salmon.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-455, filed 7/1/94, effective 8/1/94; 92-11-012 (Order 92-19), § 220-57-455, filed 5/12/92, effective 6/12/92; 89-07-060 (Order 89-12), § 220-57-455, filed

3/16/89; 86-09-020 (Order 86-08), § 220-57-455, filed 4/9/86; 82-13-040 (Order 82-61), § 220-57-455, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-455, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-455, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-455, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57-455, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-455, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-087.]

WAC 220-57-460 Sol Duc River. Bag Limit A - March 1 through November 30: Downstream from the concrete pump station at the Soleduck Hatchery.

[Statutory Authority: RCW 75.08.080. 93-08-034 (Order 93-20), § 220-57-460, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-57-460, filed 5/12/92, effective 6/12/92; 91-08-054 (Order 91-13), § 220-57-460, filed 4/2/91, effective 5/3/91; 89-07-060 (Order 89-12), § 220-57-460, filed 3/16/89; 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 220-57-465 Stillaguamish River. Special Daily Bag Limit of two chum salmon - November 1 through December 31: Downstream from confluence of north and south forks except waters of Cook Slough are closed at all times from the water flow control structure to a point 400 feet downstream. It is unlawful to take or possess chinook, coho or pink salmon.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-465, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-57-465, filed 3/31/93, effective 5/1/93; 92-11-012 (Order 92-19), § 220-57-465, filed 5/12/92, effective 6/12/92; 90-06-026, § 220-57-465, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-57-465, filed 3/16/89; 85-09-017 (Order 85-20), § 220-57-465, filed 4/9/85; 82-13-040 (Order 82-61), § 220-57-465, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-465, filed 2/17/81, effective 4/1/81; 79-02-052 (Order 79-7), § 220-57-465, filed 1/30/79, effective 4/1/79; Order 76-14, § 220-57-465, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-089.]

WAC 220-57-470 Tahuya River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 91-14-047 (Order 91-41), § 220-57-470, filed 6/27/91, effective 7/28/91; 89-07-060 (Order 89-12), § 220-57-470, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-470, filed 6/9/82; Order 76-14, § 220-57-470, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-091.]

WAC 220-57-473 Tilton River. (1) Mainstem - Bag Limit A - June 1 through December 31: Downstream from west fork Tilton River.

(2) North fork - Bag Limit A - June 1 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. 94-14-069, § 220-57-473, filed 7/1/94, effective 8/1/94; 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 220-57-475 Tolt River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-475, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-475, filed 6/9/82; Order 76-14, § 220-57-475, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-092.]

WAC 220-57-480 Toutle River. Bag Limit A - except chinook salmon greater than 28 inches in length must be released - September 1 through November 30.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-480, filed 7/1/94, effective 8/1/94; 82-07-047 (Order 82-19), § 220-57-480, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57-480, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57-480, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57-480, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57-480, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57-480, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-480, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-093.]

WAC 220-57-485 Tucannon River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 83-07-043 (Order 83-16), § 220-57-485, filed 3/17/83; 80-03-064 (Order 80-12), § 220-57-485, filed 2/27/80, effective 4/1/80; Order 77-3, § 220-57-485, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57-485, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-094.]

WAC 220-57-490 Union River. Closed the entire year.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-490, filed 7/1/94, effective 8/1/94; 92-11-012 (Order 92-19), § 220-57-490, filed 5/12/92, effective 6/12/92; 91-14-047 (Order 91-41), § 220-57-490, filed 6/27/91, effective 7/28/91; 89-07-060 (Order 89-12), § 220-57-490, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-490, filed 6/9/82; Order 76-14, § 220-57-490, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-095.]

WAC 220-57-495 Washougal River. Bag Limit A - June 1 through March 15 except that during the period October 16 through December 31 the daily bag limit may contain up to 4 adult coho salmon: 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. 94-14-069, § 220-57-495, filed 7/1/94, effective 8/1/94; 93-08-034 (Order 93-20), § 220-57-495, filed 3/31/93, effective 5/1/93; 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 220-57-497 Wenatchee River. Special bag limit: 2 salmon per day, minimum size 12 inches - May 16 through June 15. Downstream from the mouth of the Icicle River to the Highway 2 Bridge at Leavenworth.

[Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-57-497, filed 4/2/91, effective 5/3/91; 90-06-044 (Order 90-14), § 220-57-497, filed 3/1/90, effective 4/1/90.]

WAC 220-57-500 West Twin River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-500, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57-500, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57-500, filed 2/17/81, effective 4/1/81; Order 76-14, § 220-57-500, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-099.]

WAC 220-57-502 Whatcom Creek. Bag Limit A - August 1 through December 31: Downstream from the footbridge below Dupont Street in Bellingham.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-502, filed 3/16/89; 85-09-017 (Order 85-20), § 220-57-502, filed 4/9/85.]

WAC 220-57-505 White Salmon River. (1) Bag Limit C - October 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 September 30: Downstream from a line 400 feet downstream from Condit Dam, and October 1 through December 31: Downstream from a set of markers approximately 1/2 mile north of the 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. 90-06-026, § 220-57-505, filed 2/28/90, effective 3/31/90; 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 January 31: Downstream from Highway 6 Bridge, approximately 2 miles below the mouth of Trap Creek, to the Highway 101 Bridge.

(2) Bag Limit A - October 16 through January 31: Downstream from mouth of Fork Creek to the Highway 6 Bridge approximately 2 miles below the mouth of Trap Creek.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57-510, filed 3/16/89; 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 4/1/84; 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. Bag Limit A - December 1 through January 31: Downstream from the mouth of the west fork.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-520, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-520, filed 3/16/89; 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. Bag Limit A - December 1 through January 31: Downstream from the mouth of Schafer Creek.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57-525, filed 7/1/94, effective 8/1/94; 89-07-060 (Order 89-12), § 220-57-525, filed 3/16/89; 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-001	General provisions—Lakes.
220-57A-005	American Lake (Pierce County).
220-57A-010	Armstrong Lake (Snohomish County).
220-57A-012	Baker Lake (Whatcom County).
220-57A-015	Banks Lake (Grant County).
220-57A-017	Big Lake (Skagit County).
220-57A-020	Bosworth Lake.
220-57A-025	Campbell Lake (Skagit County).
220-57A-030	Capitol Lake.
220-57A-035	Chelan Lake (Chelan County).
220-57A-037	Clear Lake (Pierce County).
220-57A-040	Cushman Lake (Mason County).
220-57A-045	Davisson Lake (Riffe) (Lewis County).
220-57A-050	Deep Lake (Grant County).
220-57A-055	Deep Lake (King County).
220-57A-065	Duck Lake (Grays Harbor County).
220-57A-070	East Medical Lake (Spokane County).
220-57A-075	Flowing Lake (Snohomish County).
220-57A-080	Goodwin Lake (Snohomish County).
220-57A-082	(Upper) Goose Lake (Grant County).
220-57A-085	Green Lake (King County).
220-57A-090	Hewitt Lake (Thurston County).
220-57A-095	Hicks Lake (Thurston County).
220-57A-100	Lower Goose Lake (Grant County).
220-57A-105	Martha Lake (Snohomish County).
220-57A-110	Mayfield Lake (Lewis County).
220-57A-112	McMurray Lake (Skagit County).
220-57A-115	Meridian Lake (King County).
220-57A-120	Merwin Lake (Reservoir).
220-57A-125	Ozette Lake.
220-57A-130	Park Lake (Grant County).
220-57A-135	Roesiger Lake.
220-57A-140	Roosevelt Lake (Ferry County).
220-57A-145	Sammamish Lake.
220-57A-150	Serene Lake (Snohomish County).
220-57A-152	Shannon Reservoir (Skagit County).
220-57A-155	Shoecraft Lake (Snohomish County).
220-57A-160	Sprague Lake (Lincoln County).
220-57A-165	St. Clair (Thurston County).

220-57A-170	Storm Lake (Snohomish County).
220-57A-175	Lake Washington.
220-57A-180	Washington Ship Canal, Lake (including Lake Union).
220-57A-183	Lake Wenatchee.
220-57A-185	Wilderness Lake (King County).
220-57A-190	Wynoochee Reservoir (Grays Harbor County).

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-57A-060 Drano Lake. [Order 76-14, § 220-57A-060, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-025.] Repealed by 79-02-052 (Order 79-7), filed 1/30/79, effective 4/1/79. Statutory Authority: RCW 75.08.080.

WAC 220-57A-001 General provisions—Lakes. (1)

It is unlawful to fish for or possess salmon taken from any lake not listed in this chapter.

(2) The daily bag limit, possession limit, opening and closing hours, and seasons of all lakes regulated under Bag Limit I are identical with those limits and times as provided for gamefish, as regulated by the Washington game commission under Title 77 RCW.

(3) The daily bag limit, possession limit, and seasons of all lakes regulated under Bag Limit A, Bag Limit C, or special bag limits, are in addition to gamefish limits as regulated by the Washington game commission, under Title 77 RCW.

(4) The daily bag limit, possession limit, opening and closing hours, and seasons codified by the department of game in chapter 232-24 WAC are incorporated herein and by reference made a part hereof.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-57A-001, filed 4/9/86.]

WAC 220-57A-005 American Lake (Pierce County).

Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 81-05-027 (Order 81-13), § 220-57A-005, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-005, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-005, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57A-005, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57A-005, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-005, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-107.]

WAC 220-57A-010 Armstrong Lake (Snohomish County).

Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 85-09-017 (Order 85-20), § 220-57A-010, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57A-010, filed 4/11/84; 81-05-027 (Order 81-13), § 220-57A-010, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-010, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-010, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57A-010, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57A-010, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-010, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-002.]

WAC 220-57A-012 Baker Lake (Whatcom County).

Closed to anadromous salmon angling the entire year. For purposes of this section, anadromous salmon are defined as salmon smaller than 6 inches in length or greater than 18 inches in length.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57A-012, filed 7/1/94, effective 8/1/94; 86-09-020 (Order 86-08), § 220-57A-012, filed 4/9/86; 85-09-017 (Order 85-20), § 220-57A-012, filed 4/9/85; 83-07-043

(Order 83-16), § 220-57A-012, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57A-012, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57A-012, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-012, filed 2/27/80, effective 4/1/80.]

WAC 220-57A-015 Banks Lake (Grant County).
Bag Limit I.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-57A-015, filed 4/9/86; 83-07-043 (Order 83-16), § 220-57A-015, filed 3/17/83; Order 76-14, § 220-57A-015, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-108.]

WAC 220-57A-017 Big Lake (Skagit County). Bag Limit I.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-57A-017, filed 4/9/86; 80-03-064 (Order 80-12), § 220-57A-017, filed 2/27/80, effective 4/1/80.]

WAC 220-57A-020 Bosworth Lake. Closed to salmon angling the entire year.

[Order 76-14, § 220-57A-020, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-005.]

WAC 220-57A-025 Campbell Lake (Skagit County).
Closed the entire year.

[Order 77-3, § 220-57A-025, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-025, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-109.]

WAC 220-57A-030 Capitol Lake. Bag Limit A - July 1 through November 30: Downstream from the Interstate 5 Bridge to the shear boom at the north end of the lake. Percival Cove shall be defined as those waters of Capitol Lake lying westerly of a set of markers on the western shoreline of the south basin of Capitol Lake. Percival Cove is closed to food fish angling the entire year.

[Statutory Authority: RCW 75.08.080. 89-07-060 (Order 89-12), § 220-57A-030, filed 3/16/89; 82-13-040 (Order 82-61), § 220-57A-030, filed 6/9/82; 78-03-034 (Order 78-8), § 220-57A-030, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57A-030, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-030, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-007.]

WAC 220-57A-035 Chelan Lake (Chelan County).
Special Bag Limit 2 chinook salmon per day, minimum size 15 inches.

[Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-57A-035, filed 4/2/91, effective 5/3/91; 86-09-020 (Order 86-08), § 220-57A-035, filed 4/9/86; Order 76-14, § 220-57A-035, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-110.]

WAC 220-57A-037 Clear Lake (Pierce County).
Bag Limit I.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-57A-037, filed 4/9/86; 85-09-017 (Order 85-20), § 220-57A-037, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57A-037, filed 4/11/84.]

WAC 220-57A-040 Cushman Lake (Mason County). Bag Limit I.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-57A-040, filed 4/9/86; 85-09-017 (Order 85-20), § 220-57A-040, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57A-040, filed 4/11/84; 83-07-043

(Order 83-16), § 220-57A-040, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57A-040, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57A-040, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-040, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-040, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57A-040, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57A-040, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-040, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-016.]

WAC 220-57A-045 Davisson Lake (Riffe) (Lewis County). Bag Limit I.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-57A-045, filed 4/9/86; Order 77-3, § 220-57A-045, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-045, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-017.]

WAC 220-57A-050 Deep Lake (Grant County).
Closed to salmon angling entire year.

[Order 76-14, § 220-57A-050, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-019.]

WAC 220-57A-055 Deep Lake (King County).
Closed to salmon angling entire year.

[Order 76-14, § 220-57A-055, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-020.]

WAC 220-57A-065 Duck Lake (Grays Harbor County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 84-09-026 (Order 84-22), § 220-57A-065, filed 4/11/84; 82-07-047 (Order 82-19), § 220-57A-065, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57A-065, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-065, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-065, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57A-065, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57A-065, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-065, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-112.]

WAC 220-57A-070 East Medical Lake (Spokane County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 83-07-043 (Order 83-16), § 220-57A-070, filed 3/17/83; Order 77-3, § 220-57A-070, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-070, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-115.]

WAC 220-57A-075 Flowing Lake (Snohomish County). Closed to salmon angling entire year.

[Order 76-14, § 220-57A-075, filed 4/5/76; Order 76-14, § 220-57A-075, filed 3/15/76 and 3/24/76, effective 5/1/76. Formerly WAC 220-57-033.]

WAC 220-57A-080 Goodwin Lake (Snohomish County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 90-06-026, § 220-57A-080, filed 2/28/90, effective 3/31/90; 86-09-020 (Order 86-08), § 220-57A-080, filed 4/9/86; 85-09-017 (Order 85-20), § 220-57A-080, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57A-080, filed 4/11/84; 81-05-027 (Order 81-13), § 220-57A-080, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-080, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-080, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57A-080, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57A-080, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-080, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-034.]

WAC 220-57A-082 (Upper) Goose Lake (Grant County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 84-09-026 (Order 84-22), § 220-57A-082, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57A-082, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57A-082, filed 3/18/82.]

WAC 220-57A-085 Green Lake (King County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 83-07-043 (Order 83-16), § 220-57A-085, filed 3/17/83; Order 77-3, § 220-57A-085, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-085, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-113.]

WAC 220-57A-090 Hewitt Lake (Thurston County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 81-05-027 (Order 81-13), § 220-57A-090, filed 2/17/81, effective 4/1/81; Order 76-14, § 220-57A-090, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-114.]

WAC 220-57A-095 Hicks Lake (Thurston County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 81-05-027 (Order 81-13), § 220-57A-095, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-095, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-095, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57A-095, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57A-095, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-095, filed 3/15/76, effective 5/1/76.]

WAC 220-57A-100 Lower Goose Lake (Grant County). Closed to salmon angling entire year.

[Order 76-14, § 220-57A-100, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-051.]

WAC 220-57A-105 Martha Lake (Snohomish County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 83-07-043 (Order 83-16), § 220-57A-105, filed 3/17/83; Order 77-3, § 220-57A-105, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-105, filed 4/5/76; Order 76-14, § 220-57A-105, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-053.]

WAC 220-57A-110 Mayfield Lake (Lewis County). Bag Limit I.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-57A-110, filed 4/9/86; Order 76-14, § 220-57A-110, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-054.]

WAC 220-57A-112 McMurray Lake (Skagit County). Bag Limit I.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-57A-112, filed 4/9/86; 85-09-017 (Order 85-20), § 220-57A-112, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57A-112, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57A-112, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57A-112, filed 3/18/82.]

WAC 220-57A-115 Meridian Lake (King County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 81-05-027 (Order 81-13), § 220-57A-115, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-115, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-115, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57A-115, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57A-115, filed

1/28/77, effective 3/1/77; Order 76-14, § 220-57A-115, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-055.]

WAC 220-57A-120 Merwin Lake (Reservoir). Bag Limit I.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-57A-120, filed 4/9/86; 84-09-026 (Order 84-22), § 220-57A-120, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57A-120, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57A-120, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57A-120, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-120, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-120, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57A-120, filed 2/21/78, effective 4/1/78; Order 76-14, § 220-57A-120, filed 3/15/76, effective 5/1/76.]

WAC 220-57A-125 Ozette Lake. Bag Limit C - July 1 through October 31.

[Statutory Authority: RCW 75.08.080. 78-03-034 (Order 78-8), § 220-57A-125, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57A-125, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-125, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-062.]

WAC 220-57A-130 Park Lake (Grant County). Closed to salmon angling entire year.

[Order 76-14, § 220-57A-130, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-065.]

WAC 220-57A-135 Roesiger Lake. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 81-05-027 (Order 81-13), § 220-57A-135, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-135, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-135, filed 1/30/79, effective 4/1/79; Order 76-14, § 220-57A-135, filed 3/24/76; Order 76-14, § 220-57A-135, filed 3/15/76 and 3/24/76, effective 5/1/76. Formerly WAC 220-57-072.]

WAC 220-57A-140 Roosevelt Lake (Ferry County). Bag Limit I.

[Statutory Authority: RCW 75.08.080. 86-09-020 (Order 86-08), § 220-57A-140, filed 4/9/86; Order 76-14, § 220-57A-140, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-116.]

WAC 220-57A-145 Sammamish Lake. Bag Limit A - August 16 through December 31: Waters within 1/4 mile of the mouth of Issaquah Creek are closed to salmon angling at all times. Closed to the taking of sockeye salmon.

[Statutory Authority: RCW 75.08.080. 82-13-040 (Order 82-61), § 220-57A-145, filed 6/9/82; 81-05-027 (Order 81-13), § 220-57A-145, filed 2/17/81, effective 4/1/81; Order 77-3, § 220-57A-145, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-145, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-076.]

WAC 220-57A-150 Serene Lake (Snohomish County). Closed to salmon angling entire year.

[Statutory Authority: RCW 75.08.080. 80-03-064 (Order 80-12), § 220-57A-150, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-150, filed 1/30/79, effective 4/1/79; Order 77-3, § 220-57A-150, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-150, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-080.]

WAC 220-57A-152 Shannon Reservoir (Skagit County). Closed to anadromous salmon angling the entire year. For purposes of this section, anadromous salmon are

defined as salmon smaller than 6 inches in length or greater than 18 inches in length.

[Statutory Authority: RCW 75.08.080. 94-14-069, § 220-57A-152, filed 7/1/94, effective 8/1/94; 86-09-020 (Order 86-08), § 220-57A-152, filed 4/9/86; 85-09-017 (Order 85-20), § 220-57A-152, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57A-152, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57A-152, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57A-152, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57A-152, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-152, filed 2/27/80, effective 4/1/80.]

WAC 220-57A-155 Shoecraft Lake (Snohomish County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 81-05-027 (Order 81-13), § 220-57A-155, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-155, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-155, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57A-155, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57A-155, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-155, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-117.]

WAC 220-57A-160 Sprague Lake (Lincoln County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 81-05-027 (Order 81-13), § 220-57A-160, filed 2/17/81, effective 4/1/81; Order 76-14, § 220-57A-160, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-118.]

WAC 220-57A-165 St. Clair (Thurston County). Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 83-07-043 (Order 83-16), § 220-57A-165, filed 3/17/83; Order 77-3, § 220-57A-165, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-165, filed 3/15/76, effective 5/1/76.]

WAC 220-57A-170 Storm Lake (Snohomish County). Closed to salmon angling entire year.

[Order 76-14, § 220-57A-170, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-090.]

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 16 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. 89-07-060 (Order 89-12), § 220-57A-175, filed 3/16/89; 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 north-south line located 400 feet east of the eastern end of the north wingwall of the Chittenden Locks. Sockeye salmon must be released immediately. Waters between the University Bridge and the concrete abutment ends east of the Montlake Bridge are closed to salmon angling at all times.

[Title 220 WAC—page 110]

[Statutory Authority: RCW 75.08.080. 92-11-012 (Order 92-19), § 220-57A-180, filed 5/12/92, effective 6/12/92; 90-06-026, § 220-57A-180, filed 2/28/90, effective 3/31/90; 89-07-060 (Order 89-12), § 220-57A-180, filed 3/16/89; 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.]

WAC 220-57A-183 Lake Wenatchee. Special daily bag limit of two sockeye salmon not less than 16 inches in length - August 1 through August 15, except closed to salmon angling within 300 feet of the mouths of the Little Wenatchee River and the White River.

[Statutory Authority: RCW 75.08.080. 93-08-034 (Order 93-20), § 220-57A-183, filed 3/31/93, effective 5/1/93; 86-09-020 (Order 86-08), § 220-57A-183, filed 4/9/86.]

WAC 220-57A-185 Wilderness Lake (King County). Bag Limit I.

[Statutory Authority: RCW 75.08.080. 86-08-040 (Order 86-13), § 220-57A-185, filed 3/27/86; 85-09-017 (Order 85-20), § 220-57A-185, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57A-185, filed 4/11/84; 81-05-027 (Order 81-13), § 220-57A-185, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-185, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-185, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57A-185, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57A-185, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-185, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-101.]

WAC 220-57A-190 Wynoochee Reservoir (Grays Harbor County). Bag Limit I.

[Statutory Authority: RCW 75.08.080. 86-08-040 (Order 86-13), § 220-57A-190, filed 3/27/86; 85-09-017 (Order 85-20), § 220-57A-190, filed 4/9/85; 84-09-026 (Order 84-22), § 220-57A-190, filed 4/11/84; 83-07-043 (Order 83-16), § 220-57A-190, filed 3/17/83; 82-07-047 (Order 82-19), § 220-57A-190, filed 3/18/82; 81-05-027 (Order 81-13), § 220-57A-190, filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-57A-190, filed 2/27/80, effective 4/1/80; 79-02-052 (Order 79-7), § 220-57A-190, filed 1/30/79, effective 4/1/79; 78-03-034 (Order 78-8), § 220-57A-190, filed 2/21/78, effective 4/1/78; Order 77-3, § 220-57A-190, filed 1/28/77, effective 3/1/77; Order 76-14, § 220-57A-190, filed 3/15/76, effective 5/1/76. Formerly WAC 220-57-190.]

Chapter 220-60 WAC

OYSTERS AND CLAMS—SALES FROM STATE RESERVES

WAC

220-60-010	Publishing notice of sale.
220-60-020	Director to designate time and place of harvest from reserves.
220-60-040	Loads to be measured.
220-60-050	Payment.
220-60-060	Oyster growers' associations.
220-60-070	Purchasers' licenses.
220-60-080	Director may limit use of licenses.
220-60-090	Director to establish sale prices.
220-60-110	Other unlawful conduct.

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220-60-001	Promulgation. [Order 248, Promulgation, filed 3/1/60.] Repealed by Order 1179, filed 11/19/74.
220-60-030	Director to designate place of taking. [Order 248, § 3, filed 3/1/60.] Repealed by 85-24-045 (Order 85-190), filed 11/27/85. Statutory Authority: RCW 75.08.080.
220-60-100	No resales or processing by purchaser within twenty days. [Order 248, § 10, filed 3/1/60.] Repealed by Order 1179, filed 11/19/74.
220-60-120	Director's agent may issue instructions. [Order 248, § 12, filed 3/1/60.] Repealed by 85-24-045 (Order 85-190), filed 11/27/85. Statutory Authority: RCW 75.08.080.

WAC 220-60-010 Publishing notice of sale. Sales of oysters and/or clams from the oyster reserves of the state in excess of 50 bushels shall take place only after notice of such sales has been published in the Daily Olympian at Olympia, Washington, and one newspaper of general circulation in the area in which such sales shall take place.

[Statutory Authority: RCW 75.08.080. 85-24-045 (Order 85-190), § 220-60-010, filed 11/27/85; Order 248, § 1, filed 3/1/60.]

WAC 220-60-020 Director to designate time and place of harvest from reserves. All harvesting of oysters shall take place under the supervision of the director or his authorized agent, and such harvesting shall be accomplished only at such times and in such areas as may be specified in writing by such authorized agent of the director, or by the director.

[Statutory Authority: RCW 75.08.080. 85-24-045 (Order 85-190), § 220-60-020, filed 11/27/85; Order 1179, § 220-60-020, filed 11/19/74; Order 248, § 2, filed 3/1/60.]

WAC 220-60-040 Loads to be measured. Before each scow, or dredge, or other conveyance, containing oysters or clams leaves any state oyster reserve, the person in charge of such scow or dredge shall contact the nearest authorized agent of the director for measuring the load. Such load shall not be removed from the reserve without permission of the director or his authorized agent. Invoices will be issued in triplicate, showing the number of bushels and/or pounds in each such load. One copy of such invoice shall be given to the buyer, one copy shall be forwarded to the central office of the department, and the third copy shall be retained by the authorized agent of the director.

[Order 248, § 4, filed 3/1/60.]

WAC 220-60-050 Payment. All purchasers of oysters or clams from any of the state oyster reserves shall make remittance for purchases by bank draft or check payable to the treasurer of the state of Washington, and shall render such payment to the authorized agent of the director by Friday of each week for invoices of the previous week.

[Order 1179, § 220-60-050, filed 11/19/74; Order 248, § 5, filed 3/1/60.]

WAC 220-60-060 Oyster growers' associations. Any organized oyster growers' association may at its discretion appoint a qualified representative to be present at any or all times during purchases of oysters and/or clams from state oyster reserves. Such representative shall have access to the department's boat and all records pertaining to

such sales. Any expenses of such representative shall not be borne by the department of fisheries.

[Order 248, § 6, filed 3/1/60.]

WAC 220-60-070 Purchasers' licenses. All purchasers of oysters or clams from any of the state oyster reserves shall, in advance of the removal of any oysters and/or clams from any such reserve, obtain from the department an oyster reserve license as required by RCW 75.28.290.

[Statutory Authority: RCW 75.08.080. 85-24-045 (Order 85-190), § 220-60-070, filed 11/27/85; Order 248, § 7, filed 3/1/60.]

WAC 220-60-080 Director may limit use of licenses. Nothing in this chapter shall prevent the director or his authorized agent from limiting the number of bushels of oysters or pounds of clams which may be sold to any one oyster reserve licensee. The department of fisheries reserves the right to limit the number of dredges operated by any one licensee.

[Statutory Authority: RCW 75.08.080. 85-24-045 (Order 85-190), § 220-60-080, filed 11/27/85; Order 248, § 8, filed 3/1/60.]

WAC 220-60-090 Director to establish sale prices. Sale of oysters from the reserves for broodstock purposes to registered oyster farmers in amounts of 50 bushels or less may occur at a price established by the director taking into account costs associated with the sale, but in no event may be less than the average price paid at the latest bid sale. Sale of oysters in amounts over 50 bushels shall be by bid at public auction.

[Statutory Authority: RCW 75.08.080. 85-24-045 (Order 85-190), § 220-60-090, filed 11/27/85; Order 248, § 9, filed 3/1/60.]

WAC 220-60-110 Other unlawful conduct. It is unlawful to violate any of the provisions of this chapter.

[Statutory Authority: RCW 75.08.080. 85-24-045 (Order 85-190), § 220-60-110, filed 11/27/85; Order 248, § 11, filed 3/1/60.]

Chapter 220-69 WAC

FISH RECEIVING TICKETS—WEIGHT DELIVERY
SHEETS

WAC

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220-69-081	License cards. [Order 76-25, § 220-69-081, filed 1:50 p.m., 4/20/76, effective 7/1/76; Order 920, § 220-69-081, filed 5/13/71.] Repealed by Order 76-153, filed 12/17/76.	220-69-263
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220-69-083	Treaty identification cards. [Order 76-25, § 220-69-083, filed 1:50 p.m., 4/20/76, effective 7/1/76; Order 1298, § 220-69-083, filed 9/25/75.] Repealed by Order 76-153, filed 12/17/76.	220-69-265
220-69-085	Dealer's plate. [Order 76-25, § 220-69-085, filed 1:50 p.m., 4/20/76, effective 7/1/76; Order 920, § 220-69-085, filed 5/13/71.] Repealed by Order 76-153, filed 12/17/76.	220-69-266
220-69-090	Nontreaty fish receiving tickets—Disposition. [Order 76-25, § 220-69-090, filed 1:50 p.m., 4/20/76, effective	220-69-267

- by 83-24-049 (Order 83-203), filed 12/2/83. Statutory Authority: RCW 75.08.080.
- 220-69-25401 Required information on shellfish receiving ticket. [Statutory Authority: RCW 75.08.080. 80-05-093 (Order 80-27), § 220-69-25401, filed 5/2/80.] Repealed by 83-24-049 (Order 83-203), filed 12/2/83. Statutory Authority: RCW 75.08.080.
- 220-69-25402 Required information on aquaculture production report. [Statutory Authority: RCW 75.08.080. 81-03-032 (Order 81-6), § 220-69-25402, filed 1/13/81.] Repealed by 86-19-043 (Order 86-102), filed 9/12/86. Statutory Authority: RCW 75.08.080 and 75.58.040.
- 220-69-255 Required information on oyster production report. [Statutory Authority: RCW 78.08.080 [75.08.080]. 78-03-031 (Order 78-7), § 220-69-255, filed 2/17/78; Order 76-153, § 220-69-255, filed 12/17/76.] Repealed 86-19-043 (Order 86-102), filed 9/12/86. Statutory Authority: RCW 75.08.080 and 75.58.040.
- 220-69-25501 Required information on hardshell clam and mussel production report. [Statutory Authority: RCW 75.08.080. 83-24-049 (Order 83-203), § 220-69-25501, filed 12/2/83; 81-03-032 (Order 81-6), § 220-69-25501, filed 1/13/81.] Repealed by 86-19-043 (Order 86-102), filed 9/12/86. Statutory Authority: RCW 75.08.080 and 75.58.040.
- 220-69-261 Distribution of copies of troll fish receiving tickets. [Statutory Authority: RCW 75.08.080. 80-05-093 (Order 80-27), § 220-69-261, filed 5/2/80; Order 76-153, § 220-69-261, filed 12/17/76.] Repealed by 83-24-049 (Order 83-203), filed 12/2/83. Statutory Authority: RCW 75.08.080.
- 220-69-263 Distribution of copies of utility fish receiving ticket. [Order 76-153, § 220-69-263, filed 12/17/76.] Repealed by 83-24-049 (Order 83-203), filed 12/2/83. Statutory Authority: RCW 75.08.080.
- 220-69-26402 Distribution of copies of aquaculture production report. [Statutory Authority: RCW 75.08.080. 81-03-032 (Order 81-6), § 220-69-26402, filed 1/13/81.] Repealed by 86-19-043 (Order 86-102), filed 9/12/86. Statutory Authority: RCW 75.08.080 and 75.58.040.
- 220-69-265 Distribution of copies of oyster production report. [Statutory Authority: RCW 75.08.080. 81-03-032 (Order 81-6), § 220-69-265, filed 1/13/81; Order 76-153, § 220-69-265, filed 12/17/76.] Repealed by 86-19-043 (Order 86-102), filed 9/12/86. Statutory Authority: RCW 75.08.080 and 75.58.040.
- 220-69-26501 Distribution of copies of hardshell clam and mussel production report. [Statutory Authority: RCW 75.08.080. 83-24-049 (Order 83-203), § 220-69-26501, filed 12/2/83; 81-03-032 (Order 81-6), § 220-69-26501, filed 1/13/81.] Repealed by 86-19-043 (Order 86-102), filed 9/12/86. Statutory Authority: RCW 75.08.080 and 75.58.040.

WAC 220-69-210 Purpose. The purpose of this chapter shall be to:

- (1) Describe the use of all fisheries' catch reporting forms.
- (2) Describe the duties of fisherman, sellers, deliverers, growers, purchasers, and receivers regarding catch reporting.
- (3) Describe the required information on each catch reporting form.
- (4) Describe the distribution of each copy of each catch reporting form.
- (5) Describe the use of mechanical imprinters, imprinter cards, and imprinter plates.
- (6) Describe the accountability methods for all catch reporting forms.
- (7) Ensure compliance with all orders of this chapter.

[Order 76-153, § 220-69-210, filed 12/17/76.]

WAC 220-69-215 Compliance and misrepresentation. It shall be unlawful for any person dealing with or possessing food fish, shellfish, or parts thereof:

(1) To fail to completely and accurately carry out the provisions of this chapter.

(2) To misrepresent, falsify, or omit any required entry made upon official state of Washington fish receiving ticket, sport salmon catch record, production report, or commercial food fish and shellfish transportation ticket, or to enter information that is so illegible as to be misinterpreted.

(3) To utilize any forms other than official state of Washington fish receiving tickets, sport salmon catch record, or production report as described in this chapter for catch reporting.

[Statutory Authority: RCW 75.08.080. 85-11-020 (Order 85-43), § 220-69-215, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-215, filed 12/2/83; Order 76-153, § 220-69-215, filed 12/17/76.]

WAC 220-69-220 Definition of terms. (1) **Department of fisheries** as referred to in this chapter means:

Department of Fisheries
Data Processing Section
PO Box 43138
Olympia, Washington 98504-3138
Telephone (206) 902-2310 or (206) 902-2312

(2) **Dealer** as referred to in this chapter means the original purchaser or receiver of food fish, shellfish, or parts thereof.

(3) **Buyer** as referred to in this chapter means the person who receives food fish, shellfish, or parts thereof on behalf of a dealer whose name appears on the buyer's license.

(4) **Fisher** as referred to in this chapter means the person who catches or delivers food fish, shellfish, or parts thereof.

(5) **Original receiver or receiver** as referred to in this chapter means the first person in possession of food fish or shellfish in the state of Washington who is a licensed wholesale dealer or fish handler or who is acting in that capacity, after the food fish or shellfish have been caught or harvested by a commercial fisher.

(6) **Treaty** as referred to in this chapter means any person, group, or activity thereof made unique by virtue of descendancy from Indian tribes signatory to treaties made with the United States government in the mid-1850's where such treaties reserved certain rights in what is now the state of Washington or waters bordering that state.

(7) **Nontreaty** as used in this chapter means all entities not qualified by definition as treaty.

(8) **Treaty Indian** as referred to in this chapter means an individual treaty Indian fisher.

(9) **Working day** as referred to in this chapter means Monday through Friday exclusive of a Washington state or federal holiday.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-69-220, filed 12/1/93, effective 1/1/94; 90-03-068 (Order 90-05), § 220-69-220, filed 1/19/90, effective 2/19/90. Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-220, filed 9/12/86. Statutory Authority: RCW 75.08.080. 83-24-049 (Order 83-203), § 220-69-220, filed 12/2/83; 78-03-031 (Order 78-7), § 220-69-220, filed 2/17/78; Order 76-153, § 220-69-220, filed 12/17/76.]

WAC 220-69-230 Description of Washington state nontreaty fish receiving tickets. (1) There is hereby created the following nontreaty fish receiving ticket forms to be prepared, printed, and distributed upon request, by the department of fisheries: Cannery, troll, marine, utility, and shellfish. These forms shall contain space for the following information:

- (a) Fisherman: Name of licensed deliverer.
 - (b) Address: Address of licensed deliverer.
 - (c) Boat name: Name or Coast Guard number of landing vessel.
 - (d) WDF boat registration: Washington department of fisheries boat registration number.
 - (e) Gear: Code number or name of specific type of gear used.
 - (f) Fisherman's signature: Signature of licensed deliverer.
 - (g) Date: Date of landing.
 - (h) Dealer: Name of dealer, and department of fisheries' number assigned to dealer.
 - (i) Buyer: Name of buyer, and department of fisheries' number assigned to buyer.
 - (j) Receiver's signature: Signature of original receiver.
 - (k) Number of days fished: Days spent catching fish.
 - (l) Fish caught inside or outside 3-mile limit: Check one box.
 - (m) Catch area: Salmon catch area code if salmon are caught. Marine fish/shellfish catch area code if marine fish are caught or shellfish are caught or harvested.
 - (n) Tally space for dealer's use: Used at dealer's discretion.
 - (o) Species code: Department of fisheries' assigned species code.
 - (p) Number of fish, species description, pounds, and value: Summary information for species landed. All species or categories of bottomfish having a vessel trip limit must be listed separately (see WAC 220-44-050).
 - (q) Work area for dealer's use: Used at dealer's discretion.
 - (r) Total amount: Total value of landing.
 - (s) Take-home fish: Species, number, and pounds of fish retained for personal use.
 - (t) Crew: Name and signature of crew members who take home fish.
- (2) The cannery fish receiving ticket shall be used for:
- (a) Deliveries of nontreaty salmon caught in inland waters.
 - (b) Any other delivery of nontreaty salmon where the catch may be easily recorded.
 - (c) Any imports of fresh salmon into the state of Washington.
- (3) The troll fish receiving ticket shall be used for:
- (a) Deliveries of nontreaty coastal salmon and incidental catch.
 - (b) Any other nontreaty deliveries where the species delivered may be easily recorded.
 - (c) Any imports of fresh salmon into the state of Washington.
- (4) The marine fish receiving ticket shall be used for:

(a) Nontreaty deliveries of marine fish or bottomfish that do not include salmon.

(b) Any imports of fresh marine fish or bottomfish.

(5) The utility fish receiving ticket shall be used for:

(a) Any nontreaty deliveries that do not include salmon, where other fish receiving tickets are not appropriate.

(b) Any imports of fresh fish or shellfish that do not include salmon.

(6) The shellfish receiving ticket shall be used for:

(a) Any nontreaty deliveries of shellfish.

(b) Any imports of fresh shellfish.

(c) Any incidental catch of bottomfish made while fishing for shellfish. The species name, total pounds, and price per pounds must be entered for each species of bottomfish caught.

[Statutory Authority: RCW 75.08.080, 85-11-020 (Order 85-43), § 220-69-230, filed 5/10/85; 84-08-014 (Order 84-24), § 220-69-230, filed 3/27/84; 83-24-049 (Order 83-203), § 220-69-230, filed 12/2/83; 80-05-093 (Order 80-27), § 220-69-230, filed 5/2/80; 78-03-031 (Order 78-7), § 220-69-230, filed 2/17/78; Order 76-153, § 220-69-230, filed 12/17/76.]

WAC 220-69-234 Description of treaty Indian fish receiving ticket. (1) There is hereby created a treaty Indian fish receiving ticket form to be prepared, printed, and distributed upon request, by the department of fisheries, which shall contain space for the following information:

(a) Tribal name: Name or identification number of tribe.

(b) Fisherman: Name or identification number of deliverer.

(c) Signature: Signature of deliverer on tribal copy of ticket.

(d) Date: Date of landing.

(e) Dealer: Name of dealer, and department of fisheries' number assigned to dealer.

(f) Buyer: Name of buyer, and department of fisheries' number assigned to buyer.

(g) Gear: Code name or number of specific gear type used.

(h) Receiver's signature: Signature of original receiver.

(i) Catch area: River name for river catch, salmon catch area for saltwater salmon catch, marine fish/shellfish catch area for nonsalmon saltwater catch.

(j) Tally space for dealer's use: Used at dealer's discretion.

(k) Species and description: Species name of fish landed.

(l) Number of fish, pounds, and value: Information for each species landed.

(m) Subtotal: Total price of catch landed.

(n) Tribal tax: Tribal tax collected.

(o) Total: Total price paid seller or deliverer.

(p) Take-home fish: Species, number, and pounds of fish retained for personal, ceremonial, or subsistence use.

(2) The treaty Indian fish receiving ticket shall be used for any deliveries of fish or shellfish caught by Washington treaty Indians.

[Statutory Authority: RCW 75.08.080 and 75.58.040, 86-19-043 (Order 86-102), § 220-69-234, filed 9/12/86. Statutory Authority: RCW 75.08.080, 85-11-020 (Order 85-43), § 220-69-234, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-234, filed 12/2/83; 80-05-093 (Order 80-27), § 220-69-234, filed 5/2/80; 78-03-031 (Order 78-7), § 220-69-234, filed 2/17/78; Order 76-153, § 220-69-234, filed 12/17/76.]

WAC 220-69-23402 Description of aquatic farm production report. (1) There is hereby created an aquaculture production report form to be prepared, printed and distributed on request by the department of fisheries. The aquatic farmer shall provide the following information:

- (a) Firm name: Name of aquaculture firm and telephone number
- (b) Firm address: Address of aquaculture firm
- (c) Aquatic farm registration number: Department of fisheries assigned dealer number
- (d) Species: Common name of species grown at aquatic farm site
- (e) Quantity harvested for sale: Quantity, in production units, of each species harvested for sale each month
- (f) Signature: Signature of firm executive or authorized representative and date signed

(2) The aquaculture production report shall be used for monthly reporting of aquaculture production as specified in WAC 220-69-243.

[Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-23402, filed 9/12/86. Statutory Authority: RCW 75.08.080. 81-03-032 (Order 81-6), § 220-69-23402, filed 1/13/81.]

WAC 220-69-237 Description of sport salmon catch record and required information. (1) There is hereby created a sport salmon catch record form to be prepared, printed, and distributed on request, by the department of fisheries,

(2) The sport salmon catch record card shall contain space for the following information:

- (a) Name of angler.
- (b) Home address.
- (c) City, state, zip code.
- (d) Date of issue.
- (e) Angler's home phone.
- (f) Month of catch.
- (g) Day of catch.
- (h) Marine code or stream: Location of catch.
- (i) Species: Catch type code.

The information in (a) through (d) of this subsection must be completed prior to the catch record card being separated from the underlying copy of the catch record card. The information in (f) through (i) of this subsection must be completed immediately upon catching a salmon to be retained.

[Statutory Authority: RCW 75.08.080. 90-17-080 (Order 90-55), § 220-69-237, filed 8/16/90, effective 9/16/90; 90-03-068 (Order 90-05), § 220-69-237, filed 1/19/90, effective 2/19/90; 89-07-071 (Order 89-05), § 220-69-237, filed 3/20/89; 84-09-026 (Order 84-22), § 220-69-237, filed 4/11/84; 83-24-049 (Order 83-203), § 220-69-237, filed 12/2/83; Order 77-121, § 220-69-237, filed 10/19/77; Order 76-153, § 220-69-237, filed 12/17/76.]

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 card shall contain space for the following information:

- (a) Name of angler.
- (b) Home address.
- (c) City, state, zip code.
- (d) Date of issue.

- (e) Angler's home phone.
- (f) Month of catch.
- (g) Day of catch.
- (h) Marine code, river code, or stream: Location of catch.

- (i) Species: Catch type code.
- (j) Length of fish.

(3) The information in subsection (2)(a) through (d) of this section must be completed prior to separating the catch record card from the underlying copy of the catch record card. The information in subsection (2)(f) through (j) of this section must be completed immediately upon catching a sturgeon to be retained.

[Statutory Authority: RCW 75.08.080. 90-17-080 (Order 90-55), § 220-69-238, filed 8/16/90, effective 9/16/90; 90-03-068 (Order 90-05), § 220-69-238, filed 1/19/90, effective 2/19/90; 89-07-071 (Order 89-05), § 220-69-238, filed 3/20/89; 88-05-002 (Order 88-03), § 220-69-238, filed 2/4/88.]

WAC 220-69-239 Description of halibut catch record card and required information. (1) There is hereby created a halibut catch record form to be prepared, printed, and distributed on request by the department of fisheries.

(2) The halibut catch record card shall contain space for the following:

- (a) Name of angler.
- (b) Home address.
- (c) City, state, zip code.
- (d) Date of issue.
- (e) Angler's home phone.
- (f) Month of catch.
- (g) Day of catch.
- (h) Marine code: Location of catch.

(i) Catcher vessel type: Type of vessel from which retained halibut taken - charter boat (c) or personal vessel/kicker boat (k).

(3) The information in subsection (2)(a) through (d) of this section must be completed prior to separating the catch record card from the underlying copy of the catch record card. The information in subsection (2)(f) through (i) of this section must be completed immediately upon catching a halibut to be retained.

[Statutory Authority: RCW 75.08.080. 90-17-080 (Order 90-55), § 220-69-239, filed 8/16/90, effective 9/16/90.]

WAC 220-69-240 Duties of commercial purchasers and receivers. (1) Every person originally receiving or purchasing fresh or iced food fish or shellfish or parts thereof, or frozen food fish or shellfish or parts thereof that have not been previously landed in another state, territory, or country from fishermen, firms, or individuals, regardless of whether or not the receiver or purchaser holds a license as required under Title 75 RCW, must immediately, completely, accurately, and legibly prepare the appropriate state of Washington fish receiving ticket regarding each and every purchase or receipt of such commodities. Any employee of a licensed wholesale dealer who has authorization to receive or purchase fish or shellfish for that dealer on the premises of the primary business address or any of its branch plant locations shall be authorized to initiate and sign fish receiving tickets on behalf of his employer. The business or firm

shall be responsible for the accuracy and legibility of all such documents initiated in its name. Each delivery must be recorded on a separate state of Washington fish receiving ticket.

(2) State of Washington fish receiving tickets are required for:

(a) Fresh food fish and shellfish landed in the state of Washington.

(b) Fresh food fish and shellfish previously landed in another state, territory, or country and shipped or transported into the state of Washington to an original receiver.

(c) Frozen food fish or shellfish not previously landed in another state, territory, or country and shipped or transported into the state of Washington to an original receiver.

(3) State of Washington fish receiving tickets are not required for:

(a) Purchases or receipts made by individuals or consumers at retail.

(b) Purchases or receipts from any person possessing a valid Washington wholesale dealer's license except that a wholesale dealer purchasing fish from a commercial fisherman or shellfish gatherer shall complete the appropriate fish receiving ticket regardless of whether the commercial fisherman or shellfish gatherer possesses a wholesale dealer's license. It is the purchaser's responsibility to obtain the name, address, and Washington wholesale dealer's license number, together with such sales receipt documents or information as may be required, to show the deliverer's name, quantity of fish, and date of the transaction and retain these with the food fish or shellfish.

(c) Fresh or frozen food fish or shellfish that are in transit through the state of Washington, if no storage, handling, processing, or repackaging occurs within the state.

(d) Private sector cultured aquatic products.

(4) Fishermen, fishermen-wholesalers, and wholesalers shall determine the weight of baitfish contained in an average and normal brail and multiply the number of such brailers of baitfish by this weight factor and report such baitfish in both dozens and total weight: *Provided*, That it is lawful for such fishermen, fishermen-wholesalers, and wholesalers, when receiving herring, candlefish, anchovy, or pilchards for bait purposes, to delay completing that portion of the fish receiving ticket which indicates number of herring received, only if the herring, candlefish, anchovy, or pilchards are sold individually or counted as dozens. Such counts must be entered on the fish tickets immediately. An estimate of herring, candlefish, anchovy, or pilchards caught but not sold due to mortality must be included on the fish ticket as "loss estimate."

(5) It is lawful for an original receiver, when receiving purse seine-caught herring taken from Areas 20A, 20B, 21A, and 21B during the period April 15 through May 31, to delay completing that portion of the fish receiving ticket which indicates the weight of herring received only until the herring are off-loaded from the original receiver's vessel. The herring must then be weighed and the weight immediately entered in the appropriate space on the ticket. A separate state of Washington fish receiving ticket must be initiated at the time of each individual receipt of herring from the purse seine catching vessel.

(6) The original receiver of herring taken from Puget Sound Marine Fish-Shellfish Catch Areas 20A, 20B, 21A,

and 21B, during the period April 16 through May 31 must report each calendar day's receipts by noon of the following day to the Department of Fisheries, Olympia, Washington; telephone (206) 753-6637.

(7) It is unlawful for any person receiving or purchasing geoducks from fishermen, firms, or individuals, regardless of whether or not the purchaser or receiver holds a license as required under Title 75 RCW, to fail to accurately and legibly complete the fish receiving ticket initiated on the harvest tract immediately upon the actual landing of geoducks from the harvesting vessel onto the shore. This fish receiving ticket shall accompany the harvested geoducks from the department of natural resources harvest tract to the point of landing.

(8) It is unlawful for the original receiver of Pacific whiting to fail to enter an estimated weight of Pacific whiting on the fish receiving ticket immediately upon completion of the landing. The exact weights of whiting, by grade, and all incidental species in the landing must be entered on the fish receiving ticket within twenty-four hours of the landing.

(9) It is unlawful for the original receiver to fail to initiate the completion of the fish receiving ticket immediately upon receipt of any portion of a commercial catch. Should the unloading of a catch take more than one day, the date that the unloading is completed shall be entered on the fish receiving ticket as the date of landing. If, for any purpose, the vessel leaves the unloading site, the original receiver must immediately enter the current date on the fish receiving ticket.

[Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-240, filed 9/12/86. Statutory Authority: RCW 75.08.080. 85-11-020 (Order 85-43), § 220-69-240, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-240, filed 12/2/83; 82-17-040 (Order 82-105), § 220-69-240, filed 8/13/82; 81-11-006 (Order 81-31), § 220-69-240, filed 5/11/81; Order 77-14, § 220-69-240, filed 4/15/77; Order 76-153, § 220-69-240, filed 12/17/76.]

WAC 220-69-241 Duties of commercial fisherman.

(1) Every fisherman selling his food fish or shellfish to the consumer, restaurant, boathouse, or other retail outlet, and every fisherman who places, or attempts to place, into interstate commerce any food fish or shellfish previously landed in this state, or caught, or harvested from the territorial waters of this state, is required to:

(a) Immediately, completely, accurately, and legibly prepare the appropriate state of Washington fish receiving ticket in his own name for each retail sale or out-of-state shipment so made, or

(b) At the close of each day's business, completely, accurately, and legibly prepare the appropriate state of Washington fish receiving ticket in his own name for the total day's activities, or

(2) In the commercial geoduck fishery, a vessel operator so designated by the geoduck tract holder must be present at all times on each vessel commercially harvesting geoducks or having commercially harvested geoducks aboard. For each day's harvest of geoducks from each tract, the designated operator must legibly and accurately enter the following information on a fish receiving ticket before leaving the department of natural resources geoduck harvest tract:

(a) Enter in the "dealer's use" column the number of cages of geoducks harvested.

(b) Write across the top of the fish receiving ticket directly below the tear strip, the harvest vessel name, its Washington department of fisheries identification number and the date.

(c) Sign the fish receiving ticket as the fisherman.

[Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-241, filed 9/12/86. Statutory Authority: RCW 75.08.080. 83-24-049 (Order 83-203), § 220-69-241, filed 12/2/83; 81-11-006 (Order 81-31), § 220-69-241, filed 5/11/81; 81-03-032 (Order 81-6), § 220-69-241, filed 1/13/81; Order 76-153, § 220-69-241, filed 12/17/76.]

WAC 220-69-242 Duties of commercial shellfish purchasers, receivers, and shuckers. Every person receiving, purchasing, or shucking shellfish for resale, excluding privately cultured aquatic products, shall keep complete and accurate records showing the person from whom the shellfish were received, the quantity received, the quantity of shellfish shucked or opened, if applicable, and the location from which the shellfish were harvested, and shall completely, accurately, and legibly prepare the appropriate state of Washington fish receiving ticket for each and every day's activities.

[Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-242, filed 9/12/86. Statutory Authority: RCW 75.08.080. 83-24-049 (Order 83-203), § 220-69-242, filed 12/2/83; Order 76-153, § 220-69-242, filed 12/17/76.]

WAC 220-69-243 Duties of aquatic farmers. Every aquatic farmer selling or shipping out of state his private sector cultured aquatic products shall keep complete and accurate records showing the quantity of these products sold and the location of the aquatic farm where they were grown, and shall completely, accurately, and legibly prepare an aquatic farm production report. An aquatic farm production report shall be prepared for each aquatic farm and shall be mailed to the department within thirty days of the end of each quarter for which production is reported.

[Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-243, filed 9/12/86.]

WAC 220-69-250 Required information on nontreaty fish receiving tickets. (1) WAC 220-69-230 (1)(a) through (m), (p), (s), and (t) shall be required on each completed nontreaty fish receiving ticket except that WAC 220-69-230 (1)(s) and (t) are not required for bottom fish landings from Pacific Ocean waters and waters of Puget Sound west of the mouth of the Sekiu River.

(2) A valid license card or duplicate license card issued by the department of fisheries shall be used in conjunction with an approved mechanical imprinter in lieu of WAC 220-69-230 (1)(a) through (e) except as provided in WAC 220-69-273.

(3) A valid dealer or buyer card issued by the department of fisheries shall be used in conjunction with an approved mechanical imprinter in lieu of WAC 220-69-230 (1)(h) and (i).

(4) During the period December 1 through December 30, the crab inspection certificate number is a required entry on all shellfish receiving tickets documenting landings and sale of Dungeness crab from Pacific Ocean, Coastal Wash-

ington, Grays Harbor, Willapa Harbor, and Columbia River waters. The crab inspection certificate number must be entered legibly on the left hand side of the ticket in the space indicated for dealer's use.

(5) The Puget Sound crab pot/buoy brand certification number is a required entry on all shellfish receiving tickets documenting landings and sale of Dungeness crab taken with shellfish pot gear from Puget Sound waters. The Puget Sound crab pot/buoy brand certification number must be entered legibly on the left hand side of the ticket in the space indicated for dealer's use.

[Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-250, filed 9/12/86. Statutory Authority: RCW 75.08.080. 85-11-020 (Order 85-43), § 220-69-250, filed 5/10/85; 85-01-010 (Order 84-214), § 220-69-250, filed 12/7/84; 84-08-014 (Order 84-24), § 220-69-250, filed 3/27/84; 83-24-049 (Order 83-203), § 220-69-250, filed 12/2/83; Order 76-153, § 220-69-250, filed 12/17/76.]

WAC 220-69-254 Required information on treaty Indian fish receiving tickets. (1) WAC 220-69-234 (1)(a) through (k), (m), (n), (q), and (r) shall be required on each completed treaty Indian fish receiving ticket.

(2) A valid treaty Indian identification card may be used in lieu of WAC 220-69-234 (1)(a) and (b).

(3) A valid dealer or buyer card issued by the department of fisheries shall be used in lieu of WAC 220-69-234 (1)(e) and (f).

[Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-254, filed 9/12/86. Statutory Authority: RCW 75.08.080. 85-11-020 (Order 85-43), § 220-69-254, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-254, filed 12/2/83; 78-03-031 (Order 78-7), § 220-69-254, filed 2/17/78; Order 76-153, § 220-69-254, filed 12/17/76.]

WAC 220-69-260 Distribution of copies of Puget Sound and troll fish receiving ticket. State of Washington Puget Sound and troll fish receiving tickets shall be made out in quadruplicate (four copies) at the time of landing. Upon completion of the fish receiving ticket the copies shall be distributed as follows:

(1) The dealer copy #1 (white) shall be retained by receiver for their use.

(2) The state copy (green) shall be mailed to the department of fisheries. It is required that the state copies be received by the department no later than the sixth working day after the day the ticket was completed by the original receiver.

(3) Dealer copy #2 (yellow) shall be retained by receiver for their use.

(4) Fisher copy (gold) shall be retained by the deliverer for their use.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-69-260, filed 12/1/93, effective 1/1/94; 91-05-015 (Order 91-07), § 220-69-260, filed 2/8/91, effective 3/11/91; 90-03-068 (Order 90-05), § 220-69-260, filed 1/19/90, effective 2/19/90. Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-260, filed 9/12/86. Statutory Authority: RCW 75.08.080. 83-24-049 (Order 83-203), § 220-69-260, filed 12/2/83; 80-05-093 (Order 80-27), § 220-69-260, filed 5/2/80; Order 76-153, § 220-69-260, filed 12/17/76.]

WAC 220-69-262 Distribution of copies of marine and utility fish receiving ticket. State of Washington marine and utility fish receiving tickets shall be made out in quadruplicate (four copies) at the time of landing. Upon

completion of the fish receiving ticket, the copies shall be distributed as follows:

(1) The dealer copy #1 (white) shall be retained by receiver for their use.

(2) The state copy (green) shall be mailed to the department of fisheries. It is required that the state copy be received by the department no later than the sixth working day after the day the ticket was completed by the original receiver.

(3) The dealer copy #2 (yellow) shall be retained by receiver for their use.

(4) The fisherman copy (gold) shall be retained by the deliverer for their use.

[Statutory Authority: RCW 75.08.080. 91-05-015 (Order 91-07), § 220-69-262, filed 2/8/91, effective 3/11/91. Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-262, filed 9/12/86. Statutory Authority: RCW 75.08.080. 83-24-049 (Order 83-203), § 220-69-262, filed 12/2/83; Order 76-153, § 220-69-262, filed 12/17/76.]

WAC 220-69-264 Distribution of copies of treaty Indian fish receiving tickets. State of Washington treaty Indian fish receiving tickets shall be made out in quintuplicate (five copies) at the time of landing. Upon completion of the treaty Indian fish receiving ticket, the copies shall be distributed as follows:

(1) The dealer copy #1 (white) shall be retained by receiver for their use.

(2) The state copy (green) and the game copy (pink) shall be mailed to the Northwest Indian Fisheries Commission, P.O. Box 5247, Lacey, Washington 98503. It is required that the state copy and game copy be received by the Northwest Indian Fisheries Commission no later than the sixth working day after the day the ticket was completed by the original receiver.

(3) The tribal copy (yellow) shall be mailed with the state and game copies to the Northwest Indian Fisheries Commission, P.O. Box 5247, Lacey, Washington 98503: *Provided*, That upon written agreement received by the department of fisheries from a specific tribe and buyer indicating the desire to transmit the tribe's copy directly to the fisherman's tribe, then that one copy may be so disposed.

(4) The fisherman copy (gold) shall be retained by the deliverer for their use.

[Statutory Authority: RCW 75.08.080. 91-05-015 (Order 91-07), § 220-69-264, filed 2/8/91, effective 3/11/91; 90-03-068 (Order 90-05), § 220-69-264, filed 1/19/90, effective 2/19/90. Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-264, filed 9/12/86. Statutory Authority: RCW 75.08.080. 85-11-020 (Order 85-43), § 220-69-264, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-264, filed 12/2/83; 80-05-093 (Order 80-27), § 220-69-264, filed 5/2/80; Order 76-153, § 220-69-264, filed 12/17/76.]

WAC 220-69-26401 Distribution of copies of shellfish receiving ticket. State of Washington shellfish receiving tickets shall be made out in quintuplicate (five copies) at the time of landing. Upon completion of the shellfish receiving ticket, the copies shall be distributed as follows:

(1) The dealer copy #1 (white) shall be retained by receiver of their use.

(2) The state copy #1 (green) shall be mailed to the department of fisheries. It is required that the state copy be received by the department no later than the sixth working

day after the day the ticket was completed by the original receiver.

(3) The state copy #2 (pink) shall be mailed with state copy #1 (green) to the department of fisheries.

(4) The dealer copy #2 shall be retained by the receiver for their use.

(5) The fisherman copy (gold) shall be retained by the deliverer for their use.

[Statutory Authority: RCW 75.08.080. 91-05-015 (Order 91-07), § 220-69-26401, filed 2/8/91, effective 3/11/91. Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-26401, filed 9/12/86. Statutory Authority: RCW 75.08.080. 83-24-049 (Order 83-203), § 220-69-26401, filed 12/2/83; 80-05-093 (Order 80-27), § 220-69-26401, filed 5/2/80.]

WAC 220-69-270 License cards. (1) Upon lawful application, a commercial fishery license in the form of a license card will be issued by the department. The license card will be designed for use with an approved mechanical imprinting device. The license card will contain the licensee's name; license type and gear code; license year; license number. Upon designating a vessel the license card will additionally contain the vessel name for documented vessels; the state registration number for undocumented vessels if state registration is required; the department vessel registration number for vessels for which neither documentation nor state registration is required; the primary operator and date of birth; up to two alternate operators and date of birth for each.

(2) It is unlawful to fish, deliver, possess or sell food fish or shellfish taken in a commercial fishery or by charter boats or salmon guides without having a vessel designated on the commercial license except for those fisheries in which no vessel is required.

(3) It is unlawful for any person to possess a fishery license card other than the licensee or an operator designated on the license.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-69-270, filed 12/1/93, effective 1/1/94; 83-24-049 (Order 83-203), § 220-69-270, filed 12/2/83; Order 76-153, § 220-69-270, filed 12/17/76.]

WAC 220-69-271 Dealer and buyer plates. (1) Upon lawful application for a wholesale dealer's license, a dealer's plate will be issued by the department of fisheries for any receiver acting as or intending to act as an original receiver. The receiver's plate will be designed for use with an approved mechanical imprinting device and shall contain the dealer's name, dealer's license number, year for which the license is valid, and department of fisheries' dealer number.

(2) Upon lawful application for a wholesale buyer's license or a branch plant license, a buyer's plate will be issued by the department of fisheries for any buyer acting or intending to act on the behalf of an original receiver. The buyer's plate will be designed for use with an approved mechanical imprinting device and shall contain the dealer's name, dealer's license number, year for which the license is valid, department of fisheries' dealer number, buyer name, and department of fisheries' buyer number.

[Statutory Authority: RCW 75.08.080. 80-05-093 (Order 80-27), § 220-69-271, filed 5/2/80; 78-03-031 (Order 78-7), § 220-69-271, filed 2/17/78; Order 76-153, § 220-69-271, filed 12/17/76.]

WAC 220-69-272 Treaty Indian identification cards. Washington treaty Indians delivering fish or shellfish may use a treaty Indian identification card, properly embossed with the tribe number and treaty Indian identification number, in lieu of hand-written fisherman information except that the fisherman's signature is required on the tribal copy of the treaty Indian fish receiving ticket.

[Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-272, filed 9/12/86. Statutory Authority: RCW 75.08.080. 85-11-020 (Order 85-43), § 220-69-272, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-272, filed 12/2/83; Order 76-153, § 220-69-272, filed 12/17/76.]

WAC 220-69-273 Imprinters. Use of a mechanical imprinter approved by the department of fisheries, in conjunction with a license card or treaty Indian identification card to identify the deliverer, and a dealer plate or buyer plate to identify the receiver on all state of Washington fish receiving tickets is hereby made mandatory.

Provided, That license card information may be recorded manually on the state of Washington fish receiving tickets in the following exceptions:

(1) Oregon licensed fishers delivering fish caught in the Columbia River.

(2) Purchases made from out-of-state firms.

(3) Fishers selling on a delivery license who have not received a delivery license card from the department at the time of their first sale. All subsequent sales require use of a license card.

[Statutory Authority: RCW 75.08.080. 94-01-001, § 220-69-273, filed 12/1/93, effective 1/1/94. Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-273, filed 9/12/86. Statutory Authority: RCW 75.08.080. 83-24-049 (Order 83-203), § 220-69-273, filed 12/2/83; Order 76-153, § 220-69-273, filed 12/17/76.]

WAC 220-69-274 Signatures. (1) The deliverer of nontreaty food fish, shellfish, or parts thereof, shall sign the complete nontreaty fish receiving ticket, which signature shall be deemed certification of the correctness of all entries thereon. The original receiver of nontreaty food fish, shellfish, or parts thereof, shall sign the complete nontreaty fish receiving ticket.

(2) The deliverer of treaty food fish, shellfish, or parts thereof shall sign the tribal copy of the treaty Indian fish receiving ticket, which signature shall be deemed certification of the correctness of all entries on the complete fish receiving ticket. The original receiver of treaty food fish, shellfish, or parts thereof, shall sign the complete treaty Indian fish receiving ticket.

(3) Where the fisherman is unable to deliver the catch, an agent of the fisherman is authorized to sign the fish receiving ticket if the person has first obtained an additional operator's license for the fishing vessel operated by the fisherman.

(4) Should the receiver receive the food fish, shellfish, or parts thereof, by other than direct delivery, the receiver shall affix his or her signature to the fish receiving ticket, and the fish receiving ticket shall be completed and submitted without the deliverer's signature together with a statement as to the reasons the signature was not obtained, and the receiver shall assume complete responsibility for the correctness of all entries.

[Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-274, filed 9/12/86. Statutory Authority: RCW 75.08.080. 85-11-020 (Order 85-43), § 220-69-274, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-274, filed 12/2/83; Order 76-153, § 220-69-274, filed 12/17/76.]

WAC 220-69-280 Fish receiving ticket accountability. Only current year state of Washington fish receiving tickets shall be used, and shall be subject to the following orders:

(1) Official state of Washington fish receiving tickets may be ordered free of charge from the department of fisheries.

(2) Fish receiving ticket books shall be used in numerical sequence, starting with the lowest numbered ticket book issued to the purchaser or receiver.

(3) Fish receiving tickets or ticket books shall not be transferred from one purchaser or receiver to another purchaser or receiver without written permission from the department of fisheries.

(4) Any purchaser or receiver terminating business shall notify the department of fisheries in writing and shall return all unused fish receiving tickets and ticket books to the department of fisheries within thirty days after termination of business.

(5) All fish receiving tickets that are incorrectly made out, voided, or otherwise unused, shall be submitted to the department of fisheries accompanying, and in sequence with, other fish receiving tickets.

(6) All fish receiving tickets that are lost, destroyed, or otherwise missing, shall be accounted for in writing to the department of fisheries.

[Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-280, filed 9/12/86. Statutory Authority: RCW 75.08.080. 85-11-020 (Order 85-43), § 220-69-280, filed 5/10/85; 83-24-049 (Order 83-203), § 220-69-280, filed 12/2/83; 82-17-040 (Order 82-105), § 220-69-280, filed 8/13/82; 80-05-093 (Order 80-27), § 220-69-280, filed 5/2/80; 78-03-031 (Order 78-7), § 220-69-280, filed 2/17/78; Order 76-153, § 220-69-280, filed 12/17/76.]

WAC 220-69-290 Annual production report. There is hereby created a state of Washington annual production report form to be prepared, printed, and distributed annually by the department of fisheries to all wholesale dealers, canners, custom canners, and by-product manufacturers. The annual production report shall be completed and returned to the department of fisheries not later than January 31 for the preceding year of business activities.

[Order 76-153, § 220-69-290, filed 12/17/76.]

WAC 220-69-300 Commercial food fish and shellfish transportation ticket. (1) It is unlawful for any person to transport commercial quantities of food fish or shellfish in Washington state unless the person has in possession a completed state of Washington commercial food fish and shellfish transportation ticket (referred to hereafter as a "transportation ticket").

(2) The transportation ticket shall contain space for:

(a) The name of the fisherman who caught the fish.

(b) The fisherman's vessel registration number.

(c) The signature of the fisherman or additional operator.

- (d) The name of the transporter.
 (e) The signature of the transporter.
 (f) The catch area where the food fish or shellfish were caught.
 (g) The species of food fish or shellfish being transported.
 (h) The number or approximate pounds of food fish or shellfish being transported.

(3) The information in subsection (2)(a) through (h) of this section are required entries on all completed transportation tickets.

(4) The transportation ticket is to be mailed together with the state copy of the fish receiving ticket as provided for in WAC 220-69-260, 220-69-262, 220-69-264, and 220-69-26401.

(5) It is unlawful for any transporter of commercial quantities of food fish or shellfish to fail to show the transportation ticket, on demand, to a fisheries patrol officer or ex officio fisheries patrol officer.

(6) The provisions of this section do not apply to:

(a) Food fish and shellfish purchased at retail, provided the purchaser has, in possession, a sales receipt documenting purchase.

(b) Food fish or shellfish for which a fish receiving ticket has been completed.

(c) Food fish or shellfish being transported by the department.

(d) Hatchery carcass sales.

(e) Private sector cultured aquatic products in transport.

(f) Food fish or shellfish being transported on an Oregon transportation ticket.

(g) Food fish or shellfish being transported in the catching vessel.

[Statutory Authority: RCW 75.08.080 and 75.58.040. 86-19-043 (Order 86-102), § 220-69-300, filed 9/12/86. Statutory Authority: RCW 75.08.080. 85-11-021 (Order 85-44), § 220-69-300, filed 5/10/85.]

Chapter 220-72 WAC OYSTER DISEASES AND PESTS

WAC

220-72-002	Promulgation.
220-72-013	Restricted shellfish areas—Drayton Harbor.
220-72-016	Restricted shellfish areas—Samish Bay.
220-72-019	Restricted shellfish areas—Padilla Bay.
220-72-022	Restricted shellfish areas—Similk Bay.
220-72-025	Restricted shellfish areas—Liberty Bay.
220-72-028	Restricted shellfish areas—Dyes Inlet.
220-72-031	Restricted shellfish areas—Case Inlet—Rocky Bay and North Bay.
220-72-034	Restricted shellfish areas—Hammersley Inlet—Oakland Bay.
220-72-037	Restricted shellfish areas—Totten Inlet—Oyster Bay.
220-72-040	Restricted shellfish areas—Eld Inlet—Mud Bay.
220-72-043	Restricted shellfish areas—Nisqually Flats.
220-72-046	Restricted shellfish areas—Hood Canal—Quilcene Bay.
220-72-049	Restricted shellfish areas—Hood Canal—Lynch Cove.
220-72-052	Restricted shellfish areas—Hood Canal—Hamma Hamma Flats.
220-72-055	Restricted shellfish areas—Henderson Inlet—South Bay.
220-72-058	Restricted shellfish areas—Willapa Bay—Middle Sands.
220-72-061	Restricted shellfish areas—Willapa Bay—Nemah.
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220-72-067	Restricted shellfish areas—Willapa Bay—Cedar River.
220-72-070	Unrestricted shellfish areas.
220-72-073	Unlawful acts—Oyster transfer.
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220-72-082	Imports—Inspection.
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220-72-088	Imports—Certification.
220-72-091	Imports—Importation period.
220-72-094	Imports—Shipping season.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-72-001	Promulgation. [Order 413, Promulgation, filed 3/1/60.] Repealed by Order 847, filed 9/24/69 and 5/27/70.
220-72-010	Restricted and unrestricted areas—Unlawful acts. [Order 413, § 1(1)-(3), filed 3/1/60.] Repealed by Order 847, filed 9/24/69 and 5/27/70.
220-72-020	Imports. [Order 413, § 2(1)-(5), filed 3/1/60.] Repealed by Order 847, filed 9/24/69 and 5/27/70.

WAC 220-72-002 Promulgation. In order to suppress and prevent the spread of infectious, contagious, communicable diseases and pests affecting oysters, the following regulations are adopted [WAC 220-72-013 through 220-72-094].

[Order 847, § 220-72-002, filed 9/24/69.]

WAC 220-72-013 Restricted shellfish areas—Drayton Harbor. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Puget Sound inside and southerly of a line projected from the end of Semiahmoo Spit to where the International Boundary line intersects the mainland.

[Order 847, § 220-72-013, filed 9/24/69.]

WAC 220-72-016 Restricted shellfish areas—Samish Bay. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Puget Sound inside and easterly of a line starting at the most westerly tip of the point at the south entrance of Chuckanut Bay and projected in a southerly direction to William Point on Samish Island.

[Order 847, § 220-72-016, filed 9/24/69.]

WAC 220-72-019 Restricted shellfish areas—Padilla Bay. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Puget Sound and Padilla Bay easterly and southerly of a line starting at William Point on Samish Island and projected southerly to March Point on Fidalgo Island.

[Order 847, § 220-72-019, filed 9/24/69.]

WAC 220-72-022 Restricted shellfish areas—Similk Bay. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Skagit Bay and Similk Bay northerly of a line projected across said area and following latitude 48 degrees 20 minutes north.

[Order 847, § 220-72-022, filed 9/24/69.]

WAC 220-72-025 Restricted shellfish areas—Liberty Bay. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Puget Sound and Liberty Bay inside, westerly and northerly of a line projected true south from Tower Point.

[Order 847, § 220-72-025, filed 9/24/69.]

WAC 220-72-028 Restricted shellfish areas—Dyes Inlet. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Puget Sound and Dyes Inlet inside and northerly of a line starting at the mouth of Baker's Creek, and projected true west.

[Order 847, § 220-72-028, filed 9/24/69.]

WAC 220-72-031 Restricted shellfish areas—Case Inlet—Rocky Bay and North Bay. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Puget Sound and Case Inlet northerly of a line projected true west from the westerly tip of Windy Bluff across Case Inlet through the northerly tip of Reach Island to the west shore of Case Inlet.

[Order 847, § 220-72-031, filed 9/24/69.]

WAC 220-72-034 Restricted shellfish areas—Hammersley Inlet—Oakland Bay. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Puget Sound inside, westerly and northerly of a line starting at Munson Point and projected in a southerly direction to Eagle Point.

[Order 847, § 220-72-034, filed 9/24/69.]

WAC 220-72-037 Restricted shellfish areas—Totten Inlet—Oyster Bay. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Puget Sound and Totten Inlet lying inside and southerly of a line starting at the most northeasterly tip of Kamilche Point, at the southerly entrance of Skookum Inlet, and projected true southeast to the mainland.

[Order 847, § 220-72-037, filed 9/24/69.]

WAC 220-72-040 Restricted shellfish areas—Eld Inlet—Mud Bay. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Puget Sound and Eld Inlet lying inside, southerly and westerly of a line starting at Flapjack Point and projected true south to the mainland.

[Order 847, § 220-72-040, filed 9/24/69.]

WAC 220-72-043 Restricted shellfish areas—Nisqually Flats. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Puget Sound lying southerly of a line starting at the end of the DuPont Dock and projected true west to the mainland.

[Order 847, § 220-72-043, filed 9/24/69.]

WAC 220-72-046 Restricted shellfish areas—Hood Canal—Quilcene Bay. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands and northerly of a line starting at the old trestle, located immediately south of the Quilcene Boat Harbor, and projected southeasterly to the most southerly tip of Bolton Peninsula.

[Order 847, § 220-72-046, filed 9/24/69.]

WAC 220-72-049 Restricted shellfish areas—Hood Canal—Lynch Cove. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Puget Sound and Lynch Cove inside of the following described lines: Starting at a white monument set on the beach at the southerly side of the mouth of the Union River and projected in a southwesterly direction to where such line intersects a line projected true south from Johnson's Point.

[Order 847, § 220-72-049, filed 9/24/69.]

WAC 220-72-052 Restricted shellfish areas—Hood Canal—Hamma Hamma Flats. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Hood Canal inside and westerly of lines drawn from:

Point No. 1 at	47° 33' 15" N. Lat. 123° 01' 42" W. Long. thence to
Point No. 2 at	47° 32' 54" N. Lat. 123° 01' 06" W. Long. thence to
Point No. 3 at	47° 32' 54" N. Lat. 123° 01' 48" W. Long. thence to
Point No. 4 at	47° 32' 21" N. Lat. 123° 01' 54" W. Long.

[Order 847, § 220-72-052, filed 9/24/69.]

WAC 220-72-055 Restricted shellfish areas—Henderson Inlet—South Bay. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands inside and southerly of a line commencing at a point on the west shore of Henderson Inlet where the south line of Section 17, Twp 19 N R 1 WWM intersects the shoreline, thence projected true east across Henderson Inlet to the east shoreline.

[Order 847, § 220-72-055, filed 9/24/69.]

WAC 220-72-058 Restricted shellfish areas—Willapa Bay—Middle Sands. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Willapa Bay lying inside of lines drawn from:

Point No. 1 at	46° 30' 00" N. Lat. 124° 01' 20" W. Long. thence to
Point No. 2 at	46° 30' 00" N. Lat. 124° 00' 50" W. Long. thence to
Point No. 3 at	46° 27' 50" N. Lat. 124° 00' 50" W. Long. thence to
Point No. 4 at	46° 28' 20" N. Lat. 124° 01' 15" W. Long. and thence to point of beginning.

[Order 847, § 220-72-058, filed 9/24/69.]

WAC 220-72-061 Restricted shellfish areas—Willapa Bay—Nemah. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Willapa Bay inside lines drawn from:

- Point No. 1 at 46° 33' 00" N. Lat.
123° 56' 47" W. Long. thence to
- Point No. 2 at 46° 32' 23" N. Lat.
123° 55' 44" W. Long. thence to
- Point No. 3 at 46° 30' 55" N. Lat.
123° 56' 00" W. Long. thence to
- Point No. 4 at 46° 30' 43" N. Lat.
123° 56' 36" W. Long. thence to
- Point No. 5 at 46° 30' 50" N. Lat.
123° 57' 20" W. Long. thence to
- Point No. 6 at 46° 31' 34" N. Lat.
123° 57' 41" W. Long. thence to
- Point No. 7 at 46° 32' 37" N. Lat.
123° 57' 25" W. Long. and thence to
point of beginning.

[Order 847, § 220-72-061, filed 9/24/69.]

WAC 220-72-064 Restricted shellfish areas—Willapa Bay—Bay Center. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Willapa Bay lying inside lines drawn from:

- Point No. 1 at 46° 38' 48" N. Lat.
123° 57' 30" W. Long. thence to
- Point No. 2 at 46° 38' 40" N. Lat.
123° 57' 25" W. Long. thence to
- Point No. 3 at 46° 38' 30" N. Lat.
123° 58' 10" W. Long. thence to
- Point No. 4 at 46° 38' 45" N. Lat.
123° 58' 15" W. Long. and thence to
point of beginning.

[Order 847, § 220-72-064, filed 9/24/69.]

WAC 220-72-067 Restricted shellfish areas—Willapa Bay—Cedar River. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Willapa Bay lying inside lines drawn from:

- Point No. 1 at 46° 42' 23" N. Lat.
123° 57' 53" W. Long. thence to
- Point No. 2 at 46° 42' 55" N. Lat.
123° 59' 25" W. Long. thence to
- Point No. 3 at 46° 43' 25" N. Lat.
123° 59' 25" W. Long. thence to
- Point No. 4 at 46° 44' 10" N. Lat.
123° 58' 35" W. Long. thence to
- Point No. 5 at 46° 44' 12" N. Lat.
123° 58' 10" W. Long. thence to
- Point No. 6 at 46° 44' 00" N. Lat.
123° 57' 55" W. Long. thence to
- Point No. 7 at 46° 43' 27" N. Lat.
123° 57' 52" W. Long. thence to

Point No. 8 at 46° 42' 55" N. Lat.
123° 57' 35" W. Long. and thence to
point of beginning.

[Order 847, § 220-72-067, filed 9/24/69.]

WAC 220-72-070 Unrestricted shellfish areas. All waters, tidelands and oyster handling facilities operated in conjunction with said waters and tidelands of Puget Sound, Grays Harbor and Willapa Bay lying outside the restricted shellfish areas as defined in chapter 220-72 WAC are hereby designated as unrestricted shellfish areas.

[Order 847, § 220-72-070, filed 9/24/69.]

WAC 220-72-073 Unlawful acts—Oyster transfer. It shall be unlawful without first obtaining written permission from the director of fisheries or his authorized agent to move or transfer any oysters, oyster seed, oyster cultch, oyster shell, oystering equipment, boats, scows, other material or any marine organisms adversely affecting oysters between unrestricted shellfish areas, between restricted shellfish areas, from a restricted shellfish area into an unrestricted area and from an unrestricted shellfish area into a restricted shellfish area. The director of fisheries or his authorized agent may require such written permit be obtained by any person, firm or corporation to move or transfer oysters, oyster seed, oyster cultch, oyster shell, oystering equipment, boats, scows, other material or any marine organisms adversely affecting oysters within an unrestricted shellfish area or within a restricted shellfish area.

[Order 847, § 220-72-073, filed 9/24/69.]

WAC 220-72-076 Unlawful acts—Permit display. It shall be unlawful to execute any transfer of oysters, oyster seed, oyster cultch, oyster shell, or any marine organisms adversely affecting oysters under a permit required by this Order unless such permit is affixed to or otherwise accompanies the conveyance affecting the physical transfer of such oysters, oyster shell or marine organisms harmful to oysters.

[Order 847, § 220-72-076, filed 9/24/69.]

WAC 220-72-079 Unlawful acts—Compliance. It shall be unlawful for any person to refuse to take such action if the director or any of his authorized agents consider it necessary for the controlling or eradication of diseases and pests of any restricted or unrestricted shellfish areas.

[Order 847, § 220-72-079, filed 9/24/69.]

WAC 220-72-082 Imports—Inspection. It shall be unlawful to import into the state of Washington any oysters, oyster shell or oyster seed for the purpose of planting which have not been inspected at the source of supply by the department of fisheries at a time, place and manner specified by an authorized representative of the department, and which are not accompanied by an inspection certificate declaring that oysters, oyster shell or oyster seed are free of drills and other pests.

[Order 847, § 220-72-082, filed 9/24/69.]

WAC 220-72-085 Imports—Written permission. It shall be unlawful to import into the state of Washington any oysters, oyster shell or oyster seed for the purpose of planting without written permission from the department of fisheries. This permission must be applied for at least 30 days prior to the start of any seed oyster packing. The application shall state the maximum quantity to be imported, the general area where they can be inspected, the name of the exporter, and the approximate time the shipment will be made.

[Order 1045, § 220-72-085, filed 3/8/73; Order 847, § 220-72-085, filed 9/24/69.]

WAC 220-72-088 Imports—Certification. Prior to issuance of the inspection certificate, the Washington state department of fisheries must be furnished certification from suitable, state prefectural, central, or other government authority attesting to the origin of the seed oysters being considered for import to the state of Washington.

[Order 1045, § 220-72-088, filed 3/8/73; Order 847, § 220-72-088, filed 9/24/69.]

WAC 220-72-091 Imports—Importation period. It shall be unlawful to import oyster seed from Japan that is packed prior to or after the oyster seed packing season established by the director of fisheries or his authorized representative. Subsequent to consultation with known Washington state seed oyster importers, the director of fisheries shall no later than January 15 of each year set the opening date for the seed oyster packing season in Japan. Minimum packing time shall be ten days. The on-site inspector will determine maximum length of the packing season, provided that all packing terminates no later than March 31. In the event an importer requires inspection of seed packed prior to or after the established packing season, he will be required to pay all costs of that inspection.

[Order 1045, § 220-72-091, filed 3/8/73; Order 847, § 220-72-091, filed 9/24/69.]

WAC 220-72-094 Imports—Shipping season. It shall be unlawful to import oyster seed from Japan prior to the starting date of the shipping season established by the director of fisheries, or later than April 30, of each year, provided that after April 15 the seed shall be held only on holding racks approved by the department of fisheries to provide extra protection to insure it will remain free from contamination by oyster pests.

[Order 1045, § 220-72-094, filed 3/8/73; Order 847, § 220-72-094, filed 9/24/69.]

**Chapter 220-74 WAC
SURPLUS SALMON EGGS**

WAC

220-74-010	Purpose.
220-74-015	Surplus salmon eggs.
220-74-020	Priorities.
220-74-022	Certain sales disallowed.
220-74-025	Purchases.

WAC 220-74-010 Purpose. The purpose of this chapter shall be to establish an orderly means for the department to dispose of surplus live salmon eggs in a manner that provides optimum benefits to the citizens of the state.

All surplus salmon eggs sold pursuant to chapter 220-74 WAC shall be used in accordance with the provisions of WAC 220-20-040 through 220-20-045.

[Statutory Authority: RCW 75.08.080. 78-09-071 (Order 78-66), § 220-74-010, filed 8/25/78.]

WAC 220-74-015 Surplus salmon eggs. It is the duty of the department to preserve, protect, perpetuate and manage the food fish in the waters of the state so that the taking or other disposition of such food fish shall be at times and in a manner as will not impair the supply thereof. In a manner consistent with this conservation purpose, it is also the department's duty to seek to maintain the economic well-being and stability of the commercial fishing industry of the state. It is also the duty of the department to authorize the harvesting of salmon surplus to natural or artificial spawning requirements for the economic well-being of the citizens of the state.

[Statutory Authority: RCW 75.08.080. 78-09-071 (Order 78-66), § 220-74-015, filed 8/25/78.]

WAC 220-74-020 Priorities. (1) It is the duty of the department to assure that egg requirements for state hatcheries and natural spawning escapements are satisfied. Once these requirements have been met, eggs surplus to these requirements will be provided to voluntary cooperative salmon culture programs under the supervision of the department, to qualified transferees and to qualified exchangees. Once these requirements are satisfied, the eggs may be made available for sale under chapter 220-74 WAC.

Qualified transferees are governmental hatcheries in Washington and Oregon or hatcheries of federally approved tribes in Washington to whom eggs are moved, not sold, under the Interlocal Cooperation Act, chapter 39.34 RCW, for release or experiments designed to benefit the citizens of the state and private or other governmental laboratories to whom eggs are moved, not sold, for experiments designed to benefit the citizens of the state. Qualified exchangees are governmental entities who are provided eggs by the department and from whom the department obtains eggs on a mutually agreeable basis and for the benefit of the citizens of the state.

(2) To encourage the use of surplus live salmon eggs available for sale for the optimum benefit of the citizens of the state, the following priorities will be followed, within practical limitations, in distributing surplus live salmon eggs resulting from returns to artificial production facilities:

(a) Sales to in-state aquaculturists when the eggs would be hatched, the resulting fry reared, by a person or corporation engaged in the fish industry in this state.

(b) Sales to private Oregon sea ranchers where fish are to be released for migration from Oregon sites to the Pacific Ocean and thus subject to the public capture fisheries of the state of Washington.

(c) Sales to the hatcheries located in California and Alaska where the fish are to be released at sites located in

those states for migration to the Pacific Ocean for harvest by public capture fisheries and thus subjected to public capture by fishermen of the state of Washington.

(d) Sales to other state, federal and private aquaculture programs which neither qualify as qualified transferees or exchangees nor meet the requirements of the first three priorities.

(e) Sales to foreign governmental entities which are not qualified transferees or exchangees and to other foreign entities (corporations).

[Statutory Authority: RCW 75.08.080, 79-10-013 (Order 79-75), § 220-74-020, filed 9/7/79; 78-09-071 (Order 78-66), § 220-74-020, filed 8/25/78.]

WAC 220-74-022 Certain sales disallowed. (1) Sales of surplus eggs as described in WAC 220-74-020 shall not be allowed where the person or corporation seeking to buy said eggs has not paid all fees and taxes due and owing to the state of Washington.

(2) Notwithstanding the provisions of chapter 220-74 WAC, the department reserves the right to refuse to sell surplus salmon eggs to any purchaser for good cause.

[Statutory Authority: RCW 75.08.080, 84-05-046 (Order 84-11), § 220-74-022, filed 2/21/84; 79-10-013 (Order 79-75), § 220-74-022, filed 9/7/79.]

WAC 220-74-025 Purchases. Purchases of surplus salmon eggs will occur within the following framework:

(1) The price of eggs sold during a spawning season will be determined by the director after reviewing the results of an annual assessment of existing marketing conditions. The price will be the same for all purchases.

(2) Within priority 1, requests for available eggs will be satisfied in accordance with the earliest date of receipt of the application for a salmon aquaculture permit by the department (WAC 220-76-010): *Provided*, That a firm request for eggs is received prior to September 1. All firm requests for eggs received after September 1 will be satisfied in order of their receipt on an eggs-available basis.

(3) Within priority 1, up to one million eggs will be offered to the first qualified applicant before selling eggs to the next applicant. If eggs are still available after each applicant has had an opportunity to buy one million eggs, the procedure will be repeated until all requests within this priority have been satisfied.

(4) Within priorities 2 and 3, requests for eggs will be satisfied in accordance with the firm requests that have the greatest likelihood of contributing to the public capture fisheries of the state of Washington.

(5) Within priorities 4 and 5, requests for eggs will be satisfied in accordance with the earliest firm requests for eggs received.

[Statutory Authority: RCW 75.08.080, 78-09-071 (Order 78-66), § 220-74-025, filed 8/25/78.]

Chapter 220-76 WAC

AQUACULTURE

WAC

220-76-001	Aquaculture.
220-76-010	Aquatic farm registration required.
220-76-015	Aquatic farm—Definition.
220-76-020	Aquatic farm registration form—Required information.

220-76-030 Aquaculture—Disease—Control.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-76-016	Aquaculture—Salmon eggs—Resale. [Order 980, § 220-76-016, filed 2/3/72.] Repealed by 86-19-043 (Order 86-102), filed 9/12/86. Statutory Authority: RCW 75.08.080 and 75.58.040.
220-76-025	Aquaculture—Sale of products—Invoices. [Order 980, § 220-76-025, filed 2/3/72.] Repealed by 86-19-043 (Order 86-102), filed 9/12/86. Statutory Authority: RCW 75.08.080 and 75.58.040.

WAC 220-76-001 Aquaculture. It shall be unlawful for any person, firm, or corporation to cultivate food fish, shellfish, or other aquatic animals for commercial purposes except as follows in chapter 220-76 WAC.

[Order 980, § 220-76-001, filed 2/3/72.]

WAC 220-76-010 Aquatic farm registration required. (1) It shall be unlawful for any person to cultivate aquatic products (private sector cultured aquatic products as defined under RCW 15.85.020(3)) without the aquatic farmer having first registered the aquatic farm with the department. Any aquatic farm must be registered with the department prior to the commencement of culture activities. The department shall grant registration to qualified persons within seven days of the receipt of a complete aquatic farm registration form.

(2) Aquatic farm registrations are nontransferable. In the event there is a change of ownership of an aquatic fish farm established under chapter 220-76 WAC the aquatic farm registration issued to the previous owner shall be invalid.

(3) Registrations must be renewed annually, prior to December 31 for the succeeding calendar year. Reporting of aquaculture activity (WAC 220-69-243) during the previous calendar year shall constitute renewal for the following year.

[Statutory Authority: RCW 75.08.080 and 75.58.040, 89-10-033 (Order 89-27), § 220-76-010, filed 4/27/89; 86-19-043 (Order 86-102), § 220-76-010, filed 9/12/86. Statutory Authority: RCW 75.08.080, 84-05-046 (Order 84-11), § 220-76-010, filed 2/21/84; Order 980, § 220-76-010, filed 2/3/72.]

WAC 220-76-015 Aquatic farm—Definition. An aquatic farm is any facility or tract of land used for private, commercial culture of aquatic products. Each geographically separate facility or tract of land used for commercial culture shall constitute a separate farm. In marine waters, facilities, or tracts of land in the same marine aquaculture district which are owned or operated by the same person shall be considered to be a single farm for the purposes of this section.

[Statutory Authority: RCW 75.08.080 and 75.58.040, 86-19-043 (Order 86-102), § 220-76-015, filed 9/12/86; Order 980, § 220-76-015, filed 2/3/72.]

WAC 220-76-020 Aquatic farm registration form—Required information. There is hereby created an aquatic farm registration form to be prepared, printed, and distributed on request by the department of fisheries. The following information shall be provided by the aquatic farmer.

(1) Company name/owner: Name of individual or company owning or leasing the aquatic farm, mailing address and telephone number.

(2) Contact person: Name and telephone number of the individual immediately responsible for operation of the aquatic farm.

(3) DSHS shellfish certification no.: Department of social and health services shellfish certification number where required by the department of social and health services.

(4) Species cultured: Common name of aquatic species cultured.

(5) Culture method: Method(s) of cultured used on aquatic farm.

(6) Legal description, street address, county and aquaculture district for freshwater or onshore aquatic farm, and the number of separate tracts or facilities within that district which comprise the aquatic farm.

(7) Name of bay or inlet, county and aquaculture district for marine aquatic farms.

(8) Signature: Signature of company official or owner.

(9) A site drawing of the aquatic farm and a brief narrative describing the facility and its operation. Freshwater farms should identify the source of culture water, where the water is discharged, and the watershed where the facility is located.

(10) Documentation of ownership or present right of possession of land comprising the aquatic farm is required to be submitted together with the aquatic farm registration form.

[Statutory Authority: RCW 75.08.080 and 75.58.040. 89-10-033 (Order 89-27), § 220-76-020, filed 4/27/89; 86-19-043 (Order 86-102), § 220-76-020, filed 9/12/86; Order 980, § 220-76-020, filed 2/3/72.]

WAC 220-76-030 Aquaculture—Disease—Control.

Outbreaks of disease affecting food fish, shellfish, and aquatic animals in fish farm facilities shall be reported immediately to the department. If such outbreaks represent a serious threat to fisheries resources of the state, the director may immediately order such actions as deemed necessary to protect the fisheries resource of the state such as, but not limited to, quarantining, destruction of stock, sterilization of facilities and disposal of mortalities.

[Order 980, § 220-76-030, filed 2/3/72.]

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.
220-77-080	Aquaculture fee schedule.

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 (Egved 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.]

WAC 220-77-080 Aquaculture fee schedule. (1) The following is a list of the charges to be assessed for tissue samples submitted to the department for pathogen examination. All samples for stock certification must be collected by department personnel or individuals approved by the department.

Virology

Kidney/spleen or other tissue \$15/sample
Ovarian fluid 12/sample

Bacteriology

Bacterial Kidney Disease - FAT \$ 7/slide
Culture and characterization 10/sample
Gram stain 1/sample

Parasitology

C. shasta \$ 1/fish
M. cerebralis 1.50/fish (0-30 grams)
2.00/fish (30-100 grams)
10.00/fish (>100 grams)

Collection Fees

Collecting samples (includes travel time) \$27/hour
Mileage at published OFM rates
Per diem (if applicable) at published OFM rates

Diagnostic Service

Diagnostic services (includes travel time) \$27/hour
Mileage at published OFM rates
Per diem (if applicable) at published OFM rates

(2) The funds received from the aquatic farmers who use disease inspection and other services provided by department personnel shall be placed into a designated account. Funds from the account shall be used solely for administering the disease inspection and control program.

[Statutory Authority: RCW 75.58.010. 89-06-031 (Order 89-06), § 220-77-080, filed 2/24/89.]

**Chapter 220-80 WAC
PUBLIC RECORDS**

WAC

220-80-010	Purpose.
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220-80-050	Public records available.
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220-80-120	Protection of public records.
220-80-130	Records index.
220-80-140	Address for request.
220-80-150	Use of record request form.

WAC 220-80-010 Purpose. The purpose of this chapter shall be to ensure compliance by the department of fisheries with the provisions of chapter 1, Laws of 1973 (Initiative 276), Disclosure—Campaign finances—Lobbying—Records; and in particular with sections 25-32 of that act, dealing with public records.

[Order 1104, § 220-80-010, filed 11/26/73.]

WAC 220-80-020 Definitions. (1) Public records. "Public record" includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) Writing. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

(3) Department of fisheries. The department of fisheries is the agency delegated by the legislature to preserve, protect, perpetuate and manage the food fish and shellfish in the waters of the state and the offshore waters thereof. The department of fisheries shall hereinafter be referred to as the "department." Where appropriate, the term "department" also refers to the staff and employees of the department of fisheries.

[Order 1104, § 220-80-020, filed 11/26/73.]

WAC 220-80-030 Description of organization of the department of fisheries. (1) Department. The department is a line staff agency. The administrative office of the department and its staff are located at Room 115, General Administration Building, Olympia, Washington 98504.

[Order 1104, § 220-80-030, filed 11/26/73.]

WAC 220-80-040 Operations and procedures. The department is operated with a director as its head assisted by a deputy director. The department is divided into four operational programs. Each program is supervised by an assistant director.

The department handles numerous functions affecting the public, as described in RCW 75.08.012 and 75.08.080.

To accomplish these goals the director formulates regulations as provided for by the Administrative Procedure Act (chapter 34.04 RCW).

[Order 77-14, § 220-80-040, filed 4/15/77; Order 1104, § 220-80-040, filed 11/26/73.]

WAC 220-80-050 Public records available. All public records of the department, as defined in WAC 220-80-020, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided

by section 31, chapter 1, Laws of 1973 and WAC 220-80-100.

[Order 1104, § 220-80-050, filed 11/26/73.]

WAC 220-80-060 Public records officer. The department's public records shall be the responsibility of the public records officer designated by the department. The person so designated shall be located in the administrative office of the department. The public records officer shall be responsible for the following: The implementation of the department's rules and regulations regarding release of public records, coordinating the staff of the department in this regard, and generally ensuring compliance by the staff with the public records disclosure requirements of chapter 1, Laws of 1973.

[Order 1104, § 220-80-060, filed 11/26/73.]

WAC 220-80-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the department. For the purposes of this chapter, the customary office hours shall be from 8:00 a.m. to noon and from 12:30 p.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

[Order 1104, § 220-80-070, filed 11/26/73.]

WAC 220-80-080 Requests for public records. In accordance with requirements of chapter 1, Laws of 1973 that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the department which shall be available at its administrative office. The form shall be presented to the public records officer or to any member of the department's administrative office staff if the public records officer is not available, at the administrative office of the department during customary office hours as described in WAC 220-80-070. The request shall include the following information:

- (a) The name of the person requesting the record;
- (b) The time of day and calendar date on which the request was made;
- (c) The nature and purpose of the request;
- (d) A reference to the requested record as it is described within the current index maintained by the records officer; or an appropriate description of the record requested, if the requested matter is not identifiable by reference to the department's current index;

(2) It shall be the obligation of the public records officer or staff member to whom the request is referred to assist the member of the public in appropriately identifying the public record requested.

[Order 1104, § 220-80-080, filed 11/26/73.]

WAC 220-80-090 Copying. No fee shall be charged for the inspection of public records. The department shall charge a fee per page of copy for providing copies of public records as follows:

Loose leaf material up to 11" x 18" (Xerox copy)	\$0.10 per sheet
Bound material (Xerox copy)	0.15 per sheet
Blueprints and material over 11" x 18" (Bruning)	1.00 per sheet
Microfilm or microfiche (paper copies)	0.10 per sheet

These charges are the approximate amounts necessary to reimburse the department for its actual costs.

[Order 1104, § 220-80-090, filed 11/26/73.]

WAC 220-80-100 Exemptions. (1) The department reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 220-80-080 is exempt under the provisions of section 31, chapter 1, Laws of 1973.

(2) The following records are exempt:

(a) Personal information in files maintained for the department's members of the extent that disclosure would violate their rights to privacy.

(b) Specific intelligence information and specific investigative files compiled by the department, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(c) Information revealing the identity of persons who file complaints with the department, except as the complainant may authorize.

(d) Test questions, scoring keys, and other examination data.

(e) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition of property, until the project is abandoned or until such time as all of the property has been acquired; but in no event shall disclosure be denied for more than three years after the appraisal.

(f) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies not be exempt when publicly cited by an agency in connection with any agency action.

(g) Records which are relevant to a controversy to which the department is, or could reasonably expect to be, a party, but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(h) Lists or records of purchasers of licenses issued by the department: *Provided*, That such may be made available for bona fide noncommercial purposes if the person requesting such lists or records provides a sworn affidavit containing an outline of the usage of such list, the identity of the sponsor, and an affirmation that such lists or records will be adequately safeguarded so as to prevent their use for any commercial purpose.

(i) All catch, tax or fiscal records where release of such information will conflict with any individual or company's right to privacy.

(j) Valuable formulae, designs, drawings and research data obtained by department within five years of the request for disclosure when disclosure would produce private gain and public loss.

(k) Any other information which is exempt from public inspection under any provision of Initiative 276 or any other applicable law.

(3) In addition, pursuant to section 26, chapter 1, Laws of 1973, the department reserves the right to delete identifying details when it makes available or publishes any public record when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 1, Laws of 1973. The public records officer will fully justify such deletion in writing.

(4) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

[Order 1104, § 220-80-100, filed 11/26/73.]

WAC 220-80-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the director of the department. The director or his designee shall consider the matter and either affirm or reverse such denial. The request shall be returned with a final decision within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the department has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

[Order 1104, § 220-80-110, filed 11/26/73.]

WAC 220-80-120 Protection of public records. In order to provide full and orderly public access to official public records, protect said records from damage or disorganization, and to prevent excessive interference with other essential functions of the department, the following rules are established:

(1) All requests for access shall be in writing on the form provided for in WAC 220-80-150.

(2) All requests must be approved by the records officer or designee.

(3) Times for inspection of public records shall be the times shown in WAC 220-80-070.

(4) If inspection of the records requested would interfere with other essential functions of the department, the records officer may delay such inspection up to two working days from the time of request.

(5) The records officer or designated representative may, if deemed advisable, remain in attendance at any time records are being inspected.

(6) No public record shall be allowed to be removed from a department office by anyone other than an officially authorized person.

[Order 1104, § 220-80-120, filed 11/26/73.]

WAC 220-80-130 Records index. (1) Index. The department has available for review a current index which provides identifying information as to the following records issued, adopted or promulgated since June 30, 1972:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultants' reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) Availability. The current index promulgated by the department shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

[Order 1104, § 220-80-130, filed 11/26/73.]

WAC 220-80-140 Address for request. All communications with the department including, but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 1, Laws of 1973 and these rules, requests for copies of the department's decisions and other matters, shall be addressed as follows: Department of Fisheries, c/o Public Records Officer, Room 115, General Administration Building, Olympia, Washington 98504.

[Order 1104, § 220-80-140, filed 11/26/73.]

WAC 220-80-150 Use of record request form. All persons requesting inspection and/or copying or copies of department records must use the form supplied by the department entitled "request for public record."

[Order 1104, § 220-80-150, filed 11/26/73.]

Chapter 220-85 WAC

COMMERCIAL LICENSE MORATORIUM ADVISORY REVIEW BOARD REGULATIONS

WAC

220-85-015	License moratorium review boards.
220-85-030	Moratorium advisory review boards—Secretarial and investigative assistance, place of hearings.
220-85-040	Moratorium advisory review boards—Director's action on license applications—Reasons stated in writing.

- 220-85-050 Moratorium advisory review boards—Who may appeal.
- 220-85-060 Moratorium advisory review boards—Proceedings to be informal—Rules of evidence inapplicable—Record to be kept.
- 220-85-070 Moratorium advisory review boards—Appeals—Requirements—Form for appeal.
- 220-85-080 Moratorium advisory review boards—Appeals—Time for scheduling hearings—Conduct of hearings.
- 220-85-090 Moratorium advisory review boards—Decisions by advisory review board—Form and content.
- 220-85-100 Moratorium advisory review boards—Decision on appeal by director.
- 220-85-110 Moratorium advisory review boards—Appeals—Information procedures optional.
- 220-85-115 Rules of practice and procedure.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 220-85-010 Salmon moratorium advisory review board—Appointment, composition, tenure, and compensation. [Order 1193, § 220-85-010, filed 3/4/75.] Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.
- 220-85-020 Salmon moratorium advisory review board—Designation of board, list furnished by industry. [Order 1193, § 220-85-020, filed 3/4/75.] Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.
- 220-85-210 Salmon charter boat moratorium advisory review board—Appointment, composition, tenure, and compensation. [Statutory Authority: RCW 75.08.080. 78-09-072 (Order DE 78-67), § 220-85-210, filed 8/25/78.] Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.
- 220-85-220 Salmon charter boat moratorium advisory review board—Designation of board, list furnished by industry. [Statutory Authority: RCW 75.08.080. 78-09-072 (Order DE 78-67), § 220-85-220, filed 8/25/78.] Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.
- 220-85-230 Salmon charter boat moratorium advisory review board—Secretarial and investigative assistance, place of hearings. [Statutory Authority: RCW 75.08.080. 78-09-072 (Order DE 78-67), § 220-85-230, filed 8/25/78.] Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.
- 220-85-240 Salmon charter boat moratorium advisory review board—Director's action on salmon license applications—Reasons stated in writing. [Statutory Authority: RCW 75.08.080. 78-09-072 (Order DE 78-67), § 220-85-240, filed 8/25/78.] Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.
- 220-85-250 Salmon charter boat moratorium advisory review board—Who may appeal. [Statutory Authority: RCW 75.08.080. 78-09-072 (Order DE 78-67), § 220-85-250, filed 8/25/78.] Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.
- 220-85-260 Salmon charter boat moratorium advisory review board—Proceedings to be informal—Rules of evidence inapplicable—Record to be kept. [Statutory Authority: RCW 75.08.080. 78-09-072 (Order DE 78-67), § 220-85-260, filed 8/25/78.] Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.
- 220-85-270 Salmon charter boat moratorium advisory review board—Appeals—Requirements—Form for appeal. [Statutory Authority: RCW 75.08.080. 78-09-072 (Order DE 78-67), § 220-85-270, filed 8/25/78.] Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.
- 220-85-280 Salmon charter boat moratorium advisory review board—Appeals—Time for scheduling hearings—Conduct of hearings. [Statutory Authority: RCW 75.08.080. 78-09-072 (Order DE 78-67), § 220-85-280, filed 8/25/78.]

- 220-85-290 Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.
- 220-85-290 Salmon charter boat moratorium advisory review board—Decisions by advisory review board—Form and content. [Statutory Authority: RCW 75.08.080. 78-09-072 (Order DE 78-67), § 220-85-290, filed 8/25/78.] Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.
- 220-85-300 Salmon charter boat moratorium advisory review board—Decision on appeal by director. [Statutory Authority: RCW 75.08.080. 78-09-072 (Order DE 78-67), § 220-85-300, filed 8/25/78.] Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.
- 220-85-310 Salmon charter boat moratorium advisory review board—Appeals—Information procedures optional. [Statutory Authority: RCW 75.08.080. 78-09-072 (Order DE 78-67), § 220-85-310, filed 8/25/78.] Repealed by 81-01-042 (Order 80-194), filed 12/11/80. Statutory Authority: RCW 75.08.080.

WAC 220-85-015 License moratorium review boards. The director shall appoint advisory boards of review as necessary to hear appeals pursuant to the commercial salmon license moratorium, the salmon charter boat license moratorium, commercial herring license moratorium and the Puget Sound commercial crab license moratorium (chapter 75.30 RCW).

[Statutory Authority: RCW 75.08.080. 84-05-046 (Order 84-11), § 220-85-015, filed 2/21/84; 81-01-042 (Order 80-194), § 220-85-015, filed 12/11/80.]

WAC 220-85-030 Moratorium advisory review boards—Secretarial and investigative assistance, place of hearings. The department shall provide advisory review boards with such secretarial or investigative help as may be necessary to conduct the hearings and to report its decision to the director. The department shall furnish and/or arrange accommodations for the boards to conduct their hearings.

[Statutory Authority: RCW 75.08.080. 81-01-042 (Order 80-194), § 220-85-030, filed 12/11/80; Order 1193, § 220-85-030, filed 3/4/75.]

WAC 220-85-040 Moratorium advisory review boards—Director's action on license applications—Reasons stated in writing. Whenever the director shall reject or deny an application for a commercial salmon fishing license, vessel delivery permit, salmon charter boat license or Puget Sound crab license endorsement, his decision shall be in writing and give the reason(s) therefor.

[Statutory Authority: RCW 75.08.080. 81-01-042 (Order 80-194), § 220-85-040, filed 12/11/80; Order 1193, § 220-85-040, filed 3/4/75.]

WAC 220-85-050 Moratorium advisory review boards—Who may appeal. Any person aggrieved by a decision of the department pursuant to chapter 75.30 RCW, may voluntarily request that a board of review be impaneled to hear his case.

[Statutory Authority: RCW 75.08.080. 84-05-046 (Order 84-11), § 220-85-050, filed 2/21/84; 81-01-042 (Order 80-194), § 220-85-050, filed 12/11/80; Order 1193, § 220-85-050, filed 3/4/75.]

WAC 220-85-060 Moratorium advisory review boards—Proceedings to be informal—Rules of evidence inapplicable—Record to be kept. The hearing before the advisory review board shall be informal and the rules of

evidence shall not be applicable to the proceedings. A record of the proceedings shall be kept as provided by chapter 34.04 RCW.

[Statutory Authority: RCW 75.08.080. 81-01-042 (Order 80-194), § 220-85-060, filed 12/11/80; Order 1193, § 220-85-060, filed 3/4/75.]

WAC 220-85-070 Moratorium advisory review boards—Appeals—Requirements—Form for appeal. (1) Appeals by an aggrieved person pursuant to chapter 75.30 RCW, from determinations of the department shall be in writing and should include:

(a) A concise statement of why the appeal is made,

(b) The basis upon which the aggrieved person believes a different decision should be made,

(c) A statement of any other relevant facts.

(2) Appeals must be postmarked within thirty days of the date of denial, or received in person at the department of fisheries not more than thirty days from the date of denial. The director may waive the thirty day requirement for good cause.

(3) The appeal may be in any written form; however, the department will furnish or make available upon request a form that can be used for making appeals pursuant to the provisions of these regulations.

[Statutory Authority: RCW 75.08.080. 84-05-046 (Order 84-11), § 220-85-070, filed 2/21/84; 81-01-042 (Order 80-194), § 220-85-070, filed 12/11/80; Order 1193, § 220-85-070, filed 3/4/75.]

WAC 220-85-080 Moratorium advisory review boards—Appeals—Time for scheduling hearings—Conduct of hearings. Upon receipt of a written request for a hearing before an advisory review board, the department shall set the time, place, and date of hearing to take place within thirty days from the time of receipt of said written request or as soon thereafter as a board may be convened.

(1) The department shall inform all parties as to the date, time and place of hearing at least seven days prior to the hearing, except that the board can by agreement or for good cause shown shorten the notice requirement.

(2) The hearing before the advisory review board shall be informal and the board shall:

(a) Have authority to continue or adjourn the proceedings as circumstances may require,

(b) Permit oral or written argument.

[Statutory Authority: RCW 75.08.080. 81-01-042 (Order 80-194), § 220-85-080, filed 12/11/80; Order 1193, § 220-85-080, filed 3/4/75.]

WAC 220-85-090 Moratorium advisory review boards—Decisions by advisory review board—Form and content. (1) The advisory review board shall inform in writing both the director and the initiating party of whether or not the board agrees or disagrees with the department's decision, and shall state the reasons for such agreement or disagreement.

(2) The decision of the advisory review board shall, except where there may be extenuating circumstances, be made within five days from the conclusion of the hearing.

[Statutory Authority: RCW 75.08.080. 81-01-042 (Order 80-194), § 220-85-090, filed 12/11/80; Order 1193, § 220-85-090, filed 3/4/75.]

WAC 220-85-100 Moratorium advisory review boards—Decision on appeal by director. (1) Upon receipt of the advisory review board's findings, the director, at his discretion, may either uphold or reverse the department's action.

(2) The decision of the director shall, except when there may be extenuating circumstances, be in writing and mailed to the appealing party within five days from the date he receives the findings and decision of the board.

[Statutory Authority: RCW 75.08.080. 81-01-042 (Order 80-194), § 220-85-100, filed 12/11/80; Order 1193, § 220-85-100, filed 3/4/75.]

WAC 220-85-110 Moratorium advisory review boards—Appeals—Information procedures optional. Pursuant to the provisions of chapter 75.30 RCW, an aggrieved person may proceed under chapter 34.04 RCW (Administrative Procedure Act) and the procedural rules for appeal and hearing thereunder applicable to all state agencies as provided for in WAC 1-08-010 through 1-08-590 will govern proceedings initiated thereunder.

[Statutory Authority: RCW 75.08.080. 84-05-046 (Order 84-11), § 220-85-110, filed 2/21/84; 81-01-042 (Order 80-194), § 220-85-110, filed 12/11/80; Order 1193, § 220-85-110, filed 3/4/75.]

WAC 220-85-115 Rules of practice and procedure. The department of fisheries hereby adopts chapter 220-85 WAC as its rules of practice and procedure governing the appeals of commercial salmon and commercial Puget Sound crab license holders and salmon charter boat license holders pursuant to Title 75 RCW. Chapter 1-08 WAC, Uniform procedural rules, shall not apply to license appeal procedures before department of fisheries advisory review boards.

[Statutory Authority: RCW 75.08.080. 81-01-042 (Order 80-194), § 220-85-115, filed 12/11/80.]

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 220-88 WAC

EMERGING COMMERCIAL FISHERIES

WAC

220-88-010	Emerging commercial fisheries—Definitions.
220-88-020	Experimental fishery permits.
220-88-030	Experimental fishery permit advisory board.
220-88-040	Trial commercial fishery permits.

WAC 220-88-010 Emerging commercial fisheries—Definitions. The following definitions apply to this chapter:

(1) "Experimental fishery permit" means a permit issued by the director for either:

(a) An "emerging commercial fishery" defined as a fishery for a newly classified species for which the department has determined that there is a need to limit participation; or

(b) An "expanding commercial fishery" defined as a fishery for a previously classified species in a new area, by a new method, or at a new effort level, for which the department has determined that there is a need to limit participation.

(2) "Trial commercial fishery permit" means a permit issued by the department for trial harvest of a newly classified species, or harvest of a previously classified species in a new area or by a new means. A trial commercial fishery permit will only be issued when the department has determined that there is no need to limit participation. The director may redesignate a trial commercial fishery as an

emerging or expanding commercial fishery if the director finds that there is a need to limit participation in that fishery.

[Statutory Authority: RCW 75.08.080. 92-19-012 (Order 92-89), § 220-88-010, filed 9/3/92, effective 10/4/92.]

WAC 220-88-020 Experimental fishery permits. (1) The director will issue experimental fishery permits after the date rules designating a fishery as either an emerging commercial fishery or an expanding commercial fishery and establishing the number and qualifications of permit holders take effect.

(2) Only persons meeting the following requirements may hold an experimental fishery permit:

(a) The person must hold a commercial fishing license under chapter 75.28 RCW for the gear to be used with the experimental fishery permit or own a vessel that holds such a license. An experimental fishery permit is supplemental to a commercial fishing license, and may not be used unless the fisher or the fisher's vessel is currently licensed.

(b) No person ineligible to hold a commercial fishing license will be issued an experimental fishery permit. The person must meet the qualifications established for the experimental fishery permit that the person seeks.

(c) In the event an emerging or expanding commercial fishery arises from a trial commercial fishery, the director shall consider whether a fisher making application for an experimental fishery permit had previously held a trial commercial fishery permit for that fishery.

(3) An experimental fishery permit will not be issued for any species for which a license, endorsement, or validation limitation has been established pursuant to chapter 75.30 RCW, or for any fishery under the jurisdiction of the secretary of commerce.

(4) The director may at any time close an emerging or expanding commercial fishery for conservation reasons.

[Statutory Authority: RCW 75.08.080. 92-19-012 (Order 92-89), § 220-88-020, filed 9/3/92, effective 10/4/92.]

WAC 220-88-030 Experimental fishery permit advisory board. The five-person advisory board that will review and make recommendations regarding number and qualifications of persons who will receive experimental fishery permits shall have knowledge of the commercial fishing industry.

[Statutory Authority: RCW 75.08.080. 93-15-051, § 220-88-030, filed 7/14/93, effective 8/14/93; 92-19-012 (Order 92-89), § 220-88-030, filed 9/3/92, effective 10/4/92.]

WAC 220-88-040 Trial commercial fishery permits. (1) Applications for trial commercial fishery permits must specify the species, fishing area, and fishing method to be used.

(2) The department will respond to any request for a trial commercial fishery permit within sixty days of receiving the application.

(3) Only persons who hold a commercial fishing license under chapter 75.28 RCW for the gear to be used with the trial commercial fishery permit or own a vessel that holds such a license are eligible to hold a trial commercial fishery permit. A trial commercial fishery permit is supplemental to

a commercial fishing license, and may not be used unless the fisher or the fisher's vessel is currently licensed.

(4) The director will issue a trial commercial fishery permit for a newly classified species only after the director has by rule classified the species as a food fish or shellfish in chapter 220-12 WAC. If emergency classification is required, the director will issue the trial commercial fishery permit only for the period of emergency classification, and will not renew the permit unless the department has received a request for permanent classification at least two weeks before the end of the permit period.

(5) The director may redesignate a trial commercial fishery as an emerging or expanding commercial fishery if the director finds that there is a need to limit participation. A trial commercial fishery permit for that fishery does not guarantee future eligibility for an experimental fishery permit.

(6) The director may at any time close a trial commercial fishery for conservation reasons.

[Statutory Authority: RCW 75.08.080, 92-19-012 (Order 92-89), § 220-88-040, filed 9/3/92, effective 10/4/92.]

Chapter 220-88A WAC

EMERGING COMMERCIAL FISHERY—PUGET SOUND SHRIMP

WAC

220-88A-010	Emerging commercial fishery—Puget Sound shrimp—Purpose.
220-88A-020	Designation of Puget Sound shrimp pot and Puget Sound shrimp trawl as emerging commercial fisheries.
220-88A-030	Emerging commercial fishery—Eligibility for Puget Sound shrimp pot experimental fishery permit.
220-88A-040	Emerging commercial fishery—Eligibility for Puget Sound shrimp trawl experimental fishery permit.
220-88A-050	Emerging commercial fishery—Puget Sound shrimp experimental fishery permits—Nontransferability—Primary operator participation requirement—Single alternate operator—Medical exception.
220-88A-060	Emerging commercial fishery—Puget Sound shrimp—Shrimp districts.
220-88A-070	Emerging commercial fishery—Puget Sound shrimp pot experimental fishery—Seasons and gear—Spot prawn restriction.
220-88A-080	Emerging commercial fishery—Puget Sound shrimp trawl experimental fishery—Seasons and gear.

WAC 220-88A-010 Emerging commercial fishery—Puget Sound shrimp—Purpose. The purpose of this chapter is to establish Puget Sound shrimp pot and Puget Sound shrimp trawl as emerging commercial fisheries, determine the qualification for obtaining experimental fishery permits to participate in these fisheries, and limit transferability of the permits.

[Statutory Authority: RCW 75.28.740 and 75.30.220, 94-07-092 (Order 94-14), § 220-88A-010, filed 3/17/94, effective 4/17/94.]

WAC 220-88A-020 Designation of Puget Sound shrimp pot and Puget Sound shrimp trawl as emerging commercial fisheries. (1) The director designates the Puget Sound shrimp pot fishery as an emerging commercial fishery for which a vessel is required. Effective April 16, 1994, it is unlawful to fish for or retain shrimp taken for commercial

purposes from Puget Sound using any type of shellfish pot gear unless the operator of the gear has an emerging commercial fishery license and a Puget Sound shrimp pot experimental fishery permit issued under the provisions of this chapter. Effective April 16, 1994, a shrimp pot fishery license or a shrimp pot—Hood Canal fishery license may not be used to fish for shrimp in Puget Sound.

(2) The director designates the Puget Sound shrimp trawl fishery as an emerging commercial fishery for which a vessel is required. Effective April 16, 1994, it is unlawful to fish for or retain shrimp taken for commercial purposes from Puget Sound using trawl gear unless the operator of the gear has an emerging commercial fishery license and a Puget Sound shrimp trawl experimental fishery permit issued under the provisions of this chapter. Effective April 16, 1994, a shrimp trawl—Puget Sound license may not be used to fish for shrimp in Puget Sound.

(3) A separate emerging commercial fishery license is required for each experimental fishery permit.

[Statutory Authority: RCW 75.28.740 and 75.30.220, 94-07-092 (Order 94-14), § 220-88A-020, filed 3/17/94, effective 4/17/94.]

WAC 220-88A-030 Emerging commercial fishery—Eligibility for Puget Sound shrimp pot experimental fishery permit. (1) A single 1994 Puget Sound shrimp pot experimental fishery permit will be issued to an individual who has demonstrated historical and continuous participation in the Puget Sound shrimp pot fishery by:

(a) Being the owner of a vessel or vessels that held a shellfish pot (excluding crab) license (RCW 75.28.130(2)) during either 1991 or 1992, held this license during 1993, and:

(b) Can document, by means of valid fish receiving tickets, that the vessel or vessels landed at least 7,000 pounds, adjusted weight, of shrimp taken with shellfish pot gear from Puget Sound during the eligibility period of April 16, 1991 through October 15, 1993. For purposes of computing adjusted weight, spot prawns are totaled at two times the weight shown on the fish tickets and other pandalid shrimp are totaled at the weight shown on the fish tickets. No shrimp landed with any other gear, shrimp taken from waters other than Puget Sound, or shrimp taken during any other period of time satisfy this eligibility requirement. For purposes of this subsection and in addition to any other requirement, a valid fish receiving ticket is a fish receiving ticket that has been received by the department on or before November 1, 1993.

(2) No emerging commercial fishery license holder may receive more than one Puget Sound shrimp pot experimental fishery permit. The pounds of shrimp landed from the vessel or vessels may be used to qualify only one experimental fishery permit.

(3) Puget Sound shrimp pot experimental fishery permits are valid only for the year issued and expire with the emerging commercial fishery license on December 31st of each year.

(4) Except as provided for in subsection (5), after December 31, 1994, a Puget Sound shrimp pot experimental fishery permit will only be issued to an individual who held an emerging commercial fishery license and Puget Sound shrimp pot experimental fishery permit the previous year,

and who can establish by means of valid fish receiving tickets that a minimum of 2,000 adjusted pounds of shrimp taken with shellfish pot gear were landed from Puget Sound during the previous year. For purposes of this subsection and in addition to any other requirement, a valid fish receiving ticket is a fish receiving ticket that has been received by the department on or before November 1st of the year in which the shrimp were caught. Application for a Puget Sound shrimp pot experimental fishery permit must be received at the department licensing office on or before April 1st of each year after 1994, or the license holder will be deemed to have withdrawn from the fishery and the provisions of subsection (5) of this section will apply.

(5) If, after December 31, 1994, the director determines that the number of Puget Sound shrimp pot fishers has dropped below twenty license holders, the director may admit additional fishers until there are twenty license holders. Individuals who were eligible in 1994 but did not obtain a Puget Sound shrimp pot experimental fishery permit, or individuals who have withdrawn from the fishery, are excluded from application for a future Puget Sound shrimp pot experimental fishery permit. Owners of vessels from which Puget Sound shrimp were landed with shellfish pot gear during the eligibility period, but who did not qualify for a 1994 Puget Sound shrimp pot experimental fishery permit, are eligible for application for a future Puget Sound shrimp pot experimental fishery permit, beginning with the owner of the vessel or vessels from which the highest nonqualifying catch was made and progressing to the lowest nonqualifying catch. If the pool of fishers who landed shrimp during the qualifying period is exhausted, new fishers will be invited to apply and will be selected at random from the applicants.

[Statutory Authority: RCW 75.28.740 and 75.30.220. 94-07-092 (Order 94-14), § 220-88A-030, filed 3/17/94, effective 4/17/94.]

WAC 220-88A-040 Emerging commercial fishery—Eligibility for Puget Sound shrimp trawl experimental fishery permit. (1) A single 1994 Puget Sound shrimp trawl experimental permit will be issued to an individual who has demonstrated historical and continuous participation in the Puget Sound shrimp trawl fishery by:

(a) Being the owner of a vessel or vessels that held a trawl (Puget Sound) license (RCW 75.28.140(1)) during either 1991 or 1992, held this license during 1993, and:

(b) Can document, by means of valid fish receiving tickets, that the vessel or vessels landed at least 2,800 pounds of shrimp taken from Puget Sound with trawl gear during the eligibility period April 16, 1991 through October 15, 1993. No shrimp landed with any other gear, shrimp taken from waters other than Puget Sound, or shrimp taken during any other period of time satisfy this eligibility requirement. For purposes of this subsection and in addition to any other requirement, a valid fish receiving ticket is a fish receiving ticket that has been received by the department on or before November 1, 1993.

(2) No emerging commercial fishery license holder may receive more than one Puget Sound shrimp trawl experimental fishery permit. The pounds of shrimp landed from the vessel or vessels may be used to qualify only one experimental fishery permit.

(3) Puget Sound shrimp trawl experimental fishery permits are valid only for the year issued and expire with the emerging commercial fishery license on December 31st of each year.

(4) Except as provided for in subsection (5), after December 31, 1994, a Puget Sound shrimp trawl experimental fishery permit will only be issued to an individual who held an emerging commercial fishery license and Puget Sound shrimp trawl experimental fishery permit the previous year, and who can establish by means of valid shellfish receiving tickets that a minimum of 2,000 pounds of shrimp taken with shellfish trawl gear were landed from Puget Sound during the previous year. For purposes of this subsection and in addition to any other requirement, a valid fish receiving ticket is a fish receiving ticket that has been received by the department on or before November 1st of the year in which the shrimp were caught. Application for a Puget Sound shrimp trawl experimental fishery permit must be received at the department licensing office on or before April 1st of each year after 1994, or the license holder will be deemed to have withdrawn from the fishery and the provisions of subsection (5) of this section will apply.

(5) If, after December 31, 1994, the director determines that the number of Puget Sound shrimp trawl fishers has dropped below ten license holders, the director may admit additional fishers until there are ten license holders. Individuals who were eligible in 1994 but did not obtain a Puget Sound shrimp trawl experimental fishery permit, or individuals who have withdrawn from the fishery, are excluded from application for a future Puget Sound shrimp trawl experimental fishery permit. Owners of vessels from which Puget Sound shrimp were landed with trawl gear during the eligibility period, but who did not qualify for a 1994 Puget Sound shrimp trawl experimental fishery permit, are eligible for application for a future Puget Sound shrimp pot experimental fishery permit, beginning with the owner of the vessel or vessels from which the highest nonqualifying catch was made and progressing to the lowest nonqualifying catch. If the pool of fishers who landed shrimp during the qualifying period is exhausted, new fishers will be invited to apply and will be selected at random from the applicants.

[Statutory Authority: RCW 75.28.740 and 75.30.220. 94-07-092 (Order 94-14), § 220-88A-040, filed 3/17/94, effective 4/17/94.]

WAC 220-88A-050 Emerging commercial fishery—Puget Sound shrimp experimental fishery permits—Nontransferability—Primary operator participation requirement—Single alternate operator—Medical exception. Puget Sound shrimp pot experimental fishery permits and Puget Sound shrimp trawl experimental fishery permits are nontransferable. The following conditions apply to issuance and use of these permits:

(1) A permit will only be issued to an individual who is a natural person, and this person shall be the primary operator. The primary operator is required to operate the gear more than one-half of the season and make at least one-half of the landings, as established by valid fish receiving tickets.

(2) Holders of Puget Sound shrimp pot experimental fishery permits and Puget Sound shrimp trawl experimental fishery permits may designate a single alternate operator per

permit. The alternate operator may operate the gear up to but not equaling one-half of the fishing effort of the vessel per season, and may make up to but not equaling one-half of the landings, as established by valid fish receiving tickets, except that the director may allow operation of the gear and sale of the shrimp by an alternate operator in excess of one-half of the fishing effort in the case of a bona fide medical emergency for which the primary operator has presented a physician's statement which includes the medical condition and expected date of recovery of the primary operator. Notification of the medical emergency, presentation of the physician's statement, and obtaining a waiver from the director must be accomplished prior to the end of the season for which the emerging commercial fishery license and experimental fishery permit holder is seeking exception from the seasonal requirement that the primary operator perform more than one half of the fishing effort.

[Statutory Authority: RCW 75.28.740 and 75.30.220. 94-07-092 (Order 94-14), § 220-88A-050, filed 3/17/94, effective 4/17/94.]

WAC 220-88A-060 Emerging commercial fishery—Puget Sound shrimp—Shrimp districts. The following areas are defined as Puget Sound 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) Water 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.

[Statutory Authority: RCW 75.28.740 and 75.30.220. 94-07-092 (Order 94-14), § 220-88A-060, filed 3/17/94, effective 4/17/94.]

WAC 220-88A-070 Emerging commercial fishery—Puget Sound shrimp pot experimental fishery—Seasons and gear—Spot prawn restriction. It is unlawful to fish for shrimp for commercial purposes in Puget Sound using shellfish pot gear except as provided for in this section:

(1) Seasons - All waters of Puget Sound are open to shellfish pot gear April 16 through October 15 except:

(a) Open in Shrimp Districts 1, 2, and 3 from May 16 through September 15 only, except those waters of Shrimp District 1 within a line from the entrance to the Cape George Marina projected southwesterly to the easternmost tip of Diamond Point thence southeasterly to the westernmost tip of Beckett Point thence following the shore to the point of origin are closed to shrimp fishing.

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

(2) Gear restrictions -

(a) In all areas, maximum 100 pots per fisher, except:

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

(ii) Maximum 25 pots per fisher in Shrimp District 1.

(iii) Maximum 50 pots per fisher in Shrimp Districts 2 and 5.

(iv) Maximum 10 pots per fisher in Shrimp District 3.

(b) In all shrimp districts:

(i) 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.

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

(c) In Shrimp Districts 2 and 5:

(i) 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.

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

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

(3) Spot shrimp size restriction: It is unlawful to possess spot shrimp taken by shellfish pot gear that average more than 20 shrimp per pound as sampled by a minimum of two samples of at least one pound each of whole unbroken shrimp taken at random from throughout the individual load landed or in possession.

[Statutory Authority: RCW 75.28.740 and 75.30.220. 94-07-092 (Order 94-14), § 220-88A-070, filed 3/17/94, effective 4/17/94.]

WAC 220-88A-080 Emerging commercial fishery—Puget Sound shrimp trawl experimental fishery—Seasons and gear. It is unlawful to fish for shrimp for commercial purposes in Puget Sound using trawl gear except as provided for in this section:

(1) Seasons - Open April 16 through October 15 in Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 22A, 22B, 23A, 23B, 23C, 25A, 25B and 29 except closed in:

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

(b) Those waters of Area 20A within an area bounded by lines from Lilly Point to Birch Point and from the southwest corner of Point Roberts to Point Whitehorn to where these two lines are intersected by a line south from Kwomais Point in British Columbia and a line from Lilly Point to the north Alden Bank Buoy from April 16 through May 31.

(c) Those waters of Area 20A within an area bounded by lines from Lilly Point to Birch Point and Lilly Point to the north Alden Bank buoy to where those lines are intersected by a line projected approximately 230 degrees south

from Birch Point to Alden Point on Patos Island from June 1 through June 30.

(d) Shrimp Districts 1, 2, 3 and 4.

(2) Gear restrictions - Beam trawl gear only. Otter trawl gear may not be used.

[Statutory Authority: RCW 75.08.080. 94-19-001 (Order 94-96), § 220-88A-080, filed 9/7/94, effective 10/8/94. Statutory Authority: RCW 75.28.740 and 75.30.220. 94-07-092 (Order 94-14), § 220-88A-080, filed 3/17/94, effective 4/17/94.]

Chapter 220-90 WAC

COMMERCIAL HERRING FISHING LICENSE HARDSHIP VALIDATION REVIEW BOARD REGULATIONS

WAC

- 220-90-010 Herring hardship validations, qualifications and conditions.
220-90-015 Resort or marina—Owner or operator.

WAC 220-90-010 Herring hardship validations, qualifications and conditions. The director of fisheries may validate an individual or operator to fish for herring under the following provisions:

(1) Submit proof of investment made in boat and herring fishing equipment prior to April 26, 1973 to the department of fisheries.

(a) Fish caught shall be utilized for bait only.

(b) No such fishing in Puget Sound Marine Fish-Shellfish Areas 20A, 20B, 21A, and 21B from April 16 to May 31.

(c) Validation will be revoked if the conditions are violated.

[Order 76-148, § 220-90-010, filed 12/2/76; Order 1193, § 220-90-010, filed 3/4/75.]

WAC 220-90-015 Resort or marina—Owner or operator. The director of fisheries may validate an individual or operator to fish for herring under the following provisions:

(1) Submit proof in the form of a notarized affidavit to the department of fisheries that live, fresh, or frozen herring (dependent on need) cannot be purchased from a minimum of three commercial sources at a fair market price.

(a) Validations will be for the calendar year only. Renewal is dependent upon submission of a new affidavit.

(b) No such fishing in Puget Sound Marine Fish-Shellfish Areas 20A, 20B, 21A, and 21B from April 16 to May 31.

(c) Herring caught under this provision must be sold retail for bait by, and at, said resort or marina.

(d) Validations under this provision will be non-transferable.

(e) Validations will be revoked if the above conditions are violated.

[Order 76-148, § 220-90-015, filed 12/2/76; Order 1193, § 220-90-015, filed 3/4/75.]

Chapter 220-95 WAC

COMMERCIAL FISHING GEAR REDUCTION PROGRAM

WAC

- 220-95-011 Application to sell.
220-95-016 Ranking of applications.
220-95-021 Program options.
220-95-026 Surveys—Vessels—License—Permit values.
220-95-031 Use restrictions and penalties.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 220-95-010 Application to sell—Qualification. [Statutory Authority: RCW 75.08.080. 81-09-018 (Order 81-22), § 220-95-010, filed 4/10/81; 79-11-069 (Order 79-111), § 220-95-010, filed 10/18/79; 79-03-025 (Order 79-13), § 220-95-010, filed 2/22/79; Order 76-26, § 220-95-010, filed 1:45 p.m., 4/20/76.] Repealed by 82-19-082 (Order 82-141), filed 9/21/82. Statutory Authority: RCW 75.08.080.
- 220-95-012 Marginal production. [Statutory Authority: RCW 75.08.080. 81-09-018 (Order 81-22), § 220-95-012, filed 4/10/81.] Repealed by 85-11-011 (Order 85-42), filed 5/7/85. Statutory Authority: RCW 75.08.080.
- 220-95-015 Survey—Vessel—Gear—License—Permit. [Statutory Authority: RCW 75.08.080. 79-10-013 (Order 79-75), § 220-95-015, filed 9/7/79; 79-03-025 (Order 79-13), § 220-95-015, filed 2/22/79; Order 76-98, § 220-95-015, filed 9/22/76; Order 76-26, § 220-95-015, filed 1:45 p.m., 4/20/76.] Repealed by 82-19-082 (Order 82-141), filed 9/21/82. Statutory Authority: RCW 75.08.080.
- 220-95-017 Bonus payments. [Statutory Authority: RCW 75.08.080. 81-09-018 (Order 81-22), § 220-95-017, filed 4/10/81.] Repealed by 82-19-082 (Order 82-141), filed 9/21/82. Statutory Authority: RCW 75.08.080.
- 220-95-020 Offer to sell. [Statutory Authority: RCW 75.08.080. 79-10-013 (Order 79-75), § 220-95-020, filed 9/7/79; Order 76-26, § 220-95-020, filed 1:45 p.m., 4/20/76.] Repealed by 82-19-082 (Order 82-141), filed 9/21/82. Statutory Authority: RCW 75.08.080.
- 220-95-025 Survey (owner's expense)—Recomputed offer to sell. [Order 76-98, § 220-95-025, filed 9/22/76; Order 76-26, § 220-95-025, filed 1:45 p.m., 4/20/76.] Repealed by 79-10-013 (Order 79-75), filed 9/7/79. Statutory Authority: RCW 75.08.080. Later promulgation, see WAC 220-95-015, 220-95-020, and 220-95-030.
- 220-95-030 Offer to sell—Forms. [Statutory Authority: RCW 75.08.080. 79-10-013 (Order 79-75), § 220-95-030, filed 9/7/79; Order 76-26, § 220-95-030, filed 1:45 p.m., 4/20/76.] Repealed by 82-19-082 (Order 82-141), filed 9/21/82. Statutory Authority: RCW 75.08.080.
- 220-95-035 Advisory board. [Order 76-26, § 220-95-035, filed 1:45 p.m., 4/20/76.] Repealed by 79-10-013 (Order 79-75), filed 9/7/79. Statutory Authority: RCW 75.08.080.
- 220-95-040 Protection—Undisclosed liens, claims, etc. [Order 76-26, § 220-95-040, filed 1:45 p.m., 4/20/76.] Repealed by 82-19-082 (Order 82-141), filed 9/21/82. Statutory Authority: RCW 75.08.080.
- 220-95-045 Selling of vessels, equipment, gear—Conditions. [Order 76-26, § 220-95-045, filed 1:45 p.m., 4/20/76.] Repealed by 82-19-082 (Order 82-141), filed 9/21/82. Statutory Authority: RCW 75.08.080.
- 220-95-050 Use of buy-back vessels. [Statutory Authority: RCW 75.08.080. 79-10-013 (Order 79-75), § 220-95-050, filed 9/7/79; Order 76-45, § 220-95-050, filed 6/10/76; Order 76-26, § 220-95-050, filed 1:45 p.m., 4/20/76.] Repealed by 82-19-082 (Order 82-141), filed 9/21/82. Statutory Authority: RCW 75.08.080.
- 220-95-055 Violations—Conditions—Penalties. [Order 76-26, § 220-95-055, filed 1:45 p.m., 4/20/76.] Repealed by 82-19-082 (Order 82-141), filed 9/21/82. Statutory Authority: RCW 75.08.080.

WAC 220-95-011 Application to sell. A person desiring to sell a license or vessel restriction to the department of fisheries shall submit an application to the department. The application must be notarized, received during an open-application period established by the department, submitted on a departmental form and from an individual listed as a vessel owner on a license who has not accepted retraining benefits under a buy-back program administered by the department. The applicant must provide his name, address, phone number, and date of birth together with a description of the vessel, a list of licenses, and license numbers held at the time of application and a statement of whether the applicant is offering the license(s) only or the license(s) and vessel restriction pursuant to WAC 220-95-021.

[Statutory Authority: RCW 75.08.080, 82-19-082 (Order 82-141), § 220-95-011, filed 9/21/82.]

WAC 220-95-016 Ranking of applications. (1) The department shall separate applicants into one of the following license categories:

- (a) Troll and vessel delivery permit;
- (b) Purse seine;
- (c) Puget Sound gill net;
- (d) Willapa and Grays Harbor gill net;
- (e) Charter;
- (f) Reef net.

(2) The department shall establish priority rankings within each category. The department shall use license and catch records maintained by the department and may, for charters, use other license and catch records as the director finds appropriate to establish the rankings. Within a category, the department shall rank applicants beginning with applicants who have held a license the greatest cumulative number of years. For applicants other than charters with the same number of years, the department shall rank applicants beginning with the largest average poundage catch within the state for the years 1973-1977. For charters with the same number of years, the department shall rank applicants beginning with the highest average income generated by the license for sale in 1981, 1982, and 1983. The department shall accept only federal income tax records to document income.

(3) A marginal fisherman is a fisherman having an average catch for 1973-1977 ranked in the bottom five percent of all catches in that respective license category or a charter boat owner who cannot document at least four thousand dollars of income derived in Washington state from charter fishing generated by the license for sale in 1981, 1982, or 1983. The department shall accept only federal income tax records to document required income.

[Statutory Authority: RCW 75.08.080, 85-01-013 (Order 84-215), § 220-95-016, filed 12/10/84; 82-19-082 (Order 82-141), § 220-95-016, filed 9/21/82.]

WAC 220-95-021 Program options. (1) The department may purchase either an applicant's license(s) or an applicant's license(s) and a restriction on the vessel prohibiting the vessel's use as a commercial or charter salmon fishing vessel or salmon delivery vessel.

(2) The department may purchase license(s) or vessel restriction if the applicant's vessel is currently licensed to fish for or deliver salmon within the state, the applicant is qualified pursuant to RCW 75.44.110, and the applicant owned said vessel on or prior to December 22, 1980.

(3) Each vessel use restriction shall be purchased for thirty percent of the fair market value of the vessel not to exceed a total of \$45,000, being thirty percent of \$150,000 limit set by director under RCW 75.44.120. Purchase offers will be made in order of priority ranking established for each category of applicants pursuant to WAC 220-95-016.

(4) The department shall not purchase vessel use restrictions from marginal applicants as defined in WAC 220-95-016.

(5) License and vessel values shall be established as provided in WAC 220-95-026. After the value of the vessel has been established and the applicant has provided paid receipts for the first two surveys, the department may communicate a purchase offer to the applicant. If the applicant accepts the offer, the applicant shall sign and return the offer within ten calendar days of the date of the offer.

(6) The department may not purchase more than one vessel restriction or license from an applicant until all applicants have had an opportunity to sell.

(7) A person who previously sold either a vessel or license to the program may sell only other licenses and restrictions on other vessels owned at the time the person first sold to the program.

[Statutory Authority: RCW 75.08.080, 85-11-011 (Order 85-42), § 220-95-021, filed 5/7/85; 85-01-013 (Order 84-215), § 220-95-021, filed 12/10/84; 84-05-046 (Order 84-11), § 220-95-021, filed 2/21/84; 82-19-082 (Order 82-141), § 220-95-021, filed 9/21/82.]

WAC 220-95-026 Surveys—Vessels—License—Permit values. (1) The department shall conduct a yearly market survey in consultation with the advisory board established pursuant to RCW 75.44.140 in order to determine the fair market value of licenses in each license category.

(2) The department shall establish fair market value for vessels using the following method:

(a) Each vessel shall be surveyed by two marine surveyors chosen by the applicant from a list provided by the department.

(b) A third survey shall be done if the value of the lower survey is less than fifty thousand dollars and the difference between the surveys is more than twenty percent of the lower survey, or the value of the lower survey is more than fifty thousand dollars and the difference between the surveys is more than ten percent of the lower survey value. The department shall randomly select the third surveyor from the same list supplied to the applicant. The department shall not conduct a third survey until the applicant provides the department with paid receipts for the first two surveys.

(c) The applicant and program manager or their representatives shall be in attendance during each survey.

(d) Each surveyor shall send copies of the survey to the applicant and to the department.

(e) The cost of the first two surveys shall be borne by the applicant. The department shall reimburse this cost if the applicant accepts the purchase offer. The cost of the third survey shall be borne by the department.

(f) The fair market value of the vessel shall be computed by the department averaging the two closest survey values.

(g) The department shall maintain confidentiality of the surveys prior to completion of the purchase by the department.

[Statutory Authority: RCW 75.08.080. 84-05-046 (Order 84-11), § 220-95-026, filed 2/21/84; 82-19-082 (Order 82-141), § 220-95-026, filed 9/21/82.]

WAC 220-95-031 Use restrictions and penalties. (1)

For a period of ten years from the date of the purchase of the vessel's restriction by the department it shall be unlawful to:

(a) Use the vessel as a commercial or charter salmon fishing vessel or as a salmon delivery vessel other than as a vessel used for angling or other personal use in waters within the state of Washington, including the concurrent waters of the Columbia River.

(b) Use the vessel as a commercial or charter salmon fishing vessel or as a salmon delivery vessel other than as a vessel used for angling or other personal use in waters outside the three mile limit off the Washington coast in an area from the southern jetty at the mouth of the Columbia River north to the United States/Canadian border.

(c) Use the vessel as a commercial or charter salmon fishing vessel or as a salmon delivery vessel with the intent to deliver fish in another state, in waters outside the three mile limit off the Washington coast in an area from the southern jetty at the mouth of the Columbia River north to the United States/Canadian border.

(2) Failure to comply with the provisions of subsection (1) of this section will cause the state substantial damage and the amount of damage will be difficult to ascertain precisely. The vessel owner will pay to the department of fisheries as liquidated damages, in addition to all other sums payable hereunder, two hundred dollars for each day or portion thereof on which the vessel is used by any person or entity in violation of the provisions of subsection (1) of this section.

(3) The department shall have relief by injunction to prevent the operation of the vessel for the purposes prohibited in subsection (1) of this section, together with any other relief provided by law. If the vessel is used for any purpose in violation of subsection (1) of this section, in addition to any other penalties provided by law, said vessel's fish, equipment, gear and personal property on board will be subject to immediate confiscation by, and forfeiture to, the state without notice to any owner or user of the vessel. If catches of the vessel prohibited by subsection (1) of this section have been sold or transferred, the owner or user of the vessel is liable to the department in the amount thereof and all Washington state commercial fishing licenses and/or permits issued to the owner or user shall be immediately revoked without notice by the department.

(4) The vessel owner and any subsequent transferee assigns to the department any and all rights to enforce the provisions of subsection (1) of this section. At any time the department may inspect the vessel for the limited purpose of ascertaining whether the vessel is being used for any purpose or use in violation of subsection (1) of this section. If any subsequent transferee is a treaty Indian, the department will

require proof of treaty status prior to approving a transfer of vessel ownership or use. Nonapplicability of use restrictions to treaty Indians will not affect imposition of use restrictions to non-Indian transferees, owners or users of any vessel.

[Statutory Authority: RCW 75.08.080. 82-19-082 (Order 82-141), § 220-95-031, filed 9/21/82.]

Chapter 220-100 WAC

STATE ENVIRONMENTAL POLICY ACT RULES

WAC

220-100-010	Definitions.
220-100-020	Impact of SEPA on fisheries.
220-100-030	Purpose.
220-100-040	Scope and coverage of this chapter.
220-100-045	Agency policy—Substantive authority and mitigation.
220-100-055	Timing of the SEPA process.
220-100-060	Summary of information which may be required of a private applicant.
220-100-065	Assumption of lead agency status.
220-100-070	Designation of responsible official.
220-100-075	Mitigated DNS.
220-100-080	SEPA public information center.
220-100-095	Public notice.
220-100-110	Adoption by reference—Substantial compliance.
220-100-115	Severability.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-100-050	Additional elements of the environment. [Statutory Authority: RCW 75.08.080. 78-05-029 (Order 78-17), § 220-100-050, filed 4/17/78; Order 76-40, § 220-100-050, filed 5/25/76.] Repealed by 84-19-053 (Order 84-144), filed 9/18/84. Statutory Authority: RCW 75.08.080.
220-100-090	Department responsibilities when a consulted agency. [Order 76-40, § 220-100-090, filed 5/25/76.] Repealed by 84-19-053 (Order 84-144), filed 9/18/84. Statutory Authority: RCW 75.08.080.
220-100-100	Filing of agency action—Publication—Form—Time limitation for commencing challenge to action. [Order 76-40, § 220-100-100, filed 5/25/76.] Repealed by 78-05-029 (Order 78-17), filed 4/17/78. Statutory Authority: RCW 75.08.080.
220-100-120	Use of final declaration of nonsignificance for hydraulic project approvals. [Statutory Authority: RCW 75.08.080. 78-05-029 (Order 78-17), § 220-100-120, filed 4/17/78.] Repealed by 84-19-053 (Order 84-144), filed 9/18/84. Statutory Authority: RCW 75.08.080.

WAC 220-100-010 Definitions. The definitions of the words and terms of WAC 197-11-700 through 197-11-799 are made a part of this chapter along with the following addition: Fisheries means Washington department of fisheries.

[Statutory Authority: RCW 75.08.080. 84-19-053 (Order 84-144), § 220-100-010, filed 9/18/84; Order 76-40, § 220-100-010, filed 5/25/76.]

WAC 220-100-020 Impact of SEPA on fisheries. Fisheries fully endorses the intent and purpose of SEPA and will make every effort to implement and fulfill the intent and requirements of SEPA and the SEPA rules. The capacity of fisheries to provide full service to the public and other agencies is limited by funds and manpower. Fisheries will make every effort to implement SEPA in the best manner possible with the resources available.

[Statutory Authority: RCW 75.08.080, 84-19-053 (Order 84-144), § 220-100-020, filed 9/18/84; 78-05-029 (Order 78-17), § 220-100-020, filed 4/17/78; Order 76-40, § 220-100-020, filed 5/25/76.]

WAC 220-100-030 Purpose. (1) The purpose of this chapter is to implement chapter 197-11 WAC, SEPA rules, as applicable to fisheries.

(2) These policies and procedures are developed to implement SEPA in a manner which reduces duplication, establishes effective and uniform guidelines, encourages public involvement, and promotes certainty with respect to the requirements of the act.

(3) These policies and procedures are not intended to cover compliance by fisheries with respect to the National Environmental Policy Act of 1969 (NEPA). In those situations where fisheries is required by federal law or regulations to perform some element of compliance with NEPA, compliance will be governed by the applicable federal statute and regulations.

[Statutory Authority: RCW 75.08.080, 84-19-053 (Order 84-144), § 220-100-030, filed 9/18/84; Order 76-40, § 220-100-030, filed 5/25/76.]

WAC 220-100-040 Scope and coverage of this chapter. (1) It is the intent of fisheries that compliance with this chapter shall constitute complete procedural compliance with SEPA for all actions as defined in WAC 197-11-704.

(2) This chapter applies to all actions as defined in WAC 197-11-704 and applies to all activities of fisheries. Furthermore, although these guidelines normally do not apply to actions of fisheries exempted under WAC 197-11-800 and 197-11-835, fisheries accepts the responsibility of attempting to follow the intent of SEPA and its decision making process for exempt actions.

(3) To the fullest extent possible, fisheries shall integrate procedures required by this chapter with existing planning and licensing procedures. These procedures should be initiated early, and undertaken in conjunction with other governmental operations to avoid lengthy time delays and unnecessary duplication of effort.

[Statutory Authority: RCW 75.08.080, 84-19-053 (Order 84-144), § 220-100-040, filed 9/18/84; 78-05-029 (Order 78-17), § 220-100-040, filed 4/17/78; Order 76-40, § 220-100-040, filed 5/25/76.]

WAC 220-100-045 Agency policy—Substantive authority and mitigation. (1) The overriding policy of fisheries is to avoid or mitigate adverse environmental impacts which may result from its decisions. This policy results from:

(a) The legislated duty of fisheries to preserve, protect and perpetuate the food fish and shellfish resources of the state in a manner that does not impair the resource (RCW 75.08.012); and

(b) Recognition of the fact that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment (RCW 43.21C.020(31)).

(2) If an action is subject to SEPA, including an activity or activities requiring a permit from fisheries, and is reasonably likely to have an adverse environmental impact as identified in an environmental document, fisheries will:

(a) Require reasonable alternatives to the action and/or proven measures which will mitigate or eliminate the identified potential adverse impact, and make such alternatives and/or proven mitigation measures conditions of fisheries approval; or

(b) Deny the proposal if significant adverse impacts as identified in a final or supplemental environmental impact statement prepared under chapter 197-11 WAC are not satisfactorily avoided or mitigated by proven techniques.

[Statutory Authority: RCW 75.08.080, 84-19-053 (Order 84-144), § 220-100-045, filed 9/18/84; 78-05-029 (Order 78-17), § 220-100-045, filed 4/17/78.]

WAC 220-100-055 Timing of the SEPA process. (1) The environmental review process will normally begin upon receipt of a determination of nonsignificance (DNS), determination of significance (DS), scoping notice, or draft environmental impact statement (DEIS) when another agency is the lead agency. When fisheries is the lead agency for nonagency actions, review will normally begin upon receipt of a complete permit application and a complete environmental checklist. For agency actions, environmental review will normally begin when the proposed action is sufficiently developed to allow preliminary decisions.

(2) Upon written request of an applicant, preliminary environmental review will be conducted prior to receipt of detailed project plans and specifications. In such instances, the applicant shall submit information judged by fisheries to be sufficient to make a preliminary review.

(3) The preliminary review will be advisory only and not binding upon fisheries. Final review and determination will be made only upon receipt of detailed project plans and specifications.

[Statutory Authority: RCW 75.08.080, 84-19-053 (Order 84-144), § 220-100-055, filed 9/18/84.]

WAC 220-100-060 Summary of information which may be required of a private applicant. (1) The applicant for each project for which fisheries is the lead agency shall submit a complete environmental checklist along with a complete application for the required approval.

(2) After review of the environmental checklist, fisheries may require the applicant to submit additional information necessary to properly evaluate the potential environmental impacts of the project. Field investigation or research may be required of the applicant or conducted by fisheries at the applicant's cost.

(3) A draft and final EIS is required for each project for which a determination is made that the proposal will have a probable significant adverse impact on the environment. The applicant may prepare the EIS if judged by fisheries to be qualified, have fisheries develop the EIS, or hire a consultant to do so. In any case, the EIS shall be prepared under the direction of the responsible official at the expense of the applicant and final approval is that of the responsible official. Cost of preparing the EIS shall be paid by the applicant and shall include fees of the consultant, fisheries consultation time and cost of any required materials. If the applicant chooses to hire a consultant to prepare the EIS, the consultant shall be chosen from a list of consultants provided by fisheries. A performance bond in an amount specified by

fisheries may be required of the applicant to ensure payment of fisheries' expenses. Private applicants are encouraged to be involved in the EIS preparation process.

(4) A supplemental EIS shall be prepared as an addition to either the draft or final EIS if fisheries decides that:

(a) There are substantial changes to a proposal which will have a probable significant adverse environmental impact; or

(b) There is significant new information relative to the probable significant environmental impact of a proposal.

(c) Its written comments on the DEIS warrant additional discussion for the purposes of it's action than that found in the lead agency's FEIS.

The provisions of subsection (3) of this section except for the first sentence, also pertain to a supplemental EIS or addendum.

(5) Upon the written request of an applicant for a project for which fisheries is the lead agency, fisheries will consider initiating environmental review and preparation of an EIS at the conceptual stage as opposed to the final detailed design stage.

[Statutory Authority: RCW 75.08.080. 84-19-053 (Order 84-144), § 220-100-060, filed 9/18/84; 78-05-029 (Order 78-17), § 220-100-060, filed 4/17/78; Order 76-40, § 220-100-060, filed 5/25/76.]

WAC 220-100-065 Assumption of lead agency status. (1) Whenever fisheries feels that a DNS issued by another lead agency is inappropriate and that the proposal in question could cause significant harm to the resources under its jurisdiction, fisheries will assume lead agency status per WAC 197-11-948.

(2) Within ten days of assuming lead agency status, fisheries will notify the proponent of the proposal in writing as to the reasons for its assumption of lead agency status.

(3) Prior to preparation of an EIS for the proposal, fisheries will consult with the proponent and give the proponent an opportunity to modify or change the proposal in such a way that an EIS may not be necessary as outlined in WAC 197-11-360(4).

[Statutory Authority: RCW 75.08.080. 84-19-053 (Order 84-144), § 220-100-065, filed 9/18/84.]

WAC 220-100-070 Designation of responsible official. Under normal circumstances, the responsible official is the habitat management division chief. The responsible official shall carry out duties and functions for the purpose of assuring fisheries compliance with SEPA and SEPA guidelines. The responsible official may delegate duties and functions assigned under this chapter and chapter 197-11 WAC; the responsible official alone, however, is wholly responsible for proper accomplishment of such duties and functions. When significant involvements of fisheries converge at a level higher than the habitat management division chief, the deputy director or director may assume the role of responsible official.

[Statutory Authority: RCW 75.08.080. 84-19-053 (Order 84-144), § 220-100-070, filed 9/18/84; Order 76-40, § 220-100-070, filed 5/25/76.]

WAC 220-100-075 Mitigated DNS. (1) An applicant may ask fisheries whether issuance of a DS is likely for a proposal. This request for early notice must:

(a) Be written;

(b) Follow submission of a permit application and environmental checklist for a nonexempt proposal for which fisheries is lead agency; and

(c) Precede fisheries actual threshold determination for the proposal.

(2) The responsible official shall respond to the request within ten working days of receipt of the letter; the response shall:

(a) Be written;

(b) State whether fisheries is considering issuance of a DS;

(c) Indicate the general or specific area(s) of concern that led fisheries to consider a DS; and

(d) State that the applicant may change or clarify the proposal to mitigate the impacts indicated in the letter, revising the environmental checklist as necessary to reflect the changes or clarifications.

(3) Fisheries shall not continue with the threshold determination until receiving a written response from the applicant changing or clarifying the proposal or asking that the threshold determination be based on the original proposal.

(4) If the applicant submits a changed or clarified proposal, along with a revised environmental checklist, fisheries will make its threshold determination based on the changed or clarified proposal.

(a) If fisheries response to the request for early notice indicated specific mitigation measures that would remove all probable significant adverse environmental impacts, and the applicant changes or clarifies the proposal to include all of those specific mitigation measures, fisheries shall issue a DNS and circulate the DNS for comments as in WAC 197-11-340(2).

(b) If fisheries indicated general or specific areas of concern, but did not indicate specific mitigation measures that would allow it to issue a DNS, fisheries shall determine if the changed or clarified proposal may have a probable significant environmental impact, issuing a DNS or DS as appropriate.

(5) Fisheries may specify mitigation measures that would allow it to issue a DNS without a request for early notice from an applicant. If it does so, and the applicant changes or clarifies the proposal to include those measures, fisheries shall issue a DNS and circulate it for review under WAC 197-11-340(2).

(6) When an applicant changes or clarifies the proposal, the clarifications or changes may be included in written attachments to the documents already submitted. If the environmental checklist and supporting documents would be difficult to read and/or understand because of the need to read them in conjunction with the attachment(s) fisheries may require the applicant to submit a new checklist.

(7) Fisheries may change or clarify features of its own proposals before making the threshold determination.

(8) Fisheries' written response under subsection (2) of this section shall not be construed as a determination of significance. In addition, preliminary discussion of clarification of or changes to a proposal, as opposed to a written request for early notice, shall not bind fisheries to consider the clarification or changes in the threshold determination.

(9) When an applicant submits a changed or clarified proposal pursuant to this section, it shall be considered part of the applicant's application for a permit or other approval for all purposes. Unless fisheries' decision expressly states otherwise, when a mitigated DNS is issued for a proposal, any decision approving the proposal shall be based on the proposal as changed or clarified pursuant to this section.

[Statutory Authority: RCW 75.08.080. 84-19-053 (Order 84-144), § 220-100-075, filed 9/18/84.]

WAC 220-100-080 SEPA public information center.

Fisheries designates the habitat management division office as its SEPA public information center. The mailing address is Room 115, General Administration Building, Olympia, Washington 98504; telephone: (206) 753-6650.

[Statutory Authority: RCW 75.08.080. 84-19-053 (Order 84-144), § 220-100-080, filed 9/18/84; 78-05-029 (Order 78-17), § 220-100-080, filed 4/17/78; Order 76-40, § 220-100-080, filed 5/25/76.]

WAC 220-100-095 Public notice. (1) When required under chapter 197-11 WAC, fisheries will give public notice by one or more of the following methods as appropriate for the specific circumstances:

(a) Notifying public and private groups and agencies with known interest in a certain proposal or in the type of proposals being considered;

(b) Notifying individuals with known interest in a certain proposal or in the type of proposal being considered;

(c) Publication in a newspaper of general circulation in the area in which the proposal will be implemented; and/or

(d) Posting the property.

(2) Fisheries may require an applicant to perform the public notice requirements at the applicant's expense.

[Statutory Authority: RCW 75.08.080. 84-19-053 (Order 84-144), § 220-100-095, filed 9/18/84.]

WAC 220-100-110 Adoption by reference—Substantial compliance. Except as modified by this chapter, fisheries adopts the SEPA guidelines as adopted by the department of ecology (chapter 197-11 WAC) and as modified or amended from time to time. Substantial compliance with these guidelines shall constitute compliance with this chapter.

[Statutory Authority: RCW 75.08.080. 84-19-053 (Order 84-144), § 220-100-110, filed 9/18/84; 78-05-029 (Order 78-17), § 220-100-110, filed 4/17/78; Order 76-40, § 220-100-110, filed 5/25/76.]

WAC 220-100-115 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.

[Statutory Authority: RCW 75.08.080. 84-19-053 (Order 84-144), § 220-100-115, filed 9/18/84.]

Chapter 220-110 WAC HYDRAULIC CODE RULES

WAC

220-110-010	Purpose.
220-110-020	Definitions.
220-110-030	Hydraulic project approvals—Procedures.
220-110-032	Modification of technical provisions.
220-110-035	Miscellaneous hydraulic projects—Permit requirements and exemptions.
220-110-040	Freshwater technical provisions.
220-110-050	Bank protection.
220-110-060	Construction of freshwater docks, piers, and floats and the driving or removal of piling.
220-110-070	Water crossing structures.
220-110-080	Channel change/realignment.
220-110-100	Conduit crossing.
220-110-120	Temporary bypass culvert, flume, or channel.
220-110-130	Dredging in freshwater areas.
220-110-140	Gravel removal.
220-110-150	Large woody material removal or repositioning.
220-110-160	Felling and yarding of timber.
220-110-170	Outfall structures.
220-110-180	Pond construction.
220-110-190	Water diversions.
220-110-200	Mineral prospecting (panning).
220-110-210	Mineral prospecting (sluicing).
220-110-220	Mineral prospecting (dredging).
220-110-223	Freshwater lake bulkheads.
220-110-224	Freshwater boat hoists, ramps, and launches.
220-110-230	Saltwater technical provisions.
220-110-240	Tidal reference areas.
220-110-250	Saltwater habitats of special concern.
220-110-270	Common saltwater technical provisions.
220-110-271	Prohibited work times in saltwater areas.
220-110-280	Bulkheads and bank protection in saltwater areas (nonsingle family residence).
220-110-285	Single-family residence bulkheads in saltwater areas.
220-110-290	Saltwater boat ramps and launches.
220-110-300	Saltwater piers, pilings, docks, floats, rafts, ramps, boathouses, houseboats, and associated moorings.
220-110-310	Utility lines.
220-110-320	Dredging in saltwater areas.
220-110-330	Marinas in saltwater areas.
220-110-340	Informal appeal of adverse administrative decisions.
220-110-350	Formal appeal of administrative decisions.
220-110-360	Penalties.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-110-090	Channel realignment. [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.] Repealed by 94-23-058 (Order 94-160), filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.08.080.
220-110-110	Culvert installation. [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.] Repealed by 94-23-058 (Order 94-160), filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.08.080.
220-110-260	Pacific herring spawning beds. [Statutory Authority: RCW 75.08.012, 75.08.080 and 75.20.100. 84-04-047 (Order 84-04), § 220-110-260, filed 1/30/84. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-260, filed 4/13/83.] Repealed by 94-23-058 (Order 94-160), filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.08.080.

WAC 220-110-010 Purpose. It is the intent of the department to provide protection for all fish life through the development of a state-wide system of consistent and predictable rules. The department will coordinate with other local, state, and federal regulatory agencies, and tribal governments, to minimize regulatory duplication. Pursuant to chapter 75.20 RCW, this chapter establishes regulations for the construction of hydraulic project(s) 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 (HPA). In addition, this chapter incorporates criteria generally used by the department of fish and wildlife for project review and conditioning HPAs.

The technical provisions in WAC 220-110-040 through 220-110-330 represent common provisions for the protection of fish life for typical projects proposed to the department. Implementation of these provisions is necessary to minimize project specific and cumulative impacts to fish life. These regulations reflect the best available science and practices related to protection of fish life. The department will incorporate new information as it becomes available, and to allow for alternative practices that provide equal or greater protection for fish life.

The technical provisions shall apply to a hydraulic project when included as provisions on the HPA. Each application shall be reviewed on an individual basis. Common technical provisions applicable to a specific project may be modified or deleted by the department pursuant to WAC 220-110-032. HPAs may also be subject to additional special provisions to address project or site-specific considerations not adequately addressed by the common technical provisions.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-010, filed 11/14/94, effective 12/15/94; 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 state waters.

(4) "Bio-engineering" means project designs or construction methods which use live woody vegetation or a combination of live woody vegetation and specially developed natural or synthetic materials to establish a complex root grid within the existing bank which is resistant to erosion, provides bank stability, and maintains a healthy riparian environment with habitat features important to fish life. Use of wood structures or limited use of clean angular rock may be allowable to provide stability for establishment of the vegetation.

(5) "Bulkhead" means a vertical or nearly vertical erosion protection structure placed parallel to the shoreline

consisting of concrete, timber, steel, rock, or other permanent material not readily subject to erosion.

(6) "Cofferdam" means a temporary enclosure used to keep water from a work area.

(7) "Department" means the department of fish and wildlife.

(8) "Dredging" means removal of bed material using other than hand held tools.

(9) "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, other natural conditions, or fire.

(10) "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.

(11) "Established ford" means a crossing place in a watercourse that was in existence and annually used prior to 1986 or subsequently permitted by the department, and, has identifiable approaches on the streambanks.

(12) "Extreme low tide" means the lowest level reached by a receding tide.

(13) "Farm and agricultural land" means those lands identified as such in RCW 84.34.020.

(14) "Filter blanket" means a layer or combination of layers of pervious materials (organic, mineral, or synthetic) designed and installed in such a manner as to provide drainage, yet prevent the movement of soil particles due to flowing water.

(15) "Fish life" means all fish species, including but not limited to food fish, shellfish, game fish, and other nonclassified fish species and all stages of development of those species.

(16) "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 fish and wildlife.

(17) "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.

(18) "Game fish" means those species of the class Osteichthyes that shall not be fished for except as authorized by rule of the fish and wildlife commission.

(19) "General provisions" means those provisions that are contained in every (HPA).

(20) "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, hammers, etc.

(21) "Hatchery" means any water impoundment or facility used for the captive spawning, hatching, or rearing of fish and shellfish.

(22) "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. Hydraulic projects include forest practice activities, conducted pursuant to the forest practices rules (Title 222 WAC), that involve construction or performance of other work in or across the ordinary high water line of:

(a) Type 1-3 waters; or

(b) Type 4 and 5 waters with identifiable bed or banks where there is a hatchery water intake within two miles downstream; or

(c) Type 4 and 5 waters with identifiable bed or banks within one-fourth mile of Type 1-3 waters where any of the following conditions apply:

(i) Where the removal of timber adjacent to the stream is likely to result in entry of felled trees into flowing channels;

(ii) Where there is any felling, skidding, or ground lead yarding through flowing water, or through dry channels with identifiable bed or banks with gradient greater than twenty percent;

(iii) Where riparian or wetland leave trees are required and cable tailholds are on the opposite side of the channel;

(iv) Where road construction or placement of culverts occurs in flowing water;

(v) Where timber is yarded in or across flowing water;

(d) Type 4 and 5 waters with identifiable bed or banks that are likely to adversely affect fish life, where the HPA requirement is noted by the department in response to the forest practice application.

Hydraulic projects and associated permit requirements for specific project types are further defined in other sections of this chapter.

(23) "Hydraulic project application" means a form provided by and submitted to the department of fish and wildlife accompanied by plans and specifications of the proposed hydraulic project.

(24) "Hydraulic project approval" (HPA) means:

(a) A written approval for a hydraulic project signed by the director of the department of fish and wildlife, or the director's designates; or

(b) A verbal approval for an emergency hydraulic project from the director of the department of fish and wildlife, or the director's designates; or

(c) A "Gold and Fish" pamphlet issued by the department which identifies and authorizes specific minor hydraulic project activities for mineral prospecting (panning); or

(d) An "Irrigation and Fish" pamphlet issued by the department which identifies and authorizes specific minor hydraulic project activities.

(25) "Large woody material" means trees or tree parts larger than four inches in diameter and longer than six feet and rootwads, wholly or partially waterward of the ordinary high water line.

(26) "Mean higher high water" or "MHHW" means the tidal elevation obtained by averaging each day's highest tide at a particular location over a period of nineteen years. It is measured from the MLLW = 0.0 tidal elevation.

(27) "Mean lower low water" or "MLLW" means the 0.0 tidal elevation. It is determined by averaging each day's lowest tide at a particular location over a period of nineteen years. It is the tidal datum for vertical tidal references in the saltwater area.

(28) "Mitigation" means actions which shall be required as provisions of the HPA to avoid or compensate for impacts to fish life resulting from the proposed project activity. The type(s) of mitigation required shall be considered and implemented, where feasible, in the following sequential order of preference:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action;

(b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation;

(c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;

(d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;

(e) Compensating for the impact by replacing or providing substitute resources or environments; or

(f) Monitoring the impact and taking appropriate corrective measures to achieve the identified goal.

For projects with potentially significant impacts, a mitigation agreement may be required prior to approval. Replacement mitigation may be required to be established and functional prior to project construction.

(29) "Natural conditions" means those conditions which arise in or are found in nature. This is not meant to include artificial or manufactured conditions.

(30) "No-net-loss" means:

(a) Avoidance or mitigation of adverse impacts to fish life; or

(b) Avoidance or mitigation of net loss of habitat functions necessary to sustain fish life; or

(c) Avoidance or mitigation of loss of area by habitat type.

Mitigation to achieve no-net-loss should benefit those organisms being impacted.

(31) "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 or vegetation a character distinct from that of the abutting upland: *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 elevation of the mean annual flood.

(32) "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.

(33) "Protection of fish life" means prevention of loss or injury to fish or shellfish, and protection of the habitat that supports fish and shellfish populations.

(34) "River or stream." See "watercourse."

(35) "Saltwater area" means those state waters and associated beds below the ordinary high water line and downstream of river mouths.

(36) "Shellfish" means those species of saltwater and freshwater invertebrates that shall not be taken except as authorized by rule of the director of the department of fish and wildlife. The term "shellfish" includes all stages of development and the bodily parts of shellfish species.

(37) "Special provisions" means those conditions that are a part of the (HPA), but are site or project specific, and are used to supplement or amend the technical provisions.

(38) "Streambank stabilization" means those projects which prevent or limit erosion, slippage, and mass wasting; including, but not limited to bank resloping, log and debris

relocation or removal, planting of woody vegetation, bank protection (physical armoring of streambanks using rock or woody material, or placement of jetties or groins), gravel removal or erosion control.

(39) "Technical provisions" means those conditions that are a part of the (HPA) and apply to most projects of that nature.

(40) "Toe of the bank" means the distinct break in slope between the stream bank or shoreline and the stream bottom or marine beach or bed, excluding areas of sloughing. For steep banks that extend into the water, the toe may be submerged below the ordinary high water line. For artificial structures, such as jetties or bulkheads, the toe refers to the base of the structure, where it meets the stream bed or marine beach or bed.

(41) "Watercourse" and "river or stream" means any portion of a channel, bed, bank, or bottom waterward of the ordinary high water line of waters of the state including areas in which fish may spawn, reside, or through which they may pass, and tributary waters with defined bed or banks, which influence the quality of fish habitat downstream. This includes watercourses which flow 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 definition does not 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 humans.

(42) "Water right" means a certificate of water right, a vested water right or a claim to a valid vested water right, or a water permit, pursuant to Title 90 RCW.

(43) "Waters of the state" or "state waters" means all salt waters and fresh waters waterward of ordinary high water lines and within the territorial boundaries of the state.

(44) "Water type" means water categories as defined in WAC 222-16-030 of the forest practice rules and regulations, published and dated November 1, 1988.

(45) "Wetted perimeter" means the areas of a watercourse covered with water, flowing or nonflowing.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-020, filed 11/14/94, effective 12/15/94; 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 obtain an HPA before conducting a hydraulic project.

(2) A person seeking an HPA shall submit a complete application to the department. The application shall contain general plans for the overall project, complete plans and specifications for the proposed construction or work waterward of the mean higher high water line in salt water or waterward of the ordinary high water line in fresh water, and complete plans and specifications for the proper protection of fish life. The application shall be signed and dated by the applicant or their agent.

(3) Receipt of any one of the following documents constitutes application for an HPA:

(a) A completed hydraulic project application submitted to the department;

(b) 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; or

(c) A section 10 or 404 public notice circulated by the United States Army Corps of Engineers or United States Coast Guard.

(4) The 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 (SEPA) (chapter 43.21C RCW). The department shall strive to issue HPAs 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 department shall notify the applicant in writing of the reasons for the delay.

(6) The department may issue an expedited written HPA in those instances where normal processing would result in unanticipated extreme hardship for the applicant, or unacceptable environmental damage would occur. An expedited HPA may be granted upon request for work to repair existing structures, move obstructions, restore banks, protect property, or protect fish resources that are subject to imminent danger by weather, flow, or other natural conditions. Expedited HPA requests require complete written application and shall take precedence over other nonemergency applications and will normally be issued within ten calendar days of request. All SEPA requirements shall be met prior to issuance of an expedited HPA.

(7) 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.

(8) The department may accept written or verbal requests for time extensions, renewals, or alterations of an existing HPA. Approvals of such requests shall be in writing. Transfer of an HPA to a new permittee requires written request by the original permittee or their agent and such request shall include the HPA number. This written request shall be in a form acceptable to the department and shall contain an affirmation by the new permittee that he/she agrees to be bound by the conditions on the HPA. Project activity shall not be conducted by the new permittee until approval has been issued by the department.

(9) Each HPA is usually specific to a watercourse, stating the exact location of the project site, and usually consists of general, technical, and special provisions.

(10) The written HPA, or clear reproduction, shall be on the project site when work is being conducted and shall be immediately available for inspection.

(11) All HPAs may be granted for a period of up to five years. Permittees shall demonstrate substantial progress on construction of that portion of the project relating to the (HPA) within two years of the date of issuance. The following types of HPAs issued under RCW 75.20.103 shall remain in effect without the need for periodic renewal provided the permittee notifies the department before commencing the work each year.

(a) Work of a seasonal nature that diverts water for irrigation or stock watering purposes.

(b) Streambank stabilization projects if the problem causing the erosion occurs on an annual or more frequent basis as demonstrated by the applicant. Evidence of erosion may include, but is not limited to history of permit application, approval, or photographs. Periodic flood waters by themselves do not constitute the problem that requires a HPA.

(12) A hydraulic project application shall be denied when, in the judgment of the department, the project will result in direct or indirect harm to fish life unless adequate mitigation can be assured by conditioning the HPA or modifying the proposal. If approval is denied, the department shall provide the applicant, in writing, a statement of the specific reason(s) why and how the proposed project would adversely affect fish life.

(13) Protection of fish life shall be the only grounds upon which an HPA may be denied or conditioned.

(14) HPAs may have specific time limitations on project activities to protect fish life.

(15) HPAs do not exempt the applicant from obtaining other appropriate permits and following the rules or regulations of local, federal, and other Washington state agencies.

(16) Administration of this chapter shall be conducted in compliance with SEPA, chapter 43.21C RCW, and chapters 197-11, 220-100, and 232-19 WAC.

(17) All HPAs issued pursuant to RCW 75.20.100 and 75.20.160 may be subject to additional restrictions, conditions, or revocation if the department determines that new biological or physical information indicates the need for such action. The permittee has the right to request an informal or formal appeal in accordance with chapter 34.05 RCW. All HPAs issued pursuant to RCW 75.20.103 may be modified by the department due to changed conditions after consultation with the permittee: *Provided however*, That modifications of HPAs issued pursuant to RCW 75.20.103 and 75.20.160 shall be subject to appeal to the hydraulic appeals board established in RCW 75.20.130.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-030, filed 11/14/94, effective 12/15/94; 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 220-110-032 Modification of technical provisions. Technical provisions applicable to a specific project may be modified or deleted by the department where any of the following is demonstrated:

(1) The provision has no logical application to a project;

(2) The applicant provides an alternate plan to the provision and demonstrates that it provides equal or greater protection for fish life;

(3) Enforcement of the provision would result in denial and there is adequate mitigation to allow the project and achieve no-net-loss of fish life or productive fish or shellfish habitat;

(4) The modification or deletion of the provision will not contribute to net loss of fish life;

(5) The proposal is part of an approved clean-up action under Model Toxics Control Act; Comprehensive Environmental Response Compensation and Liability Act; or Superfund Amendment and Reauthorization Act; or

(6) The technical provisions conflict with applicable local, state, or federal regulations that provide adequate protection for fish life.

HPAs may also be subject to additional special provisions to address project or site-specific considerations not adequately addressed by the technical provisions, or to implement management prescriptions developed through watershed analysis. The HPA will include all of the technical provisions with which an applicant will be required to comply.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-032, filed 11/14/94, effective 12/15/94.]

WAC 220-110-035 Miscellaneous hydraulic projects—Permit requirements and exemptions. (1) Operators of mechanical or hydraulic clam harvesters shall be required to obtain an HPA and comply with provisions of WAC 220-52-018, and shall obtain and comply with the provisions of the department's permit to operate a clam harvesting machine.

(2) Noxious aquatic weed control by hand pulling or hand-held tools does not require hydraulic project approval.

(3) The installation, by hand or hand-held tools, of small scientific markers, oyster stakes, boundary markers, or property line markers does not require an HPA.

(4) Driving a vehicle or operating equipment on or across an established ford does not require an HPA. However, ford repair with equipment or construction work waterward of the ordinary high water lines requires an HPA. Driving a vehicle or operating equipment on or across wetted stream beds at areas other than established fords requires an HPA. HPAs for new fords issued subsequent to January 1995 shall require that the entry and exit points of the ford not exceed one hundred feet upstream or downstream of each other.

(5) A person conducting a remedial action under a consent decree, order, or agreed order, pursuant to chapter 70.105D RCW, and the department of ecology when it conducts a remedial action, are exempt from the procedural requirements of the Hydraulic Code. Compliance with the substantive provisions of the Hydraulic Code is required.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-035, filed 11/14/94, effective 12/15/94.]

WAC 220-110-040 Freshwater technical provisions. WAC 220-110-050 through 220-110-225 set forth technical provisions that shall apply to freshwater hydraulic projects. Certain technical provisions shall be required depending

upon the individual proposal and site specific characteristics. Additional special provisions may be included as necessary to address site-specific conditions. Those provisions, where applicable, shall be contained in the hydraulic project approval, as necessary to protect fish life. Saltwater provisions referenced in WAC 220-110-230 through 220-110-330 may be applied to tidally influenced areas upstream of river mouths and the mainstem Columbia River downstream of Bonneville Dam, where applicable.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-040, filed 11/14/94, effective 12/15/94; 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. Bio-engineering is the preferred method of bank protection where practicable. Bank protection projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions shall apply to bank protection projects:

(1) Bank protection work shall be restricted to work necessary to protect eroding banks.

(2) Bank protection material placement waterward of the ordinary high water line shall be restricted to the minimum amount necessary to protect the toe of the bank, or for installation of mitigation features approved by the department.

(3) The toe shall be designed to protect the integrity of bank protection material.

(4) Bank sloping shall be accomplished in a manner that avoids release of overburden material into the water. Overburden material resulting from the project shall be deposited so as not to reenter the water.

(5) Alteration or disturbance of the bank and bank vegetation shall be limited to that necessary to construct the project. All disturbed areas shall be protected from erosion, within seven calendar days of completion of the project, using vegetation or other means. The banks, including riprap areas, shall be revegetated within one year with native or other approved woody species. Vegetative cuttings shall be planted at a maximum interval of three feet (on center), and maintained as necessary for three years to ensure eighty percent survival. Where proposed, planting densities and maintenance requirements for rooted stock will be determined on a site-specific basis. The requirement to plant woody vegetation may be waived for areas where the potential for natural revegetation is adequate, or where other engineering or safety factors preclude them.

(6) Fish habitat components such as logs, stumps, and/or large boulders may be required as part of the bank protection project to mitigate project impacts. These fish habitat components shall be installed according to an approved design to withstand 100-year peak flows.

(7) When rock or other hard materials are approved for bank protection, the following provisions shall apply:

(a) Bank protection material shall be angular rock. The project shall be designed and the rock installed to withstand 100-year peak flows. River gravels shall not be used as exterior armor, except as specifically approved by the department.

(b) 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.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-050, filed 11/14/94, effective 12/15/94; 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 Construction of freshwater docks, piers, and floats and the driving or removal of piling. All pier, dock, float, and piling construction projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions shall apply to freshwater dock, pier, and float construction projects and the driving or removal of piling:

(1) Excavation for and placement of the footings and foundation shall be landward of the ordinary high water line unless the construction site is separated from state waters by use of an approved dike, cofferdam, or similar structure.

(2) Alteration or disturbance of the bank and bank vegetation shall be limited to that necessary to construct the project. All disturbed areas shall be protected from erosion, within seven days of completion of the project, using vegetation or other means. The banks shall be revegetated within one year with native or other approved woody species. Vegetative cuttings shall be planted at a maximum interval of three feet (on center), and maintained as necessary for three years to ensure eighty percent survival. Where proposed, planting densities and maintenance requirements for rooted stock will be determined on a site-specific basis. The requirement to plant woody vegetation may be waived for areas where the potential for natural revegetation is adequate, or where other engineering or safety factors preclude them.

(3) Removal of existing or temporary structures shall be accomplished so that the structure and associated material does not reenter the watercourse.

(4) All piling, lumber, or other materials treated with preservatives shall be sufficiently cured to minimize leaching into the water or bed. The use of wood treated with creosote or pentachlorophenol is not allowed in lakes.

(5) Skirting or other structures shall not be constructed around piers, docks, or floats unless specifically approved in the HPA.

(6) Floatation for the structure shall be enclosed and contained, when necessary, to prevent the breakup or loss of the floatation material into the water.

(7) All work operations shall be conducted in such a manner that causes little or no siltation to adjacent areas. If at any time, fish are observed in distress, a fish kill occurs, or water quality problems develop as a result of a pier, dock, float, or piling project, construction operations shall cease and the permittee or authorized agent shall immediately contact the department.

(8) Removal of aquatic vegetation shall be limited to that necessary to gain access to construct the project.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-060, filed 11/14/94, effective 12/15/94; 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 220-110-070 Water crossing structures. In fish bearing waters, bridges are preferred as water crossing structures by the department in order to ensure free and unimpeded fish passage for adult and juvenile fishes and preserve spawning and rearing habitat. Pier placement waterward of the ordinary high water line shall be avoided, where practicable. Other structures which may be approved, in descending order of preference, include: Temporary culverts, bottomless arch culverts, arch culverts, and round culverts. Corrugated metal culverts are generally preferred over smooth surfaced culverts. Culvert baffles and downstream control weirs are discouraged except to correct fish passage problems at existing structures.

An HPA is required for construction or structural work associated with any bridge structure waterward of or across the ordinary high water line of state waters. An HPA is also required for bridge painting and other maintenance where there is potential for wastage of paint, sandblasting material, sediments, or bridge parts into the water, or where the work, including equipment operation, occurs waterward of the ordinary high water line. Exemptions/5-year permits will be considered if an applicant submits a plan to adhere to practices that meet or exceed the provisions otherwise required by the department.

Water crossing structure projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions shall apply to water crossing structures:

(1) Bridge construction.

(a) Excavation for and placement of the foundation and superstructure shall be outside the ordinary high water line unless the construction site is separated from waters of the state by use of an approved dike, cofferdam, or similar structure.

(b) The bridge structure or stringers shall be placed in a manner to minimize damage to the bed.

(c) Alteration or disturbance of bank or bank vegetation shall be limited to that necessary to construct the project. All disturbed areas shall be protected from erosion, within seven calendar days of completion of the project, using vegetation or other means. The banks shall be revegetated within one year with native or other approved woody species. Vegetative cuttings shall be planted at a maximum interval of three feet (on center), and maintained as necessary for three years to ensure eighty percent survival. Where proposed, planting densities and maintenance requirements for rooted stock will be determined on a site-specific basis. The requirement to plant woody vegetation may be waived for areas where the potential for natural revegetation is adequate, or where other engineering or safety factors preclude them.

(d) Removal of existing or temporary structures shall be accomplished so that the structure and associated material does not enter the watercourse.

(e) The bridge shall be constructed, according to the approved design, to pass the 100-year peak flow with consideration of debris likely to be encountered. Exception shall be granted if applicant provides hydrologic or other information that supports alternative design criteria.

(f) Wastewater from project activities and water removed from within the work area shall be routed to an area

landward of the ordinary high water line to allow removal of fine sediment and other contaminants prior to being discharged to state waters.

(g) Structures containing concrete shall be sufficiently cured prior to contact with water to avoid leaching.

(h) Abutments, piers, piling, sills, approach fills, etc., shall not constrict the flow so as to cause any appreciable increase (not to exceed .2 feet) in backwater elevation (calculated at the 100-year flood) or channel wide scour and shall be aligned to cause the least effect on the hydraulics of the watercourse.

(i) Riprap materials used for structure protection shall be angular rock and the placement shall be installed according to an approved design to withstand the 100-year peak flow.

(2) Temporary culvert installation.

The allowable placement of temporary culverts and time limitations shall be determined by the department, based on the specific fish resources of concern at the proposed location of the culvert.

(a) Where fish passage is a concern, temporary culverts shall be installed according to an approved design to provide adequate fish passage. In these cases, the temporary culvert installation shall meet the fish passage design criteria in Table 1 in subsection (3) of this section.

(b) Where culverts are left in place during the period of September 30 to June 15, the culvert shall be designed to maintain structural integrity to the 100-year peak flow with consideration of the debris loading likely to be encountered.

(c) Where culverts are left in place during the period June 16 to September 30, the culvert shall be designed to maintain structural integrity at a peak flow expected to occur once in 100 years during the season of installation.

(d) Disturbance of the bed and banks shall be limited to that necessary to place the culvert and any required channel modification associated with it. Affected bed and bank areas outside the culvert shall be restored to preproject condition following installation of the culvert.

(e) The culvert shall be installed in the dry, or in isolation from stream flow by the installation of a bypass flume or culvert, or by pumping the stream flow around the work area. Exception may be granted if siltation or turbidity is reduced by installing the culvert in the flowing stream. The bypass reach shall be limited to the minimum distance necessary to complete the project. Fish stranded in the bypass reach shall be safely removed to the flowing stream.

(f) Wastewater, from project activities and dewatering, shall be routed to an area outside the ordinary high water line to allow removal of fine sediment and other contaminants prior to being discharged to state waters.

(g) Imported fill which will remain in the stream after culvert removal shall consist of clean rounded gravel ranging in size from one-quarter to three inches in diameter. The use of angular rock may be approved from June 16 to September 30, where rounded rock is unavailable. Angular rock shall be removed from the watercourse and the site restored to preproject conditions upon removal of the temporary culvert.

(h) The culvert and fill shall be removed, and the disturbed bed and bank areas shall be reshaped to preproject configuration. All disturbed areas shall be protected from erosion, within seven days of completion of the project, using vegetation or other means. The banks shall be revegetated within one year with native or other approved

woody species. Vegetative cuttings shall be planted at a maximum interval of three feet (on center), and maintained as necessary for three years to ensure eighty percent survival. Where proposed, planting densities and maintenance requirements for rooted stock will be determined on a site-specific basis. The requirement to plant woody vegetation may be waived for areas where the potential for natural revegetation is adequate, or where other engineering or safety factors need to be considered.

(i) The temporary culvert shall be removed and the approaches shall be blocked to vehicular traffic prior to the expiration of the HPA.

(j) Temporary culverts may not be left in place for more than two years from the date of issuance of the HPA.

(3) Permanent culvert installation.

(a) In fish bearing waters or waters upstream of a fish passage barrier (which can reasonably be expected to be corrected, and if corrected, fish presence would be reestablished), culverts shall be designed and installed so as not to impede fish passage. Culverts shall only be approved for installation in spawning areas where full replacement of impacted habitat is provided by the applicant.

(b) To facilitate fish passage, culverts shall be designed to the following standards:

(i) Culverts may be approved for placement in small streams if placed on a flat gradient with the bottom of the culvert placed below the level of the streambed a minimum of twenty percent of the culvert diameter for round culverts, or twenty percent of the vertical rise for elliptical culverts (this depth consideration does not apply within bottomless culverts). Footings of bottomless culverts shall be buried sufficiently deep so they will not become exposed by scour within the culvert. The twenty percent placement below the streambed shall be measured at the culvert outlet. The culvert width at the bed, or footing width, shall be equal to or greater than the average width of the bed of the stream.

(ii) Where culvert placement is not feasible as described in (b)(i) of this subsection, the culvert design shall include the elements in (b)(ii)(A) through (E) of this subsection:

(A) Water depth at any location within culverts as installed and without a natural bed shall not be less than that identified in Table 1. The low flow design, to be used to determine the minimum depth of flow in the culvert, is the two-year seven-day low flow discharge for the subject basin or ninety-five percent exceedance flow for migration months of the fish species of concern. Where flow information is unavailable for the drainage in which the project will be conducted, calibrated flows from comparable gauged drainages may be used, or the depth may be determined using the installed no-flow condition.

(B) The high flow design discharge, used to determine maximum velocity in the culvert (see Table 1), is the flow that is not exceeded more than ten percent of the time during the months of adult fish migration. The two-year peak flood flow may be used where stream flow data are unavailable. (C) The hydraulic drop is the abrupt drop in water surface measured at any point within or at the outlet of a culvert. The maximum hydraulic drop criteria must be satisfied at all flows between the low and high flow design criteria.

(D) The bottom of the culvert shall be placed below the natural channel grade a minimum of twenty percent of the

culvert diameter for round culverts, or twenty percent of the vertical rise for elliptical culverts (this depth consideration does not apply within bottomless culverts). The downstream bed elevation, used for hydraulic calculations and culvert placement in relation to bed elevation, shall be taken at a point downstream at least four times the average width of the stream (this point need not exceed twenty-five feet from the downstream end of the culvert). The culvert capacity for flood design flow shall be determined by using the remaining capacity of the culvert.

Table 1
Fish Passage Design Criteria for Culvert Installation

Criteria	Adult Trout >6 in.(150mm)	Adult Pink, Chum Salmon	Adult Chinook, Coho, Sockeye, Steelhead
1. Velocity, Maximum (fps)			
Culvert Length (ft)			
a. 10 - 60	4.0	5.0	6.0
b. 60 - 100	4.0	4.0	5.0
c. 100 - 200	3.0	3.0	4.0
d. >200	2.0	2.0	3.0
2. Flow Depth Minimum (ft)	0.8	0.8	1.0
3. Hydraulic Drop, Maximum (ft)	0.8	0.8	1.0

(E) Appropriate statistical or hydraulic methods must be applied for the determination of flows in (b)(ii)(A) and (B) of this subsection. These design flow criteria may be modified for specific proposals as necessary to address unusual fish passage requirements, where other approved methods of empirical analysis are provided, or where the fish passage provisions of other special facilities are approved by the department.

(F) Culvert design shall include consideration of flood capacity for current conditions and future changes likely to be encountered within the stream channel, and debris and bedload passage.

(c) Culverts shall be installed according to an approved design to maintain structural integrity to the 100-year peak flow with consideration of the debris loading likely to be encountered. Exception may be granted if the applicant provides justification for a different level or a design that routes that flow past the culvert without jeopardizing the culvert or associated fill.

(d) Disturbance of the bed and banks shall be limited to that necessary to place the culvert and any required channel modification associated with it. Affected bed and bank areas outside the culvert and associated fill shall be restored to preproject configuration following installation of the culvert, and the banks shall be revegetated within one year with native or other approved woody species. Vegetative cuttings shall be planted at a maximum interval of three feet (on center), and maintained as necessary for three years to ensure eighty percent survival. Where proposed, planting densities and maintenance requirements for rooted stock will be determined on a site-specific basis. The requirement to plant woody vegetation may be waived for areas where the potential for natural revegetation is adequate, or where other engineering or safety factors preclude them.

(e) Fill associated with the culvert installation shall be protected from erosion to the 100-year peak flow.

(f) Culverts shall be designed and installed to avoid inlet scouring and shall be designed in a manner to prevent erosion of streambanks downstream of the project.

(g) Where fish passage criteria are required, the culvert facility shall be maintained by the owner(s), such that fish passage design criteria in Table 1 are not exceeded. If the structure becomes a hindrance to fish passage, the owner shall be responsible for obtaining a HPA and providing prompt repair.

(h) The culvert shall be installed in the dry or in isolation from the stream flow by the installation of a bypass flume or culvert, or by pumping the stream flow around the work area. Exception may be granted if siltation or turbidity is reduced by installing the culvert in the flowing stream. The bypass reach shall be limited to the minimum distance necessary to complete the project. Fish stranded in the bypass reach shall be safely removed to the flowing stream.

(i) Wastewater, from project activities and dewatering, shall be routed to an area outside the ordinary high water line to allow removal of fine sediment and other contaminants prior to being discharged to state waters.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-070, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-070, filed 4/13/83.]

WAC 220-110-080 Channel change/realignment.

Channel changes/realignments are generally discouraged, and shall only be approved where the applicant can demonstrate benefits or lack of adverse impact to fish life. Channel change/realignment projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions shall apply to channel change and channel realignment projects:

When approved, a channel change may occur provided:

(1) Permanent new channels shall, at a minimum, be similar in length, width, depth, floodplain configuration, and gradient, as the old channel. The new channel shall incorporate fish habitat components, bed materials, meander configuration, and native or other approved vegetation equivalent to or greater than that which previously existed in the old channel.

(2) During construction, the new channel shall be isolated from the flowing stream by plugs at the upstream and downstream ends of the new channel.

(3) Before water is diverted into a permanent new channel, the applicant shall complete the following actions:

(a) Approved fish habitat components, bed materials and bank protection to prevent erosion shall be in place.

(b) Approved fish habitat components shall be installed according to an approved design to withstand the 100-year peak flows.

(4) All disturbed areas shall be protected from erosion, within seven days of completion of the project, using vegetation or other means. The banks shall be revegetated within one year with native or other approved woody species. Vegetative cuttings shall be planted at a maximum interval of three feet (on center), and maintained as necessary for three years to ensure eighty percent survival. Where proposed, planting densities and maintenance requirements for rooted stock will be determined on a site-specific basis.

The requirement to plant woody vegetation may be waived for areas where the potential for natural revegetation is adequate, or where other engineering or safety factors preclude them.

(5) 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.

(6) Filling of the old channel shall begin from the upstream closure and the fill material shall be compacted. Water discharging from the fill shall not adversely impact fish life.

(7) The angle of the structure used to divert the water into the new channel shall allow a smooth transition of water flow.

(8) If fish may be adversely impacted as a result of this project, the permittee will be required to capture and safely move food fish, game fish or other fish life (at the discretion of the department) to the nearest free-flowing water. The permittee may request the department to assist in capturing and safely moving fish life from the job site to free-flowing water, and assistance may be granted if personnel are available.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-080, filed 11/14/94, effective 12/15/94; 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 220-110-100 Conduit crossing. Conduit crossing projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. An HPA is not required for conduit crossings attached to bridge structures. The following technical provisions shall 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) Wastewater, from project activities and dewatering, shall be routed to an area outside the ordinary high water line to allow removal of fine sediment and other contaminants prior to being discharged to state waters.

(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 limited to the amount necessary to complete the project.

(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 reenter 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 the banks and bank vegetation shall be limited to that necessary to construct the project. All disturbed areas shall be protected from erosion within seven days of completion of the project, using vegetation or other means. The banks shall be revegetated within one year with native or other approved woody species. Vegetative cuttings shall be planted at a maximum interval of three feet (on center), and maintained as necessary for three years to ensure eighty percent survival. Where proposed, planting densities and maintenance requirements for rooted stock will be determined on a site-specific basis. The requirement to plant woody vegetation may be waived for areas where the potential for natural revegetation is adequate, or where other engineering or safety factors preclude them.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-100, filed 11/14/94, effective 12/15/94; 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 220-110-120 Temporary bypass culvert, flume, or channel. Temporary bypass culvert, flume, or channel projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions shall apply to temporary bypass culvert, flume, or channel projects:

(1) The temporary bypass culvert, flume, or channel 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, flume, or channel.

(3) A sandbag revetment or similar device shall be installed at the downstream end of the culvert, flume, or channel to prevent backwater from entering the work area.

(4) The culvert, flume, or channel shall be of sufficient size to pass flows and debris for the duration of the project.

(5) For diversion of flow into a temporary channel the relevant provisions of WAC 220-110-080 shall apply.

(6) Prior to releasing the water flow to the project area, all bank protection or armoring shall be completed.

(7) 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.

(8) If fish may be adversely impacted as a result of this project, the permittee shall be required to capture and safely move game and food fish and other fish life, (at the discretion of the department), from the job site to the nearest free-flowing water. The permittee may request the department to assist in capturing and safely moving fish life from the job site to free-flowing water, and assistance may be granted if personnel are available.

(9) Alteration or disturbance of the banks and bank vegetation shall be limited to that necessary to construct the project. All disturbed areas shall be protected from erosion, within seven days of completion of the project, using vegetation or other means. The banks shall be revegetated within one year with native or other approved woody species. Vegetative cuttings shall be planted at a maximum interval of three feet (on center), and maintained as necessary for three years to ensure eighty percent survival. Where

proposed, planting densities and maintenance requirements for rooted stock will be determined on a site-specific basis. The requirement to plant woody vegetation may be waived for areas where the potential for natural revegetation is adequate, or where other engineering or safety factors preclude them.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-120, filed 11/14/94, effective 12/15/94; 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 220-110-130 Dredging in freshwater areas. Dredging projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions shall apply to dredging projects:

(1) Dredging shall not be conducted in fish spawning areas unless it is designed to create or improve the access or quality of fish spawning areas.

(2) During the dredging of a lake or pond, a boom or similar device may be required to contain floatable materials.

(3) Dredged bed materials shall be disposed of at approved in-water disposal sites or upland so as not to reenter state waters. The department may allow placement of dredged material in areas for beneficial uses such as beach nourishment or capping of contaminated sediments.

(4) Dredging shall be conducted with dredge types and methods that cause the least adverse impact to fish and shellfish and their habitat.

(5) If at any time, fish are observed in distress, a fish kill occurs, or water quality problems develop as a result of dredging, operations shall cease immediately and the department shall be immediately contacted.

(6) An hydraulic dredge shall only be operated with the intake at or below the surface of the material being removed. The intake shall only be raised a maximum of three feet above the bed for brief periods of purging or flushing the intake system.

(7) If a dragline or clamshell is used, it shall be operated to minimize turbidity. During excavation, each pass with the clamshell or dragline bucket shall be complete. Dredged material shall not be stockpiled waterward of the ordinary high water line.

(8) Upon completion of the dredging, the bed shall not contain pits, potholes, or large depressions to avoid stranding of fish.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-130, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-130, filed 4/13/83.]

WAC 220-110-140 Gravel removal. Gravel removal projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions shall apply to gravel removal projects:

(1) Gravel removal from a watercourse shall be limited to removal from exposed bars and shall not result in a lowering, over time, of the average channel cross-section profile through the project area or downstream. Additional removal of bed material, including removal from wetted portions of the channel, may be authorized where the project

is an integral part of a comprehensive flood control plan approved by the department.

(2) An "excavation line" shall be established. "Excavation line" means a line on the dry bed, at or parallel to the water's edge, the distance from the water's edge to be determined by the department on a site-specific basis. The excavation line may change with water level fluctuations.

(3) An "excavation zone" shall be defined as the area between the "excavation line" and the bank or the center of the bar. The "excavation zone" shall be identified by boundary markers placed by the applicant and approved by the department prior to the commencement of gravel removal.

(4) Excavation shall begin at the excavation line and proceed toward the bank or the center of the bar, perpendicular to the alignment of the watercourse.

(5) Bed material shall not be removed from the water side of the excavation line.

(6) Equipment shall not enter or operate within the wetted perimeter of the watercourse.

(7) Gravel may be removed within the excavation zone from a point beginning at the excavation line and progressing upward toward the bank or the center of the bar on a minimum two percent gradient. It may be necessary to survey the excavation zone upon completion of the gravel removal operation to ensure the two percent gradient is maintained and that no depressions exist. When required the survey shall be made at the applicant's expense.

(8) Preproject and postproject channel cross-section surveys shall be required for gravel removal projects for commercial purposes, and may be required as part of a comprehensive flood control plan approved by the department. The cross-sections shall be referenced vertically to a permanent bench mark and horizontally to a permanent base line, and shall be done perpendicular to the high flow channel every one hundred feet through the project area and at cross-sections upstream and downstream at adjacent channel riffles. The preproject survey information shall be submitted to the department at the time of application for HPA, and the postproject survey shall be submitted to the department within ninety days of completion of removal of gravel or the expiration date of the HPA, whichever occurs first.

(9) At the end of each work day the excavation zone shall not contain pits, or potholes, or depressions that may trap fish as a result of fluctuation in water levels.

(10) Stockpiling of material waterward of the ordinary high water line, after the initial bed disturbance, shall be limited to avoid impacts to fish life. If stockpiling is approved waterward of the ordinary high water line, the material shall be completely removed prior to the onset of fish spawning in the vicinity or the typical onset of increasing stream flows. Timing restrictions shall be determined on a site-specific basis. If the water level rises and makes contact with stockpiles, further operation of equipment or removal of the stockpiles shall not proceed unless authorized under a separate HPA issued by the department.

(11) The upstream end of the gravel bar shall be left undisturbed to maintain watercourse stability waterward of the ordinary high water line.

(12) Large woody material shall be retained waterward of the ordinary high water line and repositioned within the

watercourse. Other debris shall be disposed of so as not to reenter the watercourse.

(13) Gravel washing or crushing operations shall not take place waterward of the ordinary high water line.

(14) Alteration or disturbance of the banks and bank vegetation shall be limited to that necessary to access the excavation zone. All disturbed areas shall be protected from erosion, within seven days of completion of the project, using vegetation or other means. The banks shall be revegetated within one year with native or other approved woody species. Vegetative cuttings shall be planted at a maximum interval of three feet (on center), and maintained as necessary for three years to ensure eighty percent survival. Where proposed, planting densities and maintenance requirements for rooted stock will be determined on a site-specific basis. The requirement to plant woody vegetation may be waived for areas where the potential for natural revegetation is adequate, or where other engineering or safety factors preclude them.

(15) Equipment shall be inspected, cleaned, and maintained to prevent loss of petroleum products waterward of the ordinary high water line.

(16) The department shall be notified at least five working days before the start of actual gravel removal, and upon project completion to allow for compliance inspection.

[Statutory Authority: RCW 75.08.080, 94-23-058 (Order 94-160), § 220-110-140, filed 11/14/94, effective 12/15/94; 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 220-110-150 Large woody material removal or repositioning. Large woody material removal or repositioning projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions shall apply to large woody material removal or repositioning:

(1) Large woody material removal from watercourses shall only be approved where necessary to address safety considerations, or its removal would not diminish the fish habitat quality of the watercourse. The department may approve the repositioning of large woody material within the watercourse to protect life and property or as needed to conduct a hydraulic project. Repositioned large woody material shall be placed or anchored to provide stable, functional fish habitat.

(2) Large woody material removal shall be conducted by equipment stationed on the bank, bridge, or other approved structure.

(3) Unless otherwise authorized, large woody material shall be suspended during its removal so no portion of the large woody material or limbs can damage the bed or banks. Yarding corridors or full suspension shall be required to avoid damage to riparian vegetation. It may be necessary to cut the large woody material in place, to a size that allows suspension during removal.

(4) Where large woody material cannot be suspended above the bed and banks, skid logs or similar methods shall be used to avoid bank damage. Upon completion of the yarding operation, skid logs shall be removed in a manner that avoids damage to streambanks and vegetation, and the bank shall be restored to preproject condition.

(5) Smaller limb and bark debris associated with the large woody material shall be removed and disposed of so as not to reenter the watercourse.

(6) Large woody material embedded in a bank or bed shall be left undisturbed and intact except where authorized for removal.

(7) Large woody material removal or repositioning shall be accomplished in a manner which minimizes the release of bedload, logs, or debris downstream.

(8) Depressions created in gravel bars shall be filled, smoothed over, and sloped upwards toward the bank on a minimum two percent gradient.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-150, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-150, filed 4/13/83.]

WAC 220-110-160 Felling and yarding of timber.

The following technical provisions shall apply to any felling and yarding of timber for which an HPA is required (see WAC 220-110-020). Timber felling and yarding projects requiring an HPA shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat.

(1) Trees shall not be felled into or across a watercourse, with identifiable bed or banks, except where authorized in special provisions of an HPA.

(2) Trees or logs which enter a watercourse, with identifiable bed or banks, during felling or yarding shall remain where they enter unless parts or all of the trees or logs are specifically authorized to be removed.

(3) Logs transported across a watercourse, with identifiable bed or banks, shall be suspended so no portion of the logs or limbs can enter the watercourse or damage the bed and banks. Yarding corridors or full suspension shall be required to prevent damage to riparian vegetation.

(4) Cable tailholds may be placed over watercourses, with identifiable bed or banks, provided the number of yarding roads is kept to a minimum. When changing roads, the cable shall be moved around or over the riparian vegetation to avoid damage to the vegetation.

(5) If limbs or other small debris enter the watercourse, with identifiable bed or banks, as a result of felling and yarding of timber, they shall be removed concurrently with each change in yarding road or within seventy-two hours after entry into the watercourse and placed outside the 50-year flood plain. Limbs or other small debris shall be removed from dry watercourses prior to the normal onset of high flows. Large woody material which was in place prior to felling and yarding of timber shall not be disturbed.

(6) Precautions shall be taken to minimize the release of sediment to waters downstream from the felling or yarding activity. Sediment control devices, including, but not limited to, straw bales and filter fabric check dams, shall be used as necessary to avoid the release of sediment downstream. Accumulated sediment shall be removed from above check dams prior to their removal. The requirement to provide sediment control may be waived where adequate protection is provided through seasonal restriction of operations.

(7) There shall be no skidding or ground lead yarding or equipment operation within flowing waters in channels with defined bed or banks.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-160, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-160, filed 4/13/83.]

WAC 220-110-170 Outfall structures. Outfall structure projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. Additional restrictions may apply to outfall structures associated with storm water management projects (see WAC 220-110-225). The following technical provisions shall apply to outfall structure projects:

(1) The outfall structure shall be constructed according to an approved design to prevent the entry of fish, except where fish passage could enhance fish life or habitat.

(2) The watercourse bank and bed at the point of discharge shall be armored to prevent scouring.

(3) Excavation for placement of the structure or armor-ing materials shall be isolated from the wetted perimeter.

(4) Alteration or disturbance of banks and bank vegeta-tion shall be limited to that necessary to construct the project. All disturbed areas shall be protected from erosion within seven days of completion of the project using vegetation or other means. The banks shall be revegetated within one year with native or other approved woody species. Vegetative cuttings shall be planted at a maximum interval of three feet (on center), and maintained as neces-sary for three years to ensure eighty percent survival. Where proposed, planting densities and maintenance requirements for rooted stock will be determined on a site-specific basis. The requirement to plant woody vegetation may be waived for areas where the potential for natural revegetation is adequate, or where other engineering or safety factors preclude them.

(5) Structures containing concrete shall be sufficiently cured prior to contact with water, to avoid leaching.

(6) All piling, lumber, or other materials treated with preservatives shall be sufficiently cured to minimize leaching into the water or bed. The use of wood treated with creosote or pentachlorophenol is not allowed in lakes.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-170, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-170, filed 4/13/83.]

WAC 220-110-180 Pond construction. Pond construction projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions shall apply to pond construction projects connected to a watercourse:

(1) Ponds shall not be constructed within the water-course.

(2) Ponds shall be designed, constructed, and screened to prevent the entry of fish unless the pond will provide beneficial habitat, as determined by the department, in which case free and unrestricted access shall be provided.

(3) Pond return flow shall be located to minimize the length of the bypass reach unless the bypass reach is intend-ed to enhance fish life or habitat.

(4) Pond construction activities involving diversion of state waters shall be dependent upon first obtaining a water

right. This requirement does not apply to construction of storm water pond facilities landward of the ordinary high water line.

(5) The work area shall be isolated from the watercourse during construction of the pond, the diversion system, and the return flow system.

(6) Prior to the initial filling, all disturbed areas shall be protected from erosion, within seven days of completion of the project, using vegetation or other means. The banks shall be revegetated within one year with native or other approved woody species. Vegetative cuttings shall be planted at a maximum interval of three feet (on center), and maintained as necessary for three years to ensure eighty percent survival. Where proposed, planting densities and maintenance requirements for rooted stock will be determined on a site-specific basis. The requirement to plant woody vegetation may be waived for areas where the potential for natural revegetation is adequate, or where other engineering or safety factors preclude them.

(7) Ponds shall be designed and constructed so the outflow temperature is not harmful to fish life.

[Statutory Authority: RCW 75.08.080, 94-23-058 (Order 94-160), § 220-110-180, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-180, filed 4/13/83.]

WAC 220-110-190 Water diversions. A written HPA is not required for emergency water diversions during emergency fire response. The department shall be notified prior to the diversion, when possible. When prior notification is not possible, the department shall be notified within twenty-four hours of the diversion. 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 of the salt or fresh waters of the state, or that will utilize any of the waters of the state in order to divert water pursuant to a water right, requires an HPA. Regulation of water flow from a permanent irrigation structure by operating valves, or manipulating stop logs, check boards or head boards, does not require an HPA. Any hydraulic project activity related to a change in the manner or location of water diversion will require an HPA modification.

Persons who have gravel berm dams as the method of diversion permitted by the department prior to January 1994 shall be allowed to continue to do so consistent with the provisions of an HPA. The department can, however, condition the approval of gravel berms.

Construction or maintenance of fish screens or guards requiring use of equipment requires a written HPA. Installation of suction hoses or cleaning, adjusting, operating, and maintaining existing irrigation or stock water diversion structures including intakes or screens without the use of equipment, may be accomplished without first securing a written HPA. For these activities, compliance with the provisions of the latest edition of the Irrigation and Fish pamphlet issued by the department is required. The pamphlet shall be on-site and serve as the HPA. If a fish kill occurs or fish are observed in distress, the project activity shall cease and the department shall be notified immediately.

The following technical provisions shall apply to water diversions:

(1) Gravel berm dams shall be constructed of gravels available on site waterward of the ordinary high water line, or of clean round gravel transported to the site. Bed disturbance shall be limited to the minimum necessary to achieve the provisions of the water right. No dirt from outside the ordinary high water line shall be used to seal the dam and no logs or woody material waterward of the ordinary high water line may be utilized for construction of the dam, unless specifically authorized.

(2) Logs and large woody material may be relocated waterward of the ordinary high water line, 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 diversion dam shall be constructed so that it does not hinder upstream and downstream adult and juvenile fish passage. If passage problems develop, department personnel may, after consultation, require modification of the gravel berm dam.

(4) At pump stations, screens and headgate areas, a backhoe or suction dredge may be used to remove accumulated silts and gravel from the pumping sump. Material removed shall be placed so it will not reenter state waters.

(5) Any device used for diverting water from a fish bearing watercourse shall be equipped with a fish guard to prevent passage of fish into the diversion device pursuant to RCW 75.20.040 and 77.16.220.

(6) Diversion canals shall be maintained (sediment and debris removal) to provide maximum hydraulic gradient in the diversion canal in order to minimize the need for work within the natural watercourse.

(7) The exercise of project activity associated with diversion of state waters shall be dependent upon first obtaining a water right.

[Statutory Authority: RCW 75.08.080, 94-23-058 (Order 94-160), § 220-110-190, filed 11/14/94, effective 12/15/94; 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). A copy of the current *Gold and Fish Pamphlet* available from the department shall be on the job site at all times and shall serve as an HPA. The following technical provisions are found in the pamphlet and apply to mineral prospecting (panning) projects:

(1) Gold pans, mini-rocker boxes, and nonmotorized sluice boxes are allowed. The riffle area of the sluice box shall not exceed one-foot wide by three feet long, and shall not exceed fifty percent of the width of the wetted perimeter of the stream.

(2) All work shall be performed by hand or with hand-held 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.) waterward of the ordinary high water line.

(6) Materials too large to be moved by hand or hand-held tools shall not be disturbed.

(7) There shall be no damming of the flowing stream.

(8) All pits, furrows, potholes and diversions shall be filled, leveled, or removed prior to leaving the project site, to prevent fish entrapment.

(9) No motorized, tracked, or wheeled vehicles shall be allowed within the wetted perimeter of the stream.

(10) Siltation resulting from this project, which the department considers damaging to fish life, may cause operations to be terminated and the HPA cancelled.

(11) This HPA does not authorize entry onto private property or removal of minerals from an existing mining claim on federal property or on property covered under mineral prospecting leases or mining contracts issued by the department of natural resources. It is the applicant's responsibility to contact the bureau of land management or department of natural resources to determine if a claim, prospecting lease, or mining contract has been issued. The office of state historic preservation should be contacted to determine if there are any restrictions regarding culturally sensitive areas in the vicinity.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-200, filed 11/14/94, effective 12/15/94; 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).

An individual written HPA will be required for all mineral prospecting (sluicing) projects. A copy of the HPA and current *Gold and Fish Pamphlet* available from the department shall be on the job site at all times. The following technical provisions shall apply to mineral prospecting (sluicing) projects:

(1) Motorized sluice boxes are prohibited. The riffle area of the nonmotorized sluice box shall not be wider than two feet and shall not exceed fifty percent of the wetted perimeter of the stream.

(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 streambank excavation.

(4) There shall be no disturbance of graveled spawning areas.

(5) All excavations shall be performed by hand or with 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 restricted to only that necessary to direct water into a sluice box.

(8) There shall be no damming of the flowing stream.

(9) All pits, furrows, and potholes and diversions shall 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) Siltation resulting from this project, which the department considers damaging to fish life, may cause operations to be terminated and the HPA cancelled.

(12) This HPA does not authorize entry onto private property or removal of minerals from an existing mining

claim on federal property or on property covered under mineral prospecting leases or mining contracts issued by the department of natural resources. It is the applicant's responsibility to contact the bureau of land management or department of natural resources to determine if a claim, prospecting lease, or mining contract has been issued. The office of state historic preservation should be contacted to determine if there are any restrictions regarding culturally sensitive areas in the vicinity.

(13) There shall be no disturbance of rooted or imbedded woody plants (trees, shrubs, etc.) waterward of the ordinary high water line.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-210, filed 11/14/94, effective 12/15/94; 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).

An individual written HPA will be required for all mineral prospecting (dredging) projects. A copy of the HPA and current *Gold and Fish Pamphlet* available from the department shall be on the job site at all times. The following technical provisions shall apply to mineral prospecting (dredging) projects:

(1) This HPA 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. A copy of the current *Gold and Fish Pamphlet* available from the department shall be on the job site at all times.

(2) There shall be no hydraulic (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.) waterward of the ordinary high water line.

(5) There shall be no disturbance of graveled spawning areas.

(6) All pits, furrows, and potholes shall 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. The dam shall not restrict more than fifty percent of the natural flow 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.).

(10) Stable log and woody debris jams shall not be disturbed.

(11) No petroleum products or other deleterious material shall enter surface waters.

(12) Siltation resulting from this project which the department considers damaging to fish life, may cause operations to be terminated and the HPA cancelled.

(13) This HPA does not authorize entry onto private property or removal of minerals from an existing mining claim on federal property or on property covered under mineral prospecting leases or mining contracts issued by the department of natural resources. It is the applicant's responsibility to contact the bureau of land management or

department of natural resources to determine if a claim, prospecting lease, or mining contract has been issued. The office of state historic preservation should be contacted to determine if there are any restrictions regarding culturally sensitive areas in the vicinity.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-220, filed 11/14/94, effective 12/15/94; 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 220-110-223 Freshwater lake bulkheads. Bio-engineering is the preferred method of bank protection where practicable. Freshwater lake bulkhead projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions shall apply to freshwater bulkhead projects:

- (1) The toe of the bulkhead shall be placed landward of the ordinary high water line.
- (2) Rock used for the bulkhead construction shall be composed of clean, angular material of a sufficient size to prevent its being washed away by high water or wave action.
- (3) Material that is waterward of the ordinary high water line shall not be utilized for backfill.
- (4) Excavated or dredged material shall not be stockpiled waterward of the ordinary high water line.
- (5) All trenches, depressions, or holes created within the ordinary high water line shall be backfilled prior to inundation by high water or wave action.
- (6) All piling, lumber, or other materials treated with preservatives shall be sufficiently cured to minimize leaching into the water or bed. The use of wood treated with creosote or pentachlorophenol is not allowed in lakes.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-223, filed 11/14/94, effective 12/15/94.]

WAC 220-110-224 Freshwater boat hoists, ramps, and launches. The installation and operation of portable boat hoists in lakes does not require a HPA, provided:

1. Equipment is not operated below the ordinary high water line during installation;
2. The hoist is not installed at the mouth of any watercourse; and
3. Dredging, filling, or pile driving is not conducted as part of the project. Freshwater boat hoist, ramp, and launch projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat.

The following technical provisions shall apply to boat ramps and launches in freshwater areas.

- (1) Structures containing concrete shall be sufficiently cured to prevent leaching prior to contact with water.
- (2) All piling, lumber, or other materials treated with preservatives shall be sufficiently cured to minimize leaching into the water or bed. The use of wood treated with creosote or pentachlorophenol is not allowed in lakes.
- (3) Overburden material resulting from this project shall be deposited so as not to reenter the water.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-224, filed 11/14/94, effective 12/15/94.]

WAC 220-110-230 Saltwater technical provisions. WAC 220-110-240 through 220-110-330 set forth technical provisions that shall apply to saltwater hydraulic projects. Certain technical provisions shall be required depending upon the individual proposal and site specific characteristics. Additional special provisions may be included, as necessary to address site-specific conditions. Those provisions, where applicable, shall be contained in the hydraulic project approval, as necessary to protect fish life. Saltwater provisions may be applied to tidally influenced areas upstream of river mouths and the mainstem Columbia River downstream of Bonneville Dam where applicable.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-230, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-230, filed 4/13/83.]

WAC 220-110-240 Tidal reference areas. Tidal reference areas are defined as follows:

- (1) Tidal Reference Area 1 (Shelton): All saltwater areas in Oakland Bay and Hammersley Inlet westerly of a line projected from Hungerford Point to Arcadia.
- (2) Tidal Reference Area 2 (Olympia): All saltwater areas between a line projected from Hungerford Point to Arcadia and a line projected from Johnson Point to Devil's Head. This includes Totten, Eld, Budd, Case and Henderson Inlets, and Pickering Passage.
- (3) Tidal Reference Area 3 (South Puget Sound): All saltwater areas easterly and northerly of a line projected from Johnson Point to Devil's Head and southerly of the Tacoma Narrows Bridge.
- (4) Tidal Reference Area 4 (Tacoma): All saltwater areas northerly of the Tacoma Narrows Bridge and southerly of a line projected true west and true east across Puget Sound from the northern tip of Vashon Island.
- (5) Tidal Reference Area 5 (Seattle): All saltwater areas northerly of a line projected true west and true east across Puget Sound from the northern tip of Vashon Island and southerly of a line projected true east from Point Jefferson at 47° 15' N. latitude across Puget Sound. This area includes Port Orchard, Port Madison, and Dyes and Sinclair Inlets.
- (6) Tidal Reference Area 6 (Edmonds): All saltwater areas northerly of a line projected true east from Point Jefferson at 47° 15' N. latitude across Puget Sound and southerly of a line projected true east from Possession Point to Chenault Beach and from Foulweather Bluff to Double Bluff.
- (7) Tidal Reference Area 7 (Everett): All saltwater areas northerly of a line projected true east from Possession Point to Chenault Beach, easterly of a line projected 5° true from East Point to Lowell Point, and southerly of the Stanwood to Camano Island Highway. This area includes Port Gardner, Port Susan, and parts of Possession Sound and Saratoga Passage.
- (8) Tidal Reference Area 8 (Yokeko Point): All saltwater area westerly and northerly of a line projected 5° true from East Point to Lowell Point, north of the Stanwood to Camano Island Highway, and easterly and southerly of Deception Pass Bridge and the Swinomish Channel Bridge on State Highway 536. This area includes Holmes Harbor,

Saratoga Passage, Skagit Bay, Similk Bay, and most of the Swinomish Channel.

(9) Tidal Reference Area 9 (Blaine): All saltwater area in Skagit County and Whatcom County that lies northerly of the Swinomish Channel Bridge on State Highway 536 and westerly and northerly of Deception Pass Bridge.

(10) Tidal Reference Area 10 (Port Townsend): All saltwater area of Puget Sound as defined in WAC 220-16-210 except Hood Canal south of a line projected from Tala Point to Foulweather Bluff, and except all waters defined in Tidal Reference Areas 1 through 9. Area 10 includes waters of the San Juan Islands, Admiralty Inlet, the Strait of Juan de Fuca, and associated bays and inlets.

(11) Tidal Reference Area 11 (Union): All saltwater area of Hood Canal southerly and easterly of a line projected from Lilliwaup Bay to Dewatto Bay.

(12) Tidal Reference Area 12 (Seabeck): All saltwater areas of Hood Canal northerly of a line projected from Lilliwaup Bay to Dewatto Bay and southerly of a line projected true east from Hazel Point. This area includes Dabob Bay and Quilcene Bay.

(13) Tidal Reference Area 13 (Bangor): All saltwater area of Hood Canal northerly of a line projected true east from Hazel Point and south of a line projected from Tala Point to Foulweather Bluff. This area includes Port Gamble.

(14) Tidal Reference Area 14 (Ocean Beaches): All saltwater area between Cape Flattery and the Oregon border at the mouth of the Columbia River, excluding Grays Harbor and Willapa Bay.

(15) Tidal Reference Area 15 (Westport): All saltwater area in Grays Harbor easterly of a line projected from the outermost end of the north jetty to the outermost end of the south jetty, and westerly of 123° 59' W. longitude.

(16) Tidal Reference Area 16 (Aberdeen): All saltwater area in Grays Harbor easterly of 123° 59' W. longitude and westerly of the Union Pacific railroad bridge across the Chehalis River.

(17) Tidal Reference Area 17 (Willapa Bay): All saltwater area in Willapa Bay easterly of a line projected from Leadbetter Point to Cape Shoalwater Light.

[Statutory Authority: RCW 75.08.080, 94-23-058 (Order 94-160), § 220-110-240, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-240, filed 4/13/83.]

WAC 220-110-250 Saltwater habitats of special concern. In the following saltwater habitats of special concern, or areas in close proximity with similar bed materials, specific restrictions regarding project type, design, location, and timing may apply as referenced in WAC 220-110-270 through 220-110-330. The location of such habitats may be determined by a site visit. In addition, the department may consider all available information regarding the location of the following habitats of special concern.

(1) Information concerning the location of the following saltwater habitats of special concern is available on request to the habitat management division of the department of fish and wildlife. These habitats of special concern may occur in the following types of areas:

(a) Surf smelt (*Hypomesus pretiosus*) spawning beds are located in the upper beach area in saltwater areas containing sand and/or gravel bed materials.

(b) Pacific sand lance (*Ammodytes hexapterus*) spawning beds are located in the upper beach area in saltwater areas containing sand and/or gravel bed materials.

(c) Rock sole (*Lepidopsetta bilineata*) spawning beds are located in the upper and middle beach area in saltwater areas containing sand and/or gravel bed materials.

(d) Pacific herring (*Clupea harengus pallasii*) spawning beds occur in lower beach areas and shallow subtidal areas in saltwater areas. These beds include eelgrass (*Zostera* spp) and other saltwater vegetation and/or other bed materials such as subtidal worm tubes.

(e) Rockfish (*Sebastes* spp) settlement and nursery areas are located in kelp beds, eelgrass (*Zostera* spp) beds, other saltwater vegetation, and other bed materials.

(f) Lingcod (*Ophiodon elongatus*) settlement and nursery areas are located in beach and subtidal areas with sand, eelgrass (*Zostera* spp), subtidal worm tubes, and other bed materials.

(2) Juvenile salmonid (Family salmonidae) migration corridors, and rearing and feeding areas are ubiquitous throughout shallow nearshore saltwater areas of the state.

(3) The following vegetation is found in many saltwater areas and serves essential functions in the developmental life history of fish or shellfish:

(a) Eelgrass (*Zostera* spp);

(b) Kelp (Order laminariales);

(c) Intertidal wetland vascular plants (except noxious weeds).

[Statutory Authority: RCW 75.08.080, 94-23-058 (Order 94-160), § 220-110-250, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.08.012, 75.08.080 and 75.20.100, 84-04-047 (Order 84-04), § 220-110-250, filed 1/30/84. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-250, filed 4/13/83.]

WAC 220-110-270 Common saltwater technical provisions. The following technical provisions apply to projects in saltwater areas. Project activities may be prohibited where project impacts adversely affect fish habitats for which no proven mitigation methods are available.

(1) Use of equipment on the beach area shall be held to a minimum and confined to specific access and work corridors.

(2) Bed material, other than material excavated for bulkhead footings or placement of bulkhead base rock, shall not be utilized for project construction or fills. The department may allow placement of dredged material in areas for beneficial uses such as beach nourishment or cleanup of contaminated sediments.

(3) Wet concrete shall be prevented from entering waters of the state. Forms for any concrete structure shall be constructed to prevent leaching of wet concrete. Impervious material shall be placed over any exposed concrete not lined with forms that will come in contact with waters of the state. Forms and impervious material shall remain in place until the concrete is cured.

(4) Beach area depressions created during project activities shall be reshaped to preproject beach level upon project completion. Hydraulic clam harvesters shall comply with those conditions specified in WAC 220-52-018.

(5) No debris or deleterious material shall be disposed of or abandoned waterward of the ordinary high water line except at an approved in-water site.

(6) All debris or deleterious material resulting from construction shall be removed from the beach area or bed and prevented from entering waters of the state.

(7) No petroleum products or other deleterious materials shall enter surface waters.

(8) Project activities shall be conducted to minimize siltation of the beach area and bed.

(9) All piling, lumber, and other materials treated with preservatives shall be sufficiently cured to minimize leaching into the water or bed.

(10) Wood treated with preservatives, trash, waste, or other deleterious materials shall not be burned below the ordinary high water line. Limited burning of untreated wood or similar material, subject to timing restrictions or other provisions may be allowed.

(11) Project activities shall not degrade water quality to the detriment of fish life.

(12) If a fish kill occurs or fish are observed in distress, the project activity shall immediately cease and the department granting the HPA shall be notified immediately.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-270, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-270, filed 4/13/83.]

WAC 220-110-271 Prohibited work times in saltwater areas. Work waterward of the ordinary high water line shall be prohibited or conditioned for the following times and areas. These timing restrictions shall be applied to projects in the following saltwater areas except when allowed under subsection (6) of this section or WAC 220-110-285 (Single family residence bulkheads in saltwater areas).

(1) The prohibited times and areas for protection of migrating juvenile salmonids, surf smelt, and Pacific herring spawning beds are listed in the following table:

PROHIBITED TIMES

TIDAL REFERENCE AREA	JUVENILE SALMONID MIGRATION FEEDING AND REARING AREAS	SURF SMELT SPAWNING BEDS	HERRING SPAWNING BEDS
1	March 15 - June 14	---	January 15 - March 31
2	March 15 - June 14	July 1 - March 31	January 15 - March 31
3	March 15 - June 14	October 1 - April 30	January 15 - March 31
4	March 15 - June 14	October 1 - April 14	January 15 - April 14
5	March 15 - June 14	September 1 - March 31 in all areas except Eagle Harbor and Sinclair Inlet Year round in Eagle Harbor and Sinclair Inlet	January 15 - April 30
6	March 15 - June 14	---	---
7	March 15 - June 14	Year round	February 1 - April 14
8	March 15 - June 14	Year round	February 1 - April 14
9	March 15 - June 14	Year round	February 1 - April 14 south of a line running due west from Governor's point February 1 - June 14 north of a line running due west from Governor's point
10	March 15 - June 14	Sept. 15 - October 31 in Kilisut Harbor October 15 - January 14 in Dungeness Bay May 1 - August 31 in Twin Rivers and Deep Creek Year round in San Juan Islands	January 15 - April 30
11	March 15 - June 14	September 15 - March 1	January 15 - March 31
12	March 15 - June 14	---	February 15 - April 14
13	March 15 - June 14	October 15 - January 31	January 15 - April 14
14	March 1 - June 14	---	---
15	March 1 - June 14	---	---
16	March 1 - June 14	---	---
17	March 1 - June 14	---	February 1 - March 14

(2) Tidal Reference Areas 1 through 17; October 15 through March 1 for projects in or adjacent to Pacific sand lance spawning beds.

(3) Tidal Reference Areas 1 through 17; December 15 through March 31 for projects in or adjacent to rock sole spawning beds.

(4) Tidal Reference Areas 1 through 17; May 15 through October 14 for projects in or adjacent to lingcod settlement and nursery areas.

(5) Additional timing restrictions may apply for protection of other important species of fish or shellfish or if necessary to protect fish life at a particular site.

(6) If the surf smelt spawning season for the project location is six months or longer, work may be permitted if it commences within forty-eight hours after the location is inspected by a department representative or biologist acceptable to the department and it is determined that no spawning is occurring or has recently occurred. The project may be further conditioned to require completion within a particular time.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-271, filed 11/14/94, effective 12/15/94.]

WAC 220-110-280 Bulkheads and bank protection in saltwater areas (nonsingle family residence). Bulkhead construction and other bank protection projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat.

The following technical provisions apply to bulkhead and bank protection projects in saltwater areas on nonsingle family residence property. In addition, these projects shall comply with technical provisions and timing restrictions in WAC 220-110-240 through 220-110-271.

(1) The waterward face of a new bulkhead or other bank protection shall be constructed according to an approved design, utilizing the least impacting type of structure and shall minimize encroachment waterward of the ordinary high water line to protect juvenile salmonid migration corridors and other habitats of special concern.

(2) Replacement or repair of an existing, functioning bulkhead or other bank protection shall utilize the least impacting type of structure and method of construction and shall minimize further waterward encroachment.

(3) The construction of bulkheads and other bank protection is prohibited in eelgrass (*Zostera* spp), Pacific herring spawning beds, and lingcod and rockfish settlement and nursery areas.

(4) The construction of bulkheads and other bank protection shall not result in a permanent loss of surf smelt, Pacific sand lance, or rock sole spawning beds.

(5) Kelp (Order laminariales) or intertidal wetland vascular plants (except noxious weeds) adversely impacted due to construction of bulkheads or other bank protection shall be replaced using proven methodology.

(6) Project activities within the beach area shall not occur when the project area, including the work corridor, is inundated by tidal waters.

(7) Removal or destruction of overhanging bankline vegetation shall be limited to that necessary for construction of the bulkhead or other bank protection.

(8) All natural habitat features on the beach larger than twelve inches in diameter including trees, stumps and logs, and large rocks shall be retained on the beach following construction.

(9) Excavated materials containing silt, clay, or fine grained soil shall not be stockpiled below the ordinary high water line.

(10) When stockpiling of sand, gravel, and other coarse material is allowed below the ordinary high water line, it shall be placed within a designated work corridor waterward of the bulkhead footing or base rock. All excavated or stockpiled material shall be removed from the beach within seventy-two hours of bulkhead construction.

(11) If sand, gravel, and other coarse material is to be temporarily placed where it will come into contact with tidal waters, this material shall be covered with filter fabric and adequately secured to prevent erosion and/or potential entrainment of fish.

(12) All trenches, depressions, or holes created in the beach area shall be backfilled prior to inundation by tidal waters. Trenches excavated for footings or placement of base rock may remain open during construction, however, fish shall be prevented from entering such trenches.

(13) Placement of appropriately sized gravel on the beach area shall be required following construction of bulkheads or other bank protection in identified surf smelt spawning areas.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-280, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-280, filed 4/13/83.]

WAC 220-110-285 Single-family residence bulkheads in saltwater areas. Single-family residence bulkheads shall not result in the permanent loss of critical food fish or shellfish habitat.

The following provisions apply to bulkhead projects in saltwater areas on single-family residence property. Except as expressly provided for in this section, construction of single-family residence bulkheads shall comply with technical provisions and timing restrictions in WAC 220-110-240 through 220-110-271.

(1) Critical food fish and shellfish habitats pertaining to single-family residence bulkheads as identified in RCW 75.20.160 are those habitats that serve an essential function in the developmental life history of fish or shellfish. These habitats include but are not limited to the following:

(a) Pacific herring, surf smelt, Pacific sand lance, and rock sole spawning beds;

(b) Intertidal wetland vascular plants (except noxious weeds);

(c) Eelgrass (*Zostera* spp);

(d) Kelp (Order laminariales);

(e) Lingcod settlement and nursery areas;

(f) Rockfish settlement and nursery areas;

(g) Juvenile salmonid migration corridors and rearing and feeding areas.

(2) The waterward face of a new bulkhead shall be located at or above the ordinary high water line. Where this is not practicable due to geological, engineering, or safety concerns, the waterward face of the new bulkhead shall be located only as far waterward of the ordinary high water line

as necessary to excavate for footings or place base rock for the structure and under no conditions shall the waterward face of the bulkhead be located more than six feet waterward of the ordinary high water line. In addition, the waterward face of any bulkhead shall be located as close to the toe of the bank as possible.

(3) The waterward face of a replacement bulkhead shall be located no further waterward than the face of the existing, functioning bulkhead except where removal of the existing bulkhead would result in environmental degradation (e.g., release of deleterious material) or removal problems due to geological, engineering, or safety concerns. Where removal of an existing bulkhead is not practicable for the above reasons, the replacement or repair bulkhead shall be placed waterward of and directly abutting the existing structure. The least impacting type of structure and method of construction shall be utilized in these instances.

(4) Construction work on a bulkhead project under this section shall be subject to the timing restrictions in WAC 220-110-271 if the department determines that the project may affect a critical food fish or shellfish habitat described above. To determine if a timing constraint is appropriate for a bulkhead project under this section the department shall consider the particular location of the project and characteristics of habitats that may be affected by the project, and may include an inspection of the project site to evaluate the particular habitats near the project. The timing constraints listed in WAC 220-110-271 shall be imposed only if the department determines in the particular case that the constraint is necessary to protect a critical food fish or shellfish habitat. In addition, the timing constraints under this section shall meet the following requirements:

(a) When a project under this section may affect more than one critical habitat, the department shall apply the more protective timing constraint.

(b) Timing conditions to protect nearshore juvenile salmonid migration, rearing, and feeding areas shall not be required if:

(i) The excavation for footings or placement of base rock is located at or above MHHW and all construction work is conducted from the landward side of the project; or

(ii) The waterward face of the bulkhead and all work areas and corridors, including stockpile areas, but excluding the area occupied by a grounded barge, are at or above MHHW; or

(iii) The waterward face of the bulkhead is at or above MHHW and the bed of the project site does not contain substantial amounts of silt, clay, or fine grained sediments, so long as the project also meets the following conditions:

(A) If the bulkhead is to be constructed of rock, then work shall be limited to daylight hours in a twenty-five-foot wide corridor immediately waterward of the new bulkhead face (excluding the area occupied by a grounded barge) and construction work shall not occur if tidal waters are within thirty feet of the new bulkhead face or within the stockpile area, whichever is greater. The department may permit rock to be stockpiled within fifty feet of the new bulkhead face.

(B) If the bulkhead is to be constructed of concrete, timber, steel, or material other than rock, work shall be limited to daylight hours in a fifteen foot wide corridor immediately waterward of the new bulkhead face (excluding the area occupied by a grounded barge) and construction

work shall not occur if tidal waters are within twenty feet of the new bulkhead face.

(c) Timing conditions to protect surf smelt spawning beds shall be imposed if a bulkhead project is located on or where it may affect a surf smelt spawning area and the surf smelt spawning season for that location is less than six months. If the surf smelt spawning season for the project location is six months or longer, then work may be permitted if it commences within forty-eight hours after the location is inspected by a department representative or biologist acceptable to the department and it is determined that no spawn is occurring or has recently occurred. The project may be further conditioned to require completion within a particular time.

(d) When required by the habitat characteristics of a particular case, location, or project, the department may impose appropriate timing constraints to protect a critical habitat pursuant to WAC 220-110-271(5).

(5) Project activities shall not occur when the project area including the work corridor (excluding the area occupied by a grounded barge), is inundated by tidal waters.

(6) Removal or destruction of overhanging bankline vegetation shall be limited to that necessary for construction of the bulkhead.

(7) All natural habitat features on the beach larger than twelve inches in diameter including trees, stumps, logs, and large rocks shall be retained on the beach following construction.

(8) Excavated materials containing silt, clay, or fine grained soil shall not be stockpiled below the ordinary high water line.

(9) When stockpiling of sand, gravel, and other coarse material is allowed below the ordinary high water line, it shall be placed within a designated work corridor waterward of the bulkhead footing or base rock. All excavated or stockpiled material shall be removed from the beach within seventy-two hours of bulkhead construction.

(10) If sand, gravel and other coarse material is to be temporarily placed where it will come into contact with tidal waters, this material shall be covered with filter fabric and adequately secured to prevent erosion and/or potential entrainment of fish.

(11) All trenches, depressions, or holes created in the beach area shall be backfilled prior to inundation by tidal waters. Trenches excavated for footings or placement of base rock may remain open during construction, however, fish shall be prevented from entering such trenches.

(12) Placement of appropriately sized gravel on the beach area shall be required following construction of bulkheads in identified surf smelt spawning areas.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-285, filed 11/14/94, effective 12/15/94.]

WAC 220-110-290 Saltwater boat ramps and launches. Boat ramp projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions apply to saltwater area boat ramp and launch projects. In addition, these projects shall comply with

technical provisions and timing restrictions in WAC 220-110-240 through 220-110-271.

(1) Railway-type boat launches shall be designed to cause minimal interference with tidal currents and littoral drift.

(2) Boat ramps shall be designed and located to avoid adverse impacts to surf smelt, Pacific sand lance, rock sole, and Pacific herring spawning beds, rockfish and lingcod settlement and nursery areas, and eelgrass (*Zostera* spp).

(3) The side slopes of a boat ramp shall be no steeper than 1.5 feet horizontal to one foot vertical.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-290, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-290, filed 4/13/83.]

WAC 220-110-300 Saltwater piers, pilings, docks, floats, rafts, ramps, boathouses, houseboats, and associated moorings. Piers, pilings, docks, floats, rafts, ramps, boathouses, houseboats, and associated mooring projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions apply to piers, pilings, docks, floats, rafts, ramps, boathouses, houseboats, and associated moorings in saltwater areas. In addition, these projects shall comply with technical provisions and timing restrictions in WAC 220-110-240 through 220-110-271.

(1) Floats and rafts shall not ground on surf smelt, Pacific herring, Pacific sand lance, and rock sole spawning beds. In all other areas, no more than twenty percent of the float or raft within the beach area shall ground at any time. Those portions of the float or raft that will ground shall be constructed to align parallel to the shore and provide a minimum of eight inches clearance between the beach area and nongrounding portions of the float.

(2) Floats, rafts, and associated anchoring systems shall be designed and deployed so that the bed is not damaged.

(3) Piers, docks, floats, rafts, ramps, boathouses, houseboats, and associated moorings shall be designed and located to avoid shading of eelgrass (*Zostera* spp).

(4) Kelp (Order laminariales) and intertidal wetland vascular plants (except noxious weeds) adversely impacted due to construction of piers, docks, floats, rafts, ramps, boathouses, and houseboats shall be replaced using proven methodology.

(5) Mitigation measures for piers, docks, floats, rafts, ramps, and associated moorings shall include, but are not limited to, restrictions on structure width and/or incorporation of materials that allow adequate light penetration (i.e., grating) for structures located landward of -10.0 feet MLLW.

(6) Piers, docks, floats, rafts, ramps, boathouses, houseboats, and associated moorings shall be designed and located to avoid adverse impacts to Pacific herring spawning beds and rockfish and lingcod settlement and nursery areas.

(7) Piers, docks, floats, rafts, ramps, boathouses, houseboats, and associated moorings shall be designed and located to avoid adverse impacts to juvenile salmonid migration routes and rearing habitats.

(8) Floatation for the structure shall be fully enclosed and contained to prevent the breakup or loss of the floatation material into the water.

(9) Boathouses and houseboats and covered moorages shall not be located landward of -10.0 feet MLLW.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-300, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.08.012, 75.08.080 and 75.20.100. 84-04-047 (Order 84-04), § 220-110-300, filed 1/30/84. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-300, filed 4/13/83.]

WAC 220-110-310 Utility lines. Utility line projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions apply to utility line projects. In addition, these projects shall comply with technical provisions and timing restrictions in WAC 220-110-240 through 220-110-271.

(1) Timing restrictions for digging trenches in the beach area for the installation of cables, sewer lines, and other utilities may be further restricted to protect other important fish life.

(2) Excavation of trenches within the beach area shall not occur when the project area is inundated by tidal waters.

(3) Trenches excavated for placement of utilities may remain open for limited times during construction, but fish shall be prevented from entering open trenches.

(4) If a fish kill occurs, or fish are observed in distress, excavation activities shall immediately cease and the department shall be notified immediately.

(5) Excavation for and installation of cables, sewer lines, and other utilities shall be conducted with equipment and techniques that minimize adverse impacts to fish and shellfish and their habitats.

(6) Utility lines shall be located to avoid Pacific herring spawning beds, rockfish and lingcod settlement and nursery areas and eelgrass (*Zostera* spp).

(7) Kelp (Order laminariales) and intertidal wetland vascular plants (except noxious weeds) adversely impacted due to excavation or installation activities shall be replaced using proven methodology.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-310, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080. 83-09-019 (Order 83-25), § 220-110-310, filed 4/13/83.]

WAC 220-110-320 Dredging in saltwater areas. Dredging projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions apply to dredging projects. In addition, these projects shall comply with technical provisions and timing restrictions in WAC 220-110-240 through 220-110-271.

(1) In addition to those timing limitations listed in WAC 220-110-271, dredge timing may be further restricted to protect other important fish life.

(2) If a fish kill occurs or fish are observed in distress, dredging shall immediately cease and the department shall be notified immediately.

(3) A hydraulic dredge shall only be operated with the intake at or below the surface of the material being removed. The intake shall only be raised a maximum of three feet above the bed for brief periods of purging or flushing the intake system.

(4) Each pass of a clamshell dredge bucket shall be complete. Stockpiling of dredged material below the ordinary high water line may be prohibited.

(5) Dredging shall be conducted with dredge types and methods that cause the least adverse impact to fish and shellfish and their habitat.

(6) Dredged bed materials shall be disposed of at approved in-water disposal sites or upland. The department may allow placement of dredged material in areas for beneficial uses such as beach nourishment or cleanup of contaminated sediments.

(7) Dredging shall be conducted to a depth not greater than the channel depth at the seaward end. Dredging to depths greater than the channel at the seaward end may be authorized only in berthing areas and turning basins for commercial shipping purposes.

(8) Dredging is prohibited in herring spawning beds and in rockfish and lingcod settlement and nursery areas.

(9) Kelp (Order laminariales) adversely impacted due to dredging shall be replaced using proven methodology.

(10) Dredging shall avoid adverse impacts to eelgrass (*Zostera* spp).

[Statutory Authority: RCW 75.08.080, 94-23-058 (Order 94-160), § 220-110-320, filed 11/14/94, effective 12/15/94; 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 220-110-330 Marinas in saltwater areas.

Marina construction projects shall incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical provisions apply to marina projects. In addition, these projects shall comply with technical provisions and timing restrictions in WAC 220-110-240 through 220-110-320 except WAC 220-110-285.

(1) The construction of marinas is prohibited on or over Pacific herring spawning beds and lingcod and rockfish settlement and nursery areas.

(2) Marinas shall be designed, located, and constructed to avoid adverse impacts to surf smelt, Pacific sand lance, and rock sole spawning beds, and eelgrass (*Zostera* spp).

(3) Open-type construction, utilizing floating breakwaters and open pile work, shall be used whenever practicable.

(4) Physical modeling, numerical models, or other information that demonstrates adequate water exchange and circulation may be required.

(5) All navigation channels and breaches shall be maintained at or below marina depth to provide adequate fish passage.

(6) Isolated breakwaters beyond the line of extreme low tide shall be constructed of permanent material. No slope restrictions apply.

(7) The following provisions apply to marina construction shoreward of the existing ordinary high water line:

(a) A single entrance may be required.

(b) The entire inner shoreline shall be in conformance with bulkheading provisions in WAC 220-110-280.

(8) The following provisions apply to marina construction waterward of the ordinary high water line:

(a) The beach area inside the marina may be protected in accordance with bulkheading provisions in WAC 220-110-280. Between the elevation of the toe of the bulkhead and

MLLW the beach face shall not exceed a slope of 1.5 feet horizontal to one foot vertical.

(b) For a single entrance or breach marina, the breakwater structure shall not exceed a 1.5 feet horizontal to one foot vertical slope inside and outside the marina.

(c) The following provisions apply when a marina includes breaches that form shore breakwaters (jetties) and detached breakwaters:

(i) The toe of the shore breakwaters (jetties) may extend seaward to MLLW, but shall not extend seaward more than 250 feet from MHHW.

(ii) The shore breakwaters shall have a minimum slope of 1.5 feet horizontal to 1 foot vertical throughout.

(iii) The breaches between the shore breakwaters and the detached breakwaters shall be not less than 20 feet in width measured at the toe of the slope.

(d) Boathouses, houseboats, and covered moorages shall not be located landward of -10 feet MLLW.

[Statutory Authority: RCW 75.08.080, 94-23-058 (Order 94-160), § 220-110-330, filed 11/14/94, effective 12/15/94. Statutory Authority: RCW 75.20.100 and 75.08.080, 83-09-019 (Order 83-25), § 220-110-330, filed 4/13/83.]

WAC 220-110-340 Informal appeal of adverse administrative decisions. It is recommended that an aggrieved party contact the local habitat biologist responsible for the hydraulic permit decision of concern prior to initiating an informal or formal appeal. Discussion of concerns with the habitat biologist often results in resolution of the problem without the need for an informal or formal appeal. The habitat biologist may request review of your concerns by his or her supervisor.

All parties are encouraged to take advantage of this informal appeal process prior to initiating a formal appeal. However, this informal appeal process is not mandatory, and a person may proceed directly to a formal appeal.

(1) The following procedures shall govern informal appeals of department actions taken pursuant to RCW 75.20.100, 75.20.103, 75.20.106, and 75.20.160. A person who is aggrieved or adversely affected by the following department actions may request an informal review:

(a) The denial or issuance of an HPA, or the conditions or provisions made part of an HPA; or

(b) An order imposing civil penalties.

(2) A request for an informal review shall be in writing and shall be received by the department within thirty days of the denial or issuance of an HPA or receipt of an order imposing civil penalties. The thirty-day time requirement may be stayed by the department if negotiations are occurring between the aggrieved party and the habitat biologist and/or their supervisor. Requests for informal review shall be mailed or delivered to the following address: Department of Fish and Wildlife, Habitat Management Division, Natural Resources Building, Fifth Floor, 1111 Washington Street, Post Office Box 43155, Olympia, Washington 98504-3155.

(3) Upon receipt of a written request for informal agency review, the department shall initiate a review of the agency decision. This review shall be conducted by the regulatory services division manager or the division manager's designee. Upon completion of the comprehensive review, the division manager, or designee shall recommend a decision to the director or the director's designee. This

recommended decision shall be approved or disapproved by the director or the director's designee within sixty days of the date the informal appeal was received by the department. The department shall notify the appellant in writing of the decision of the director or the director's designee.

(4) If, following this informal agency review process, the appellant still wishes to contest the agency action, a formal appeal may be initiated pursuant to WAC 220-110-350. Formal review must be requested within the time periods specified in WAC 220-110-350.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-340, filed 11/14/94, effective 12/15/94; 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 administrative decisions. (1) The following procedures shall govern formal appeals of department actions taken pursuant to RCW 75.20.100 or 75.20.106. This rule does not apply to an appeal in which a person contests the denial, conditioning or issuance of an HPA issued pursuant to RCW 75.20.103 or 75.20.160, which shall be heard by the hydraulic appeals board. A person who is aggrieved or adversely affected by the following department actions may request a formal appeal:

(a) The denial or issuance of an HPA, or the conditions or provisions made part of an HPA;

(b) An order imposing civil penalties; or

(c) Any other "agency action" for which an adjudicative proceeding is required under the Administrative Procedure Act, chapter 34.05 RCW.

(2) As required by the Administrative Procedure Act, the department shall inform the permittee, or person subject to civil penalty or order of the department, of the opportunity for appeal, the time within which to file a written request for an appeal, and the place to file it.

(3) A request for an appeal shall be in writing and shall be received during office hours by the department within thirty days of the agency action that is being challenged. Requests for appeal shall be mailed or delivered to the following address: Department of Fish and Wildlife, Habitat Management Division, Natural Resources Building, Fifth Floor, 1111 Washington Street, Post Office Box 43155, Olympia, Washington 98504-3155. If there is no timely request for an appeal, the agency action shall be final and unappealable.

(4) The time period for requesting a formal appeal is suspended during consideration of a timely informal appeal. If there has been an informal appeal, the deadline for requesting a formal appeal shall be within thirty days of the date of the department's written decision in response to the informal appeal.

(5) The written request for an appeal shall be plainly labeled as "Request for Formal Appeal" and shall contain the following:

(a) The name, address, and phone number of the person requesting the appeal;

(b) The specific agency action that the person contests; for example, denial of an HPA, a particular condition in an HPA, order imposing civil penalties, etc.;

(c) Whether the person is the permittee, landowner, resident, or other basis for the person's interest in the agency action in question;

(d) The date of denial, issuance, or condition of an HPA, if the person is contesting denial, issuance, or conditioning of an HPA;

(e) Specific relief requested; and

(f) The attorney's name, address, and phone number, if the person is represented by legal counsel.

(6) The appeal may be conducted by the director, the director's designee, or by an administrative law judge (ALJ) appointed by the office of administrative hearings. If conducted by an ALJ, the ALJ shall issue an initial order pursuant to RCW 34.05.461. The director or the director's designee shall review the initial order and enter a final order as provided by RCW 34.05.464.

(7) All hearings conducted by the director, the director's designee, or an ALJ pursuant to subsection (6) of this section, shall comply with the Administrative Procedure Act and the model rules of procedure, chapter 10-08 WAC.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-350, filed 11/14/94, effective 12/15/94; 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.]

WAC 220-110-360 Penalties. (1) Any person that commences any activity subject to RCW 75.20.100, 75.20.103, or 75.20.160 without having first obtained an HPA from the department, or any person that fails to comply with any of the requirements or provisions of an HPA, is guilty of a gross misdemeanor.

(2) The department may impose a civil penalty of up to one hundred dollars per day for a violation or continuing violation of RCW 75.20.100 or 75.20.103, or any provision or condition of an HPA. The department shall impose the civil penalty with an order in writing delivered by certified mail or personal service to the person who is penalized. The notice shall describe the violation, identify the amount of the penalty, identify how to pay the penalty, and identify informal or formal appeal rights for the person penalized. If the violation is an ongoing violation, the penalty shall accrue for each additional day of violation. For ongoing violations, the civil penalty may continue to accrue during any appeal process unless the accrual is stayed in writing by the department.

(3) If not timely appealed under WAC 220-110-340 or 220-110-350, the civil penalty order is final and unappealable. If appealed, the civil penalty becomes final upon issuance of a final order not subject to any further administrative appeal. When a civil penalty order becomes final, it is due and payable. If the civil penalty is not paid within thirty days after it becomes due and payable, the department may seek enforcement of the order pursuant to RCW 75.20.106 and 34.05.578.

[Statutory Authority: RCW 75.08.080. 94-23-058 (Order 94-160), § 220-110-360, filed 11/14/94, effective 12/15/94.]

Chapter 220-120 WAC

STREAM OBSTRUCTION HEARINGS PROCEDURE

WAC

220-120-010	Application.
220-120-020	Purpose.
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220-120-040	Contested determination.
220-120-050	Notice.
220-120-060	Venue.
220-120-070	Hearing procedure.
220-120-080	Rules of evidence.
220-120-090	Disposition of contested cases—Presentation of additional evidence.
220-120-100	Appeals to the court—Notice and certification.

WAC 220-120-010 Application. In accordance with chapter 34.04 RCW, this chapter is applicable to and governs decisions by the director under RCW 75.20.060 and 75.20.061.

[Statutory Authority: RCW 75.08.080. 85-01-020 (Order 84-217), § 220-120-010, filed 12/10/84.]

WAC 220-120-020 Purpose. The purpose of this chapter is to provide for an administrative hearing after the department has alleged that an obstruction exists and has proposed a method for removing the obstruction. The hearing officer is directed to find all relevant facts, draw appropriate conclusions of law, and set forth an administrative decision in the form of a proposed order. This order shall set forth whether an obstruction within the meaning of these rules exists, and, if so, shall set forth means to insure free passage of fish. Such fish passage shall be accomplished by installation of a fishway or removal of the obstruction as provided for in RCW 75.20.060.

[Statutory Authority: RCW 75.08.080. 85-01-020 (Order 84-217), § 220-120-020, filed 12/10/84.]

WAC 220-120-030 Investigation and determination. (1) Upon receiving a report of a violation of RCW 75.20.060, the department shall investigate the alleged obstruction.

(2) An "obstruction" is defined, for the purposes of RCW 75.20.060, as a dam or other obstacle in or across a waterway that denies free passage of fish at any time. An obstruction results from any of the following:

(a) The inability of fish to expeditiously discover the entrance to a fishway or other device installed to assist their passage.

(b) The inability of fish to freely pass through a fishway or other device provided to assist their passage.

(c) The absence of a fishway or other device to assist the passage of fish.

(3) If the department determines that an obstruction exists, a means for providing free passage of fish shall be proposed.

(4) After the department determines that an obstruction exists and has proposed a means for providing fish passage, notice shall be served as set forth in WAC 220-120-050.

(5) No sooner than thirty days from first public notice a hearing shall be held as set forth in WAC 220-120-070.

[Statutory Authority: RCW 75.08.080. 85-01-020 (Order 84-217), § 220-120-030, filed 12/10/84.]

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WAC 220-120-040 Contested determination. (1)

Any person who wishes to contest the department's determination that an obstruction exists, to contest the means for providing fish passage proposed by the department, or to contest any matter related to the removal of the obstruction, shall do so at the administrative hearing provided for by this chapter.

(2) All contested facts and disputed points of law shall be made a matter of record at the administrative hearing.

[Statutory Authority: RCW 75.08.080. 85-01-020 (Order 84-217), § 220-120-040, filed 12/10/84.]

WAC 220-120-050 Notice. If an obstruction, as defined in WAC 220-120-030, is determined by the department to exist, notice of the existence of the alleged obstruction, the proposed means for providing fish passage, and notice of the date, time, and place of hearing required to be held under WAC 220-120-020 shall be served as follows:

(1) To all persons with real property interest of record in the land upon which the alleged obstruction is located, notice shall be served in the manner of a summons and complaint in a civil proceeding or by certified mail, return receipt requested, and shall contain the following:

(a) A simple, plain statement of the existence of an obstruction and the department's proposed means for providing fish passage.

(b) The general location of the obstruction and the legal description of the property upon which the obstruction exists.

(c) A statement of the time, place, and nature of the hearing.

(d) A statement of the legal authority and jurisdiction under which the hearing is being held.

(e) The following statement: "Any person who wishes to contest whether an obstruction exists as above-described, the department's proposed means for providing fish passage, or any related matter may do so at the administrative hearing above scheduled. Any person desiring to testify or present any matters at the above hearing must notify the department in writing at least ten days prior to the hearing date. The written notice shall include the name and address of the party testifying or presenting material together with a short, plain statement of the matters that they intend to present. Written notice shall be delivered to the following address: Washington State Department of Fisheries, Habitat Management Division, 115 General Administration Building, Olympia, Washington, 98504."

(2) Public notice shall also be required by publication of the sum and substance of the notice set forth in subsection (1) of this section at least once a week for two consecutive weeks in a newspaper of general circulation in the county in which the obstruction exists.

(3) Notice consisting of the sum and substance of the notice as set forth in subsection (1) of this section shall also be posted at the site of the obstruction.

[Statutory Authority: RCW 75.08.080. 85-01-020 (Order 84-217), § 220-120-050, filed 12/10/84.]

WAC 220-120-060 Venue. The hearing shall be held in the county where the alleged obstruction exists or in Thurston County, as determined by the department.

[Statutory Authority: RCW 75.08.080. 85-01-020 (Order 84-217), § 220-120-060, filed 12/10/84.]

WAC 220-120-070 Hearing procedure. Unless otherwise set forth in this chapter, the hearing procedures set forth in chapter 1-08 WAC shall govern administrative hearing held under this chapter. Where no provision of chapter 1-08 WAC applies, the civil rules promulgated for use by the superior courts of the state of Washington shall govern.

[Statutory Authority: RCW 75.08.080. 85-01-020 (Order 84-217), § 220-120-070, filed 12/10/84.]

WAC 220-120-080 Rules of evidence. (1) Rulings. The hearings officer, on objection or sua sponte, shall exclude all irrelevant or unduly repetitious evidence. All rulings upon objections to the admissibility of evidence shall be made in accordance with the rules set forth in this chapter.

(2) Objections and motions to strike. Objections to the admission or exclusion of evidence shall be in short form, stating the legal grounds of objection relied upon, and the hearing transcript shall not include extended argument or debate.

(3) Tentative admission/exclusion—Discontinuance—Objections. When objection is made to admissibility of evidence, such evidence may be received subject to a later ruling. The hearings officer conducting the hearing may, either with or without objection, exclude inadmissible evidence or order cumulative evidence discontinued. The parties objecting to the introduction of evidence shall state the precise grounds of such objection at the time such evidence is offered.

(4) Admissibility criteria. Subject to the other provisions of this chapter, all relevant evidence is admissible which, in the opinion of the officer conducting the hearing, is the best evidence reasonably obtainable, having due regard for its necessity, availability, and trustworthiness. In passing upon the admissibility of evidence, the officer conducting the hearing shall give consideration to, but shall not be bound to follow, the rules of evidence governing civil proceedings in matters not involving trial by jury in the superior courts of the state of Washington.

(5) Material facts. In the absence of contravening evidence, the hearings officer, upon request made before or during the hearing or in a proposed decision may officially notice:

(a) Hearings proceedings. The pendency of, the issues and positions of the parties therein, and the disposition of any proceeding then pending before or theretofore concluded by the hearings officer with regard to the present or other alleged obstructions.

(b) Business customs. General customs and practices followed in the transaction of business.

(c) Notorious facts. Facts so generally and widely known to all well informed persons as not to be subject to reasonable dispute, or specific facts which are capable of immediate and accurate demonstration by resort to accessible sources of generally accepted authority, including but not exclusively, facts stated in any publication authorized or permitted by law to be made by any federal or state agency.

(d) Requests or suggestions. Any party may request, or the hearings officer may suggest, that official notice be taken of a material fact, which shall be clearly and precisely stated orally on the record at any prehearing conference or oral hearing, or argument, or may make such request or suggestion by written notice, and pleading, motion, memorandum, or brief served upon all parties at any time prior to a final decision.

(e) Statement. Where an initial or final decision of the hearings officer rests in whole or in part upon official notice of a material fact, such fact shall be clearly and precisely stated in such decision. In determining whether to take official notice of material facts, the hearings officer may consult any source of pertinent information, whether or not furnished as it may be by any party, and whether or not admissible under the rules of evidence.

(f) Controversy. Any party may contravert a request or a suggestion that official notice of a material fact be taken. The controversy must be raised at the time official notice is requested if the request is made orally. If the request is made in pleadings the controversy shall appear in response to the pleading, or in the brief or notice in which the request is made or suggested. If any decision is stated to rest in whole or in part upon official notice of a material fact which the parties have not had prior opportunity to contest, any party may contest such fact by appropriate exceptions if such notice is taken in an initial or intermediate decision or by petitioning for reconsideration if the notice of such fact be taken in a final report. Such contraversion shall concisely and clearly set forth the sources, authority, and other data relied upon to show the existence or nonexistence of the material fact assumed or denied in the decision.

[Statutory Authority: RCW 75.08.080. 85-01-020 (Order 84-217), § 220-120-080, filed 12/10/84.]

WAC 220-120-090 Disposition of contested cases—Presentation of additional evidence. (1) After the parties have rested, or upon review of the record, the hearings officer may on his own motion, or at the request of the department, reopen the hearing to take further testimony, evidence, or argument. Any such additional evidence, testimony, or argument shall be received subject to full opportunity for cross examination or rebuttal by all parties.

(2) The hearings officer shall provide copies of the findings of fact, conclusions of law, and proposed order to any person requesting a copy of same.

(3) Within ten days after the hearings officer has issued his findings of fact, conclusions of law, and proposed order, any party may take written exception to them. Such exception shall be taken by delivering a written copy of such exception to the director.

(4) No final decision shall be made until the director reviews all matters of record and all timely exceptions offered. The director may adopt the proposed order, modify the proposed order, or reopen the hearing for the purpose of taking additional evidence.

(5) The director's final decision and order shall be the final decision of the department for purposes of judicial review.

[Statutory Authority: RCW 75.08.080. 85-01-020 (Order 84-217), § 220-120-090, filed 12/10/84.]

WAC 220-120-100 Appeals to the court—Notice and certification. (1) Any person aggrieved by final decision of the director may institute a proceeding for review under RCW 34.04.130. The appealing party shall serve the hearings officer and all parties of record with a copy of the notice of appeal to superior court as provided in RCW 34.04.130.

(2) Within thirty days of the service of the petition for review upon the hearings officer, or within such further time as the court may allow, the hearings officer shall certify and transmit to the reviewing court the record of the proceedings as set forth in RCW 34.04.130(4).

[Statutory Authority: RCW 75.08.080. 85-01-020 (Order 84-217), § 220-120-100, filed 12/10/84.]

Chapter 220-130 WAC VOLUNTEER COOPERATIVE FISHERIES ENHANCEMENT PROGRAMS

WAC

220-130-010	Purpose.
220-130-020	Definitions.
220-130-030	Proposal.
220-130-040	Review procedure.
220-130-050	Acceptance or rejection of proposal.
220-130-060	Project termination.
220-130-070	Project recovery of reimbursable expenses.

WAC 220-130-010 Purpose. The purpose of this chapter is to establish the procedure for entering into a cooperative agreement between the department and volunteer groups pursuant to chapter 75.52 RCW to increase the food fish and shellfish resources of the state, to provide educational opportunity and improve communication between the department and the public. This procedure includes the method of application, review process, priority of distribution of available supplies and technical support, recovery of reimbursable expenses, and the method of revocation of the agreement and termination of the project, including grounds for such action.

[Statutory Authority: RCW 75.52.035. 89-03-015 (Order 89-02), § 220-130-010, filed 1/6/89. Statutory Authority: RCW 75.08.080. 85-04-045 (Order 85-07), § 220-130-010, filed 2/1/85.]

WAC 220-130-020 Definitions. For the purposes of this chapter:

(1) Project means a volunteer fisheries resource project.

(2) Director's designee means the deputy director or the assistant director for resource management having departmental authority over the species being enhanced by the volunteer program.

(3) Reimbursable expense means an actual expense of the volunteer cooperative project that may be reimbursed by the department to the project from funds generated by the sale of surplus salmon eggs and salmon carcasses from that project. Reimbursable expenses include but are not limited to: Fish food; hardware items; lumber; telephone; electricity; salary for hired labor; office supplies; mileage; insurance; fish culture supplies. Nonreimbursable expenses include purchases of items that have certificate of title or ownership, including but not limited to real estate and motor vehicles, or expenses for debt reduction.

(4) Volunteer cooperative project surplus salmon eggs means those viable salmon eggs that are surplus to both the needs of all programs of the department and other public entities within the state and to the volunteer cooperative project itself. Use of viable eggs by the department and other public entities is the highest priority, and project use is second only to departmental and public entity use.

[Statutory Authority: RCW 75.52.035. 89-03-015 (Order 89-02), § 220-130-020, filed 1/6/89. Statutory Authority: RCW 75.08.080. 85-04-045 (Order 85-07), § 220-130-020, filed 2/1/85.]

WAC 220-130-030 Proposal. (1) All proposals for volunteer fisheries resource projects shall be made in writing to the department on the department's application form and shall provide the following information:

(a) Date of proposal.

(b) Name of volunteer group or person proposing the project, including name, address and telephone number of contact person. The volunteer group shall immediately notify the department in writing of a change in contact person.

(c) Location and description of proposed project.

(d) Annual dates of initiation and completion of project, or an indication that the project is ongoing throughout the year.

(e) List of supplies, materials and technical assistance requested from the department and necessary for the completion or operation of the project.

(2) Applications for projects to culture and release food fish and shellfish also must provide:

(a) Number of eggs, larvae, juveniles or adult food fish or shellfish requested by species.

(b) The preferred stock.

(c) The method and type of culturing proposed.

(d) The number of food fish or shellfish to be cultured.

(e) The date of release.

(f) Size at release.

(g) Release location(s).

[Statutory Authority: RCW 75.08.080. 85-04-045 (Order 85-07), § 220-130-030, filed 2/1/85.]

WAC 220-130-040 Review procedure. (1) A written response will be mailed to the contact person within forty-five calendar days of receipt of the application. The response shall include notice if the application is incomplete and that additional information is required, or any identifiable conflicts with legally existing land, water, or property rights, or any identifiable and unacceptable biological or resource management conflicts, or any identifiable lack of supplies, labor, or expertise either biological or nonbiological, or financial resources necessary for project completion or operation. The department shall provide suggested modifications to the proposal which would increase its likelihood of approval together with the name and telephone number of a person in the department responsible for monitoring the review of the proposal, and a list of identifiable state and federal permits that will be required prior to implementation of the project. The list shall not be represented as all-inclusive. The department will identify the date by which a final acceptance or rejection of the proposal can be expected together with an explanation of why that date

was selected and the process of further review to occur prior to that date.

(2) During its review of the proposal, the department will coordinate with other agencies and Indian Tribes and assist in the preparation of and coordinate the review of any necessary hydraulic project application, shellfish import and transfer permit or live fish import and transfer permit or applicable requirements of the State Environmental Policy Act.

(3) The department will exempt the volunteer group from payment of permit and license fees to the department for activities relating to the project.

(4) The department will determine its ability to meet the requirements of a project for supplies, technical expertise and other assistance, both biological and nonbiological, by considering:

(a) The project's consistency with department goals to preserve, protect and enhance the fishery resources of the state.

(b) The ability to maximize the number of persons participating in or benefitting from the volunteer fisheries resource program.

(c) The desire to maximize public awareness of the resource.

[Statutory Authority: RCW 75.08.080. 85-04-045 (Order 85-07), § 220-130-040, filed 2/1/85.]

WAC 220-130-050 Acceptance or rejection of proposal. (1) The terms and conditions for an acceptable project will be set forth in a written agreement between the department and the volunteer group and provide specifics for project implementation. Agreements may be for up to five years.

(2) If a proposal is rejected, the department must provide in writing to the volunteer group the reasons for the rejection. The volunteer group may appeal any decision rejecting a proposal to the director or the director's designee.

[Statutory Authority: RCW 75.08.080. 85-04-045 (Order 85-07), § 220-130-050, filed 2/1/85.]

WAC 220-130-060 Project termination. (1) The department may revoke approval and terminate projects for cause. Grounds for termination include:

(a) Violation of the agreement provisions.

(b) Development of unacceptable biological or resource management conflicts during implementation of the project.

(c) Unavailability of adequate resources of expertise necessary to complete the project.

(2) Notice of approval revocation shall be mailed to the contact person for the volunteer cooperative, stating the reason for revocation and, should the reason be violation of the agreement provisions, specifying what agreement provisions were violated and how corrective action can be accomplished to continue with the project.

(3) The volunteer cooperative may appeal any decision for agreement revocation or project termination to the director or the director's designee.

[Statutory Authority: RCW 75.08.080. 85-04-045 (Order 85-07), § 220-130-060, filed 2/1/85.]

WAC 220-130-070 Project recovery of reimbursable expenses. (1) In order for a project to recover reimbursable expenses, the project must have an annual budget presubmitted and approved by the department. The budget must generally show expected expenses, including the names of all persons expected to draw salaries as hired labor.

(2) The department may sell the products of a project when they are available. The project may not sell products. Nonviable salmon eggs and salmon carcasses shall be sold under competitive bidding. Volunteer cooperative project surplus salmon eggs shall be sold as prescribed by chapter 220-74 WAC, Surplus salmon eggs.

(3) All moneys received by the department from the sale of project products shall be placed into a special account used solely to fund the reimbursable expenses of that project.

(4) The project shall annually submit a list of expenses, which will be reviewed by the director or his designee. The department may require actual receipts for items purchased and will require signed timesheets for hired labor salary expenses.

(5) Reimbursable expenses shall be limited to the actual annual operating expenses of the project. No profit may be realized by the project, and no moneys shall apply to amortization or depreciation.

(6) Moneys accruing in excess of the reimbursable expense amount, as determined by the director, shall annually be remitted to the state general fund.

[Statutory Authority: RCW 75.52.035. 89-03-015 (Order 89-02), § 220-130-070, filed 1/6/89.]

Chapter 220-140 WAC

REGIONAL FISHERIES ENHANCEMENT GROUPS

WAC

220-140-001	Purpose.
220-140-010	Definitions.
220-140-020	Geographical regional fisheries enhancement groups.
220-140-030	Establishing a group.

WAC 220-140-001 Purpose. The purpose of this section is to establish regional fisheries enhancement groups, adopt procedures for the implementation of enhancement projects, and provide for accountability.

[Statutory Authority: 1989 c 426 and RCW 75.08.080. 90-04-026 (Order 90-06), § 220-140-001, filed 1/30/90, effective 3/2/90.]

WAC 220-140-010 Definitions. The following definitions apply to this chapter:

(1) "Regional fisheries enhancement group" or "group" means a nonprofit association established in compliance with Title 24 RCW, representing diverse interests, and which will work together within a predesignated area for the express purpose of enhancing salmon production and habitat in that area.

(2) "Enhancement project" means a project undertaken or overseen by a group, whether publicly or privately funded, the goal of which project is an increase in the salmon resource of the state. Enhancement projects include both salmon production and salmon habitat improvement.

(3) "Regional enhancement task force" means persons, representing diverse interests, who have been designated by

the department of fisheries to review the establishing of groups, to select among competing prospective groups, and to review start up enhancement project applications. Should the legislature authorize a regional fisheries enhancement group advisory board, the board shall take over the responsibilities of the task force.

[Statutory Authority: 1989 c 426 and RCW 75.08.080. 90-04-026 (Order 90-06), § 220-140-010, filed 1/30/90, effective 3/2/90.]

WAC 220-140-020 Geographical regional fisheries enhancement groups. The following geographical areas are designated as areas from which groups may be formed, and after being established as provided for in this chapter, such groups are eligible to make funding requests through the department. There shall be one group per region.

- (1) Region 1: Nooksack/Samish
Marine Areas: 7, 7A, 7B, 7C, 7D
Watersheds: Those entering the above marine areas, including Bellingham Bay, Samish Bay, and Padilla Bay. Major rivers include Nooksack and Samish.
- (2) Region 2: Skagit
Marine Areas: 6A, 8
Watersheds: Those entering Skagit Bay and Saratoga Passage south to East Point on Whidbey Island. The major watersheds are the Skagit River and its tributaries.
- (3) Region 3: Stillaguamish/Snohomish
Marine Areas: 8A, 8D
Watersheds: Those entering Port Susan, Port Garner, and Possession Sound, also Saratoga Passage south from Elger Bay. Major rivers include Stillaguamish and Snohomish and their tributaries.
- (4) Region 4: Mid-Sound
Marine Areas: 10, 10A-G, 11
Watersheds: Those entering Elliott Bay, Lake Washington, Lake Sammamish, East Passage, Colvos Passage, Sinclair Inlet, Dyes Inlet, Port Orchard, Port Madison. Major rivers include Cedar and Green.
- (5) Region 5: South Sound
Marine Areas: 13, 13A-K
Watersheds: Those entering Carr Inlet, Commencement Bay, Henderson Bay, Case Inlet, Nisqually Reach, Henderson Inlet, Budd Inlet, Eld Inlet, Totten Inlet, Hammersley Inlet, and Oakland Bay. Major rivers include Puyallup, Nisqually, and Deschutes.
- (6) Region 6: Hood Canal
Marine Areas: 12, 12A-D
Watersheds: Those entering Hood Canal, Dabob Bay, and Quilcene Bay. Major rivers include Skokomish, Hamma Hamma, Duckabush, Dosewallips, and Quilcene.

- (7) Region 7: Strait of Juan de Fuca
Marine Areas: 4B, 5, 6B, 6C and Area 9 north of Foulweather Bluff.
Watersheds: Those entering Admiralty Inlet and the Straits of Juan de Fuca. Major rivers include the Dungeness, Elwha, Lyre, Pysht, Clallam, and Hoko.
- (8) Region 8: North Coast
Watersheds: Those entering directly into the Pacific Ocean, including Ozette, Quillayute, Hoh, Queets, and Quinault.
- (9) Region 9: Grays Harbor
Watersheds: Those entering Grays Harbor, including Humptulips, Hoquiam, Wishkah, Chehalis, and Johns.
- (10) Region 10: Willapa Bay
Watershed: Those entering Willapa Bay, including North River, Willapa, Nemah, and Naselle.
- (11) Region 11: Lower Columbia River
Watersheds: Those entering the Columbia River below Bonneville Dam, including Grays, Elochoman, Cowlitz, Kalama, Lewis, and Washougal.
- (12) Region 12: Mid-Columbia River
Watersheds: Those entering the Columbia River above Bonneville Dam up to Chief Joseph Dam. Major rivers include Little White Salmon, White Salmon, Wind, Yakima, Klickitat, Snake, Wenatchee, Entiat, Methow, and Okanogan.

[Statutory Authority: 1989 c 426 and RCW 75.08.080. 90-04-026 (Order 90-06), § 220-140-020, filed 1/30/90, effective 3/2/90.]

WAC 220-140-030 Establishing a group. (1) In order to establish a regional fisheries enhancement group, interested parties must make application through the department. In order to qualify to establish a group, interested parties must:

- (a) Identify which geographic region the interested parties live in.
- (b) Identify the interested parties, including addresses.
- (c) Identify a representative who will work with the department on the initial application.
- (d) Agree to form a nonprofit corporation, registered with the secretary of state of the state of Washington.
- (e) Agree to periodic audits by the department, or its representative.

(2) The department will provide coordination and technical assistance to facilitate the application by prospective groups to be fisheries regional enhancement groups. The department shall provide a format and guidelines which any prospective group may use to make initial application. An initial application will be reviewed by the regional enhancement task force within thirty days, and notice will be given in writing of any omissions or errors and corrective action will be discussed with the group representative. The prospective group will be given thirty days for correction and resubmission of the application.

(3) The goal shall be one prospective group per region, and a department coordinator shall seek reconciliation of competing interests, but in the event two or more prospective groups make application, the department may request a representative of each group to meet with the regional enhancement task force and make a presentation addressing why that group should be the fisheries regional enhancement group for the region. The regional fisheries task force shall recommend to the director which group shall be selected as the regional fisheries enhancement group. The criteria to be considered when choosing from among competing groups shall include, but not be limited to:

(a) Representation of diverse interests within the group.

(b) The intentions of the group regarding salmon production, salmon habitat protection, and salmon habitat enhancement.

(c) The inclusion of an educational component within the group's planning process.

(d) Group plans to provide accountability for both salmon production and fiscal matters.

(e) The expected level of voluntary contributions to and voluntary participation in group projects.

(4) Upon selection of the prospective group, the department will provide guidance and assistance with the articles of incorporation and establishment as a 501 (C)(3) organization.

(5) After approval as a group, incorporation, and initial 501 (C)(3) application, one-twelfth of the start up funds provided for in section 9, chapter 426, Laws of 1989, will be made available, as needed, to each group for start up costs, other than incorporation costs, or start up projects. Distribution of start up funds for start up costs or start up projects will be made by the director, based on review and recommendation by the regional enhancement task force. After January 1, 1991, uncommitted start up funds may be distributed by the director to established groups for start up projects, based on review and recommendation of the regional enhancement task force.

[Statutory Authority: 1989 c 426 and RCW 75.08.080. 90-04-026 (Order 90-06), § 220-140-030, filed 1/30/90, effective 3/2/90.]