

1/12/96, effective 2/12/96. Statutory Authority: 1991 c 355 § 24. 92-02-105, § 50-30-020, filed 1/2/92, effective 2/2/92.]

WAC 208-630-021 Application review and investigation fee. (1) The director shall collect a fee of sixty-five dollars per employee hour expended for services, plus actual expenses, for review of application and investigation of:

- (a) New license applications;
- (b) Additional locations;
- (c) Change of control;
- (d) Relocation of office;
- (e) Voluntary or involuntary liquidation of licensee; and
- (f) Small loan endorsement applications.

(2) The director may require a lump sum payment in advance to cover the anticipated cost of review and investigation of the activities described in this section. If the lump sum payment required exceeds the actual amount derived in subsection (1) of this section, the amount in excess shall be refunded.

[Statutory Authority: RCW 42.320.040 and 31.45.200. 97-09-035, § 208-630-021, filed 4/11/97, effective 5/12/97.]

WAC 208-630-022 Annual assessment charge. (1) The director will charge each licensee an annual assessment at the rate set forth in subsection (2) of this section. Assessments for a calendar year will be computed on total volume of transactions as of December 31 of the previous calendar year. For licensees with a fiscal year of January through December, annual assessments are due on or before April 15. For licensees with a fiscal year other than that stated above, annual assessments are due one hundred five days after the close of the licensee's fiscal year. For the calendar year 1997, annual assessments for all licensees are due on or before June 30, 1997.

(2) The annual assessment rate is:

(a) For check cashers:

(i) If the volume of checks cashed is one million dollars or less, there is no annual assessment;

(ii) If the volume of checks cashed is over one million dollars, the annual assessment is five hundred dollars per licensed location.

(b) For check sellers:

(i) If the volume of checks sold is one million dollars or less, there is no annual assessment;

(ii) If the volume of checks sold is over one million dollars, the annual assessment is five hundred dollars per licensed location.

(c) For licensees with small loan endorsements, in addition to (a) and/or (b) of this subsection:

(i) If the volume of small loans made is one million dollars or less, there is no annual assessment;

(ii) If the volume of small loans made is over one million dollars, the annual assessment is five hundred dollars per licensed location.

(3) For purposes of this section, "volume" includes all transactions made under this chapter and chapter 31.45 RCW by a Washington licensed check casher or check seller at all licensed locations.

[Statutory Authority: RCW 42.320.040 and 31.45.200. 97-09-035, § 208-630-022, filed 4/11/97, effective 5/12/97.]

WAC 208-630-023 Examination fees. The fee for examinations described in WAC 208-630-015 shall be sixty-five dollars per employee hour expended.

[Statutory Authority: RCW 42.320.040 and 31.45.200. 97-09-035, § 208-630-023, filed 4/11/97, effective 5/12/97.]

Title 220 WAC FISH AND WILDLIFE, DEPARTMENT OF (FISHERIES)

Chapters

220-16 Definitions.

220-20 General provisions.

220-33 Columbia River—Commercial fisheries below Bonneville Dam.

220-36 Grays Harbor.

220-40 Willapa Harbor.

220-47 Puget Sound—Salmon.

220-48 Puget Sound—Fish other than salmon.

220-52 Shellfish.

220-56 Personal-use fishery.

220-57 Fresh water angling—Open areas and seasons.

220-57A Fresh water lakes.

220-69 Fish receiving tickets—Weight delivery sheets.

220-72 Oyster diseases and pests.

220-77 Aquaculture disease control.

220-88A Emerging commercial fishery—Puget Sound shrimp.

220-110 Hydraulic code rules.

220-130 Volunteer cooperative fisheries enhancement programs.

220-140 Regional fisheries enhancement groups.

Chapter 220-16 WAC

DEFINITIONS

WAC

220-16-470 Wild.

WAC 220-16-470 Wild. "Wild" when used to describe the difference between a hatchery fish and a nonhatchery fish means a fish with all fins intact. A fish missing an adipose or ventral fin with a healed scar at the site is not a wild fish.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-16-470, filed 8/27/97, effective 9/27/97.]

**Chapter 220-20 WAC
GENERAL PROVISIONS**

WAC

220-20-020	General provisions—Lawful and unlawful acts—Food fish other than salmon.
220-20-021	Sale of commercially caught sturgeon and bottomfish.
220-20-038	Shellfish—Import.

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 white sturgeon less than 48 inches or greater than 60 inches in length or any round, undressed green 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.

(8) It is unlawful to fish for or possess food fish other than salmon taken from the Titlow Beach Marine Preserve or the Edmonds Underwater Park.

[Statutory Authority: RCW 75.08.080. 97-07-043 (Order 97-51), § 220-20-020, filed 3/14/97, effective 4/14/97; 95-23-020 (Order 95-166), § 220-20-020, filed 11/8/95, effective 12/9/95; 93-14-042 (Order 93-54), § 220-20-020, 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 is unlawful for any person

while engaged in commercial fishing for sturgeon or bottom fish to:

(a) Keep in excess of one sturgeon smaller or greater than the size limits provided for in WAC 220-20-020, 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 is 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.

(3) It is unlawful to purchase, sell, barter or attempt to purchase, sell, or barter any sturgeon eggs taken from sturgeon caught in the Columbia River below Bonneville Dam.

[Statutory Authority: RCW 75.08.080. 97-07-043 (Order 97-51), § 220-20-021, filed 3/14/97, effective 4/14/97; 94-12-009 (Order 94-23), § 220-20-021, filed 5/19/94, effective 6/19/94; 85-08-023 (Order 85-24), § 220-20-021, filed 4/1/85; 82-17-040 (Order 82-105), § 220-20-021, filed 8/13/82.]

WAC 220-20-038 Shellfish—Import. It shall be unlawful to import, ship or otherwise cause live shellfish of any kind or form or associated pest, predators or disease organisms, to be introduced into the waters of the state of Washington without first obtaining written permission from the director or the director's 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. The permit may specify department inspections and transfer conditions for the import.

[Statutory Authority: RCW 75.08.080. 97-08-078 (Order 97-56), § 220-20-038, filed 4/2/97, effective 5/3/97; 80-13-064 (Order 80-123), § 220-20-038, filed 9/17/80.]

Chapter 220-33 WAC

**COLUMBIA RIVER—COMMERCIAL FISHERIES
BELOW BONNEVILLE DAM**

WAC

220-33-020 Sturgeon.

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, is not constructed of monofilament webbing and does not have a lead line weighing more than two pounds per fathom of net as measured on the cork line. 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 smaller or greater than the size limits provided for in WAC 220-20-020 may not be retained for commercial purposes and shall be returned immediately to the water. All sturgeon in transit must not have the head or tail removed.

(4) A person engaged in commercial fishing may retain one 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 and delivered to a fish processing plant.

(7) A sturgeon carcass with head and tail removed and retained at a fish processing plant must be at least 28 inches in length.

[Statutory Authority: RCW 75.08.080, 97-07-043 (Order 97-51), § 220-33-020, filed 3/14/97, effective 4/14/97; 88-18-066 (Order 88-86), § 220-33-020, filed 9/2/88.]

Chapter 220-36 WAC GRAYS HARBOR

WAC

220-36-021 Salmon—Grays Harbor—Summer fishery.
220-36-023 Grays Harbor salmon—Fall fishery.

WAC 220-36-021 Salmon—Grays Harbor—Summer fishery. From July 5 through August 15 of 1997, 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, 97-15-148 (Order 97-123), § 220-36-021, filed 7/23/97, effective 8/23/97; 96-13-035 (Order 96-77), § 220-36-021, filed 6/11/96, effective 7/12/96; 95-13-065 (Order 95-76), § 220-36-021, filed 6/19/95, effective 7/20/95; 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 7/1/75; 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 each year, it is unlawful to fish for salmon in Grays Harbor for commercial purposes, except that:

Fishing period

(1) Gill net gear may be used to fish for salmon from 6:00 p.m. September 2 to 6:00 p.m. September 4, and 6:00 p.m. September 9 to 6:00 p.m. September 11, 1997, in SMCRA 2C.

(2) Gill net gear may be used to fish for salmon from 6:00 p.m. September 2 to 6:00 p.m. September 4, and 6:00 p.m. September 9 to 6:00 p.m. September 11, 1997, in SMCRA 2D.

(3) Gill net gear shall be used as provided for in WAC 220-36-015, except that it shall not contain mesh smaller than 8 inches.

[Statutory Authority: RCW 75.08.080, 97-15-148 (Order 97-123), § 220-36-023, filed 7/23/97, effective 8/23/97; 96-13-035 (Order 96-77), § 220-36-023, filed 6/11/96, effective 7/12/96; 95-13-065 (Order 95-76), § 220-36-023, filed 6/19/95, effective 7/20/95; 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.]

Chapter 220-40 WAC WILLAPA HARBOR

WAC

220-40-021 Willapa Bay salmon—Summer fishery.
220-40-027 Salmon—Willapa Bay fall fishery.

WAC 220-40-021 Willapa Bay salmon—Summer fishery. From July 5 through August 15 of 1997, 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, 97-15-148 (Order 97-123), § 220-40-021, filed 7/23/97, effective 8/23/97; 96-13-035 (Order 96-77), § 220-40-021, filed 6/11/96, effective 7/12/96; 95-13-065 (Order 95-76), § 220-40-021, filed 6/19/95, effective 7/20/95; 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 18 to 6:00 p.m. August 19, 6:00 p.m. August 21 to 6:00 p.m. August 22, 6:00 p.m. August 27 to 6:00 p.m. August 28, 6:00 p.m. September 2 to 6:00 p.m. September 4 and 6:00 p.m. September 8 to 6:00 p.m. September 10, 1997, in SMCRA 2M, that portion of SMCRA 2G east of a line drawn true north-south through Willapa Channel Entrance Buoy 12, that portion of SMCRA 2H west of Willapa Channel Marker 35 and that portion of SMCRA 2J north of an east-west line through the north entrance marker to the Nahcotta boat basin (red flasher no. 2);

(b) 6:00 p.m. September 16 to 6:00 p.m. October 4, 1997, in SMCRA 2H, 2M and that portion of SMCRA 2G east of a line drawn true north-south through Willapa Channel Entrance Buoy 12;

(c) 6:00 p.m. September 18 to 6:00 p.m. September 19, 6:00 p.m. September 22 to 6:00 p.m. September 23, 6:00 p.m. September 25 to 6:00 p.m. September 26, 6:00 p.m. September 29 to 6:00 p.m. September 30, and 6:00 p.m. October 2 to 6:00 p.m. October 3, 1997, in that part of SMCRA 2J north of an east-west line through the north entrance marker to the Nahcotta basin (red flasher no. 2).

(d) 6:00 p.m. October 4 to 6:00 p.m. October 9, 1997, in SMCRA 2H.

(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 17, there is no maximum mesh size limit, and after 6:00 p.m. October 4 the minimum mesh size is 8 inches.

[Statutory Authority: RCW 75.08.080. 97-15-148 (Order 97-123), § 220-40-027, filed 7/23/97, effective 8/23/97; 96-13-035 (Order 96-77), § 220-40-027, 6/11/96, effective 7/12/96; 95-13-065 (Order 95-76), § 220-40-027, filed 6/19/95, effective 7/20/95; 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.]

Chapter 220-47 WAC

PUGET SOUND—SALMON

WAC

220-47-301	Puget Sound—Lawful gear—Purse seine.
220-47-302	Puget Sound—Lawful gear—Gill net.
220-47-304	Puget Sound—All citizen salmon species seasons.
220-47-307	Closed areas—Puget Sound salmon.
220-47-311	Purse seine—Open periods.
220-47-319	Special purse seine mesh size.

220-47-325	Purse seine—Release of incidentally caught fish.
220-47-326	Puget Sound commercial salmon—Assessment of impacts on released fish.
220-47-401	Reef net open periods.
220-47-410	Gill net—Daily hours.
220-47-411	Gill net—Open periods.
220-47-427	Puget Sound—Beach seine—Emerging commercial fishery—Eligibility—Lawful gear.
220-47-428	Beach seine—Open periods.

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.

(6) It shall be unlawful to take or fish for salmon with purse seine gear in Puget Sound unless at least four sections, each measuring no less than 12 inches in length, along the corkline in the bunt and within 75 fathoms of the bunt have no corks or floats attached. These four sections must be spaced such that one section is along the corkline in the bunt, within 5 fathoms of the seine net, and the other three sections must be spaced at least 20 fathoms apart along the corkline within 75 fathoms of the bunt.

[Statutory Authority: RCW 75.08.080. 97-16-030 (Order 97-124), § 220-47-301, filed 7/29/97, effective 8/29/97; 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). 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.

(5) It shall be unlawful to take or fish for salmon with gill net gear beginning in 1998 in Areas 7 or 7A sockeye or pink fisheries unless said gill net gear is constructed so that the first 20 meshes below the corkline are composed of five-inch mesh white opaque minimum 210d/30 (#12) diameter nylon twine.

[Statutory Authority: RCW 75.08.080, 97-16-030 (Order 97-124), § 220-47-302, filed 7/29/97, effective 8/29/97; 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 220-47-304 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
6D:	COHO	9/21 -	10/25
7,7A:	FRASER SOCKEYE AND PINK CHUM	6/22 - 9/28 -	9/27 11/15
7B:	CHINOOK COHO CHUM	8/10 - 9/7 - 10/26 -	9/6 10/25 12/13
7C:	CHINOOK	8/10 -	10/11
8:	PINK CHUM	8/24 - 10/26 -	9/13 11/29
8A:	PINK CHUM	8/3 - 10/19 -	9/6 11/29
8D:	COHO CHUM	9/21 - 11/9 -	11/8 12/20
9A:	COHO	9/14 -	11/1
10, 11:	COHO CHUM	9/7 - 10/12 -	10/11 11/29
12:	CHUM	10/19 -	11/20
12A:	COHO	8/31 -	10/11
12B:	CHUM	10/19 -	11/20
12C:	CHUM	10/26 -	11/27

[Statutory Authority: RCW 75.08.080, 97-16-030 (Order 97-124), § 220-47-304, filed 7/29/97, effective 8/29/97; 96-15-101 (Order 96-81), § 220-47-304, filed 7/22/96, effective 8/22/96; 95-13-056 (Order 95-75), § 220-47-304, filed 6/16/95, effective 7/17/95; 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, except that closures listed in this section shall not apply to reef net fishing areas listed in RCW 75.12.140:

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

[1998 WAC Supp—page 268]

Area 6D - That portion within 1,000 feet of each mouth of the Dungeness River. Through October 4, 1997, closed in those waters within 1,000 feet of shore between the Dungeness Oyster House and a fish and wildlife boundary marker 1,000 feet east of the easternmost mouth of the Dungeness River.

Area 7 - (1) The San Juan Island Preserve as defined in WAC 220-47-262.

(2) Those waters within 1,500 feet of shore on Orcas Island from Deer Point northeasterly to Lawrence Point thence west to a point intercepting a line projected from the northernmost point of Jones Island thence 90° true to Orcas Island.

(3) Those waters within 1,500 feet of the shore of Cypress Island from Cypress Head to the northernmost point of Cypress Island.

(4) Those waters easterly of a line projected from Iceberg Point to Iceberg Island, to the easternmost point of Charles Island, then true north from the northernmost point of Charles Island to the shore of Lopez Island.

(5) Those waters northerly of a line projected from the southernmost point of land at Aleck Bay to the westernmost point of Colville Island, thence from the easternmost point of Colville Island to Point Colville.

(6) Those waters easterly of a line projected from Edith Point on Fidalgo Island to the Dennis Shoal Light, thence to the light on the westernmost point of Burrows Island, thence to the southwesternmost point of Fidalgo Head.

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 - (1) 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.

(2) Those waters within 1,500 feet of the western shore of Camano Island south of a line projected true west from Rocky Point.

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 - (1) 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.

(2) Additional coho seasonal closure: Those waters south of a line projected from the light at the mouth of Gig Harbor to the Tahlequah ferry dock then south to the Point Defiance ferry dock, and those waters south of a line projected from the Point Defiance ferry dock to Dash Point.

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 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 - Those waters within 1,000 feet of the eastern shore.

Area 12C - (1) Those waters within 2,000 feet of the western shore between the dock at Glen Ayr R.V. Park and the Hoodspout 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 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 Area 12D.

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. 97-16-030 (Order 97-124), § 220-47-307, filed 7/29/97, effective 8/29/97; 96-15-101 (Order 96-81), § 220-47-307, filed 7/22/96, effective 8/22/96; 95-13-056 (Order 95-75), § 220-47-307, filed 6/16/95, effective 7/17/95; 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 220-47-311 Purse seine—Open periods.
During 1997, 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:	7AM	-	6PM	10/20, 10/21, 10/29, 10/30,	
	6AM	-	5PM	11/03, 11/12, 11/13	
7B:	6AM	9/08	-	4PM	9/12
	6AM	9/15	-	4PM	9/19
	6AM	9/21	-	4PM	11/01
	6AM	11/03	-	4PM	11/07
	6AM	11/10	-	4PM	11/14
	6AM	11/17	-	4PM	11/21
	6AM	11/24	-	4PM	11/28
	6AM	12/01	-	4PM	12/05
8:	5AM	-	9PM	8/25, 8/26	
	6AM	-	8PM	9/04, 9/05, 9/08, 9/09	
	7AM	-	6PM	10/28	
	7AM	-	5PM	11/03, 11/04, 11/12, 11/17	
8A:	7AM	-	6PM	10/29, 10/30	
	7AM	-	5PM	11/03, 11/04, 11/12, 11/13, 11/17, 11/18, 11/24, 11/25, 11/26	
8D:	7AM	-	7PM	9/22, 9/23, 9/24, 9/25, 9/30, 10/01, 10/02, 10/03, 10/06, 10/07, 10/08, 10/09, 10/14, 10/15, 10/16, 10/17, 10/20, 10/21, 10/22, 10/23	
	7AM	-	6PM	10/29, 10/30	
	7AM	-	5PM	11/03, 11/04, 11/12, 11/13, 11/17, 11/18, 11/24, 11/25, 11/26	
	7AM	-	6PM	10/20, 10/28	
10, 11:	7AM	-	5PM	11/03, 11/12, 11/17	
	7AM	-	6PM	10/20, 10/21, 10/28, 10/29	
12, 12B:	7AM	-	6PM	11/03, 11/04, 11/12, 11/17	
	7AM	-	5PM	11/03, 11/04, 11/12, 11/17	

It is unlawful to retain chinook salmon taken with purse seine gear in Areas 7, 7B, 8, 8A, 12, 12B and 12C. It is unlawful to retain chinook salmon taken with purse seine gear in Area 7A from October 1 to November 30, 1997. It is unlawful to retain coho salmon taken with purse seine gear in Area 8A. All other saltwater and freshwater areas - closed.

[Statutory Authority: RCW 75.08.080. 97-16-030 (Order 97-124), § 220-47-311, filed 7/29/97, effective 8/29/97; 96-15-101 (Order 96-81), § 220-47-311, filed 7/22/96, effective 8/22/96; 95-13-056 (Order 95-75), § 220-47-311, filed 6/16/95, effective 7/17/95; 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 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. 97-16-030 (Order 97-124), § 220-47-319, filed 7/29/97, effective 8/29/97; 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 220-47-325 Purse seine—Release of incidentally caught fish. It is unlawful for any purse seine vessel operator landing salmon to land salmon directly into the hold. All salmon must be landed to the deck, or sorting tray or table, of the harvesting vessel with the hold hatch cover(s) closed until release of salmon that may not be retained is complete.

[Statutory Authority: RCW 75.08.080. 97-16-030 (Order 97-124), § 220-47-325, filed 7/29/97, effective 8/29/97.]

WAC 220-47-326 Puget Sound commercial salmon—Assessment of impacts on released fish. (1) It is unlawful to participate in the purse seine openings listed in chapter 220-47 WAC, unless each purse seine vessel operator carries on board the purse seine vessel a log book, provided by the department, to record the numbers and condition of fish caught which are required to be released by Title 220 WAC.

(2) Each purse seine vessel operator, immediately upon completion of a set, shall record into the log book the numbers of fish caught by species in that set which are required to be released, and specify the condition, at time of release, of each fish released from that set; and it is unlawful to fail to immediately and accurately record into the log book the information from each completed set of the purse seine net.

(3) The completed log book shall be returned to the department no later than seven days after the last purse seine

opening of the calendar year scheduled in WAC 220-47-311; and it is unlawful to fail to do so.

[Statutory Authority: RCW 75.08.080. 97-16-032 (Order 97-132), § 220-47-326, filed 7/29/97, effective 8/29/97.]

WAC 220-47-401 Reef net open periods. During 1997, 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 Areas, during the periods provided for hereinafter in each respective area:

AREA	TIME		DATE(S)
7,7A	7AM - 7PM	DAILY	9/15 - 9/19 9/22 - 9/26 9/29 - 10/3 10/6 - 10/10 10/13 - 10/17 10/20 - 10/24 10/27 - 10/31 11/3 - 11/7

All other saltwater and freshwater areas - closed.

[Statutory Authority: RCW 75.08.080. 97-16-030 (Order 97-124), § 220-47-401, filed 7/29/97, effective 8/29/97; 96-15-101 (Order 96-81), § 220-47-401, filed 7/22/96, effective 8/22/96; 95-13-056 (Order 95-75), § 220-47-401, filed 6/16/95, effective 7/17/95; 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 7/14/87; 86-13-038 (Order 86-46), § 220-47-401, filed 6/12/86; 81-18-017 (Order 81-101), § 220-47-401, filed 8/25/81; 80-10-058 (Order 80-83), § 220-47-401, filed 8/6/80; 78-05-018 (Order 78-16), § 220-47-401, filed 4/13/78; Order 77-66, § 220-47-401, filed 8/5/77; Order 77-14, § 220-47-401, filed 4/15/77; Order 76-41, § 220-47-401, filed 6/4/76; Order 1210, § 220-47-401, filed 5/26/75; Order 1143, § 220-47-401, filed 8/8/74; Order 1125, § 220-47-401, filed 6/6/74; Order 1066, § 220-47-401, filed 7/19/73; Order 1057, § 220-47-401, filed 5/22/73; Order 988, § 220-47-401, filed 4/28/72.]

WAC 220-47-410 Gill net—Daily hours. It shall be unlawful to take or fish for sockeye or pink salmon in Areas 7 or 7A with gill net gear from 12:00 midnight to 1.5 hours after sunrise. In 1997, it shall be unlawful to take or fish for sockeye or pink salmon in areas 7 or 7A with gill net gear except within the following daily hours:

Week	Open at or after . . .	Close at or before . . .
6/29/97 - 7/ 5/97	6:45 am	12:00 midnight,
7/ 6/97 - 7/12/97	6:50 am	at which time
7/13/97 - 7/19/97	6:55 am	all gear must
7/20/97 - 7/26/97	7:05 am	be out of the
7/27/97 - 8/ 2/97	7:10 am	water and
8/ 3/97 - 8/ 9/97	7:20 am	stowed aboard.
8/10/97 - 8/16/97	7:30 am	
8/17/97 - 8/23/97	7:40 am	
8/24/97 - 8/30/97	7:50 am	

[Statutory Authority: RCW 75.08.080. 97-16-030 (Order 97-124), § 220-47-410, filed 7/29/97, effective 8/29/97.]

WAC 220-47-411 Gill net—Open periods. During 1997, 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)
6D:	7AM - 8PM	9/29, 9/30, 10/1, 10/2, 10/3, 10/6, 10/7, 10/8, 10/9, 10/10
	7AM - 7PM	10/13, 10/14, 10/15, 10/16, 10/17, 10/20, 10/21, 10/22, 10/23, 10/24
Note: Area 6D skiff gill net only. It is unlawful to retain chinook or pink salmon in Area 6D.		
7, 7A:	7AM - 7PM	10/23, 10/29
	7AM - 6PM	10/27, 10/28, 11/4, 11/10, 11/11
7B:	7PM - 9AM	NIGHTLY 8/18, 8/25, 8/26, 9/2
	6AM 9/8	- 4PM 9/12
	6AM 9/15	- 4PM 9/19
	6AM 9/21	- 4PM 11/1
	6AM 11/3	- 4PM 11/7
	6AM 11/10	- 4PM 11/14
	6AM 11/17	- 4PM 11/21
	6AM 11/24	- 4PM 11/28
	6AM 12/1	- 4PM 12/5
	6AM 12/8	- 4PM 12/12
7C:	7PM - 9AM	NIGHTLY 8/18, 8/25, 8/26, 9/2
8:	6AM - 9PM	8/27, 8/28, 9/2, 9/3, 9/10, 9/11
	7AM - 6PM	10/27, 11/5, 11/6, 11/10, 11/18
8A:	7AM - 6PM	10/27, 10/28, 11/5, 11/6, 11/10, 11/11, 11/19, 11/20
	7AM - 5PM	11/22, 11/23, 11/24
8D:	6PM - 8AM	NIGHTLY 9/22, 9/23, 9/24, 9/25, 9/29, 9/30, 10/1, 10/2, 10/6, 10/7, 10/8, 10/9, 10/13, 10/14, 10/15, 10/16, 10/20, 10/21, 10/22, 10/23
	7AM - 6PM	10/27, 10/28, 11/5, 11/6, 11/10, 11/11, 11/19, 11/20
	7AM - 5PM	11/22, 11/23, 11/24
9A:	6AM 9/14 through 4PM 11/1	
10, 11:	5PM - 8AM	NIGHTLY 10/20, 10/27
	4PM - 8AM	NIGHTLY 11/3, 11/10, 11/17
12, 12B:	5PM - 8AM	NIGHTLY 10/20, 10/21, 10/27, 10/28
	4PM - 8AM	NIGHTLY 11/3, 11/4, 11/10, 11/17

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

[Statutory Authority: RCW 75.08.080. 97-16-030 (Order 97-124), § 220-47-411, filed 7/29/97, effective 8/29/97; 96-15-101 (Order 96-81), § 220-47-411, filed 7/22/96, effective 8/22/96; 95-13-056 (Order 95-75), § 220-47-411, filed 6/16/95, effective 7/17/95; 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 220-47-427 Puget Sound—Beach seine—Emerging commercial fishery—Eligibility—Lawful gear.

(1) The Puget Sound beach seine salmon fishery is designated as an emerging commercial fishery for which a vessel is required. An emerging commercial fishery license and an experimental fishery permit are required to participate in this fishery.

(2) The department will issue five Quilcene Bay salmon beach seine experimental fishery permits (Quilcene permits).

(3) The following is the selection process the department will use to offer a Quilcene permit.

(a) Persons who held a Quilcene Bay salmon beach seine experimental fishery permit in 1996 will be eligible for a permit in 1997.

(b) The department established a pool of applicants by drawing on September 9, 1996. The pool established by this drawing will be maintained to replace any permit(s) which may be voided.

(4) Permit holders are required to participate in the Quilcene Bay salmon beach seine experimental fishery.

(a) For purposes of this section, "participation" means the holder of the Quilcene permit being aboard the designated vessel in the open fishery area four days each week during the open fishing period, except that during the Fraser sockeye and pink salmon species season in Areas 7 and 7A "participation" means the holder of the Quilcene permit being aboard the designated vessel in the open fishery area two days each week during the open fishing period.

(b) If the Quilcene permit holder fails to participate, the Quilcene permit issued to that fisher will be void and a new Quilcene permit will be reissued through a random drawing from the applicant pool established in 1996.

(c) The department may require proof of participation by registering with state, federal or tribal officials each day the Quilcene permit holder participates.

(d) Persons who participate, but violate conditions of a Quilcene permit, will have the permit voided and a new Quilcene permit will be reissued through a random drawing from the pool of the voided permit holder. Chum salmon may not be retained by a Quilcene permit holder. Chum salmon must be released alive, or, at the direction of federal or state officials, submitted for broodstock purposes.

(5) Any person who fails to purchase the license, fails to participate, or violates the conditions of a Quilcene permit will have his or her name permanently withdrawn from the pools.

(6) It is unlawful to take salmon with beach seine gear that does not meet the requirements of this subsection.

(a) Beach seine salmon nets in Puget Sound shall not exceed 600 feet in length or 100 meshes in depth, or contain meshes of a size less than 3 inches or greater than 4 inches.

(b) Mesh webbing must be constructed with a twine size no smaller than 210/30d nylon, 12 thread cotton, or the equivalent diameter in any other material.

[Statutory Authority: RCW 75.08.080, 97-16-030 (Order 97-124), § 220-47-427, filed 7/29/97, effective 8/29/97; 96-19-049 (Order 96-152), § 220-47-427, filed 9/12/96, effective 10/13/96.]

WAC 220-47-428 Beach seine—Open periods.

During 1997, it is unlawful to take, fish for, or possess salmon taken with beach 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 hereinafter in each respective Management and Catch Reporting Area:

AREA	TIME	DATE(S)
12A:	7AM - 7PM	9/2, 9/3, 9/4, 9/5, 9/8, 9/9, 9/10, 9/11, 9/12, 9/15, 9/16, 9/17, 9/18, 9/19, 9/22, 9/23, 9/24, 9/25, 9/26, 9/29, 9/30, 10/1, 10/2, 10/3, 10/6, 10/7, 10/8, 10/9, 10/10, 10/13, 10/14, 10/15, 10/16, 10/17

[Statutory Authority: RCW 75.08.080, 97-16-030 (Order 97-124), § 220-47-428, filed 7/29/97, effective 8/29/97; 96-15-101 (Order 96-81), § 220-47-428, filed 7/22/96, effective 8/22/96.]

Chapter 220-48 WAC

PUGET SOUND—FISH OTHER THAN SALMON

WAC

220-48-015 Beam trawl and bottom trawl—Seasons.

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 all trawl fishing in waters less than 30 feet deep.

[1998 WAC Supp—page 272]

(e) Areas 20A, 20B, 21A, 22A and 22B are closed in waters deeper than 40 fathoms from September 1 through December 31.

(f) 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.

(g) Area 23C is closed to otter trawl Wednesday, Saturday and Sunday, January 1 through August 31, and closed to all otter trawl September 1 through December 31.

(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 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, 97-07-053 (Order 97-52), § 220-48-015, filed 3/17/97, effective 4/17/97; 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.]

Chapter 220-52 WAC

SHELLFISH

WAC

220-52-040 Crab fishery—Lawful and unlawful.
220-52-046 Crab fishery—Seasons and areas.
220-52-075 Shellfish harvest logs.

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 person to take or fish for Dungeness crabs for commercial purposes in the Puget Sound licensing district with more than 20 pots per groundline, and it shall be unlawful to use or operate a groundline unless such gear meets the following requirements:

(a) A buoy, staff, flag, and radar reflector must be attached at each end of the groundline;

(b) Flags attached at each end of the groundline must be orange in color;

(c) Buoys attached at each end of the groundline must be marked in a visible and legible manner with the department of fish and wildlife approved and registered buoy brand issued to the license;

(d) Buoys attached at each end of the groundline must be marked with the number of pots attached to the groundline; and

(e) Staffs with attached flags at each end of the groundline must be at least four feet above the water surface.

(7) In coastal waters, Grays Harbor, Willapa Bay and the Columbia River no crab pot gear may be attached or connected to other crab pot gear by a common groundline or any other means.

(8) 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.

[Statutory Authority: RCW 75.08.080. 97-08-052 (Order 97-55), § 220-52-040, filed 3/31/97, effective 5/1/97; 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 220-52-046 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 are open beginning 8:00 a.m. October 1st through the following April 15th and, after October 1, one-half hour before sunrise to one-half hour after sunset, except Areas 25C, 27A, 27B, 27C, 28A, 28B, 28C, and 28D and the closures provided for in this section.

(2) The following areas are closed to non-Indian commercial crab fishing:

(a) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 20A between a line from the boat ramp at the western boundary of Birch Bay State Park to the western point of the entrance of the Birch Bay Marina and a line from the same boat ramp to Birch Point are closed October 1 through November 7 and March 1 through April 15.

(b) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 20A in Lummi Bay east of a line projected from the entrance buoy at Sandy Point to Gooseberry Point.

(c) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 21A in Bellingham Bay west of a line projected from the exposed boulder at Point Francis to the pilings at Stevie's Point.

(d) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24A east of lines projected north from the most westerly tip of Skagit Island and south to the most westerly tip of Hope Island, thence southeast to Seal Rocks, thence southeast to the green can buoy at the mouth of Swinomish Channel, thence easterly to the west side of Goat Island.

(e) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24B inside a line projected from Priest Point to the five-meter tower between Gedney Island and Priest Point, thence northwesterly on a line between the five-meter tower and Barnum Point to the intersection with a line projected true west from Kayak Point, thence east to shore.

(f) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24B north of a line projected true

west from Kayak Point and south and west of a line from Kayak Point to Barnum Point.

(g) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 25A west of a line from the new Dungeness Light to the mouth of Cooper Creek are closed through November 15th of each year and when open there is a 30 pot per vessel limit in these waters.

(h) Those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 26B, 26C, and 26D.

(i) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 25D within a line projected from the Point Hudson Marina entrance to the northern tip of Indian Island, thence to Kala Point, and thence following the shoreline to the point of origin.

(3) The following areas are closed to commercial crab fishing during the periods indicated:

(a) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24C inshore of the 400 foot depth contour within an area bounded by parallel lines projected northeasterly from Sandy Point and the entrance to the marina at Langley are closed October 1 through October 31, and March 1 through April 15 of each year.

(b) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 26A in Useless Bay north and east of a line from Indian Point to a point on shore 1.5 miles northeast of Double Bluff are closed October 1 through October 31, and March 1 through April 15 of each year.

(c) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 21B inside lines from Oyster Creek to the fisheries monument on Samish Island and from Oyster Creek to Point Williams are closed shoreward of the ten fathom contour October 1 through October 31, and March 1 through April 15 of each year.

(d) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22B in Fidalgo Bay south of a line projected from the red number 4 entrance buoy at Cap Sante Marina to the northern end of the eastern most oil dock are closed October 1 through October 31, and March 1 through April 15 of each year.

(4) The following areas are closed to commercial crab fishing until further notice:

(a) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24A within a line projected .4 nautical miles due northwest from Rocky Point, thence to the red number 2 buoy, thence to Brown Point.

(b) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 24D south of a line from Dines Point to the point just north of Beverly Beach.

(c) Those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 24B and 26A inside lines projected from the five-meter tower between Gedney Island and Priest Point to the north tip of Jetty Island and from the five-meter tower to the Rucker Hill radio tower at Pigeon Creek No. 1.

(d) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 26A within a line from the green number 1 buoy at Scatchet Head to the green number 1 buoy at Possession Point thence following the 200 foot contour to a point due east from the Glendale Dock.

(e) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 21B in Samish Bay south of a

line from Oyster Creek to the fisheries management monument on Samish Island.

(f) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A in Westcott and Garrison Bays east of a line projected due south from Point White to San Juan Island.

(g) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 20A in Birch Bay east of a line projected from the boat ramp at the western boundary of Birch Bay State Park to the western point of the entrance to the Birch Bay Marina.

(h) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 21A shoreward of the ten-fathom (MLLW) contour in Chuckanut Bay.

(i) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A in Blind Bay south of a line projected due west from Point Hudson to Shaw Island.

(j) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A in Deer Harbor north of a line projected from Steep Point to Pole Pass.

(k) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A in Fisherman Bay south of a line projected east-west through the red number 4 entrance buoy.

(l) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A in Mud Bay south of a line projected from Lopez Island through Crab and Fortress Islands to Lopez Island.

(m) Those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22B in Padilla Bay within a line projected from the northern end of the eastern most oil dock to the red number 2 buoy, thence southeasterly to the red number 8 buoy, thence west to shore.

(n) All waters in the San Juan Islands Marine Preserve Area.

(5) 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, 97-08-052 (Order 97-55), § 220-52-046, filed 3/31/97, effective 5/1/97; 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 220-52-075 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 fish and wildlife. 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 fish and wildlife 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 fish and wildlife 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 fished, trawl width, Marine Fish-Shellfish Management and Catch Reporting Area, depth fished, latitude and longitude to the nearest tenth of a minute or to the nearest second at the beginning and end of each tow, tow speed, duration of tow and estimated weight of shrimp of each species 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 department of fish and wildlife 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 department of fish and wildlife 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, 97-08-052 (Order 97-55), § 220-52-075, filed 3/31/97, effective 5/1/97; 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 220-56 WAC

PERSONAL-USE FISHERY

WAC

220-56-100	Definitions—Personal use.
220-56-103	Definitions—Landlocked chinook and coho.
220-56-105	River mouth definitions.
220-56-124	Unlawful provisions—Hoodsport Hatchery.
220-56-128	Food fish fishing—Closed areas.
220-56-180	Daily limit codes.
220-56-190	Coastal salmon—Saltwater seasons and daily limits.
220-56-191	Puget Sound salmon—Saltwater seasons and daily limits.
220-56-195	Closed areas—Saltwater salmon angling.
220-56-205	Hook rules—Nonbuoyant lures.
220-56-225	Freshwater angling hours.
220-56-235	Possession limits—Bottomfish.
220-56-240	Daily limits sturgeon, smelt, herring and other food fish not otherwise provided for.
220-56-255	Halibut—Season.

220-56-305	Sturgeon—Catch and release.
220-56-310	Shellfish—Daily limits.
220-56-320	Shellfish gear—Unlawful acts.
220-56-325	Shrimp—Areas and seasons.
220-56-330	Crab—Areas and seasons.
220-56-336	Crawfish—Areas and seasons.
220-56-350	Clams other than razor clams, cockles, borers, mussels—Areas and seasons.
220-56-355	Clams—Unlawful acts.
220-56-375	Oysters and scallops—Gear.
220-56-380	Oysters—Areas and seasons.

WAC 220-56-100 Definitions—Personal use. (1)

"Daily limit" means the maximum number or pounds of food fish, shellfish or seaweed of the required size of a given species or aggregate of species which a person may legally retain in a single day.

(2) "Possession limit" means the number of daily limits allowed to be retained in the field or in transit.

"In the field or in transit" means any place other than at the ordinary residence of the harvester. An ordinary residence is a residential dwelling where a person normally lives, with associated features such as address, telephone number, utility account, etc. A motorhome or camper parked at a campsite or a vessel are not considered to be an ordinary residence.

(3) "Hook" means one single, double or treble hook. A "single hook" means a hook having a single point. A "double hook" means a hook having two points on a common shank. A "treble hook" means a hook having three points on a common shank. "Barbless hook" means a hook on which all barbs have been deleted when manufactured or filed off or pinched down.

(4) "Lure" means a manufactured article constructed of feathers, hair, fiber, wood, metal, glass, cork, leather, rubber, or plastic which does not use scent and/or flavoring to attract fish.

"Nonbuoyant lure" means a lure complete with hooks, swivels or other attachments, which does not float in freshwater.

"Bait" means any substance which attracts fish by scent and/or flavors. Bait includes any device made of feathers, hair, fiber, wood, metal, glass, cork, leather, rubber, or plastic which uses scent and/or flavoring to attract fish.

(5) 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, boiled or canned.

(6) The term "fresh" is defined as food fish or shellfish that are refrigerated, iced, salted or surface glazed.

(7) The term "frozen" is defined as fish or shellfish that are hard frozen throughout.

(8) "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 three hooks 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 three hooks. When fishing for bottomfish, "angling" and "jigging" shall be identical in meaning.

(9) "Snagging" means an effort to take fish with a hook and line in a manner that the fish does not take the hook or hooks voluntarily in its mouth.

"Gaffing" means an effort to take fish by impaling the fish with a hook attached directly to a pole or other device.

"Spearing" or "spear fishing" means an effort to take fish by impaling the fish on a shaft, arrow, or other device.

(10) 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 fisher is above the surface of the water.

(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 lighthouse on Tatoosh Island 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. 97-07-078 (Order 97-53), § 220-56-100, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-100, filed 5/13/96, effective 6/13/96; 95-04-066 (Order 95-10), § 220-56-100, filed 1/30/95, effective 5/1/95; 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 220-56-103 Definitions—Landlocked chinook and coho. Chinook and coho taken from the following waters are defined as landlocked. A game fish license is required to fish for these species, a food fish license is not required. Season, daily limit, and size restriction rules for landlocked chinook and coho are the same as trout rules (except Lake Chelan). The angler's combined catch of landlocked salmon and trout applies toward the trout limit.

(1) Big Lake (Skagit County).

(2) Clear Lake (Pierce County).

(3) Cushman Reservoir (Mason County).

(4) Mayfield Lake (reservoir) (Lewis County).

(5) McMurray Lake (Skagit County).

(6) Merwin (lake) Reservoir (Clark/Cowlitz County).

(7) Riffe (lake) Reservoir (Lewis County).

(8) Scanewa Lake (Cowlitz Falls Reservoir) (Lewis County).

(9) Wilderness Lake (King County).

(10) Wynoochee Reservoir (Grays Harbor County).

(11) Chelan, Lake (Chelan County).

(12) Roosevelt, Lake (Columbia River) (Stevens County).

(13) Spokane River (Spokane County).

(14) Tarboo Lake (Jefferson County).

[Statutory Authority: RCW 75.08.080, 97-07-078 (Order 97-53), § 220-56-103, filed 3/19/97, effective 5/1/97; 95-17-062 (Order 95-102), § 220-56-103, filed 8/15/95, effective 9/15/95.]

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 - Highway 101 Bridge in Aberdeen.

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.

Deschutes River - A line projected across the river 400 feet below the lower Tumwater Falls fish ladder.

Drano Lake - Highway 14 Bridge.

Duwamish River - First Avenue South Bridge.

Elk River - Highway 105 Bridge.

Entiat River - Highway 97 Bridge.

Hoquiam River - Highway 101 Bridge.

Humtulsips 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.

Kettle River - Napoleon Bridge.

Lake Washington Ship Canal - A line 400 feet west of 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.

Naselle River - Highway 101 Bridge.

North Nemah River - 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.

Spokane River - State Route 25 Bridge.

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 - Markers downstream of the Burlington Northern Railroad Bridge.

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

Willapa River - South Bend boat launch.

Wind River - Boundary line markers at mouth.

Yakima River - Highway 240 Bridge.

[Statutory Authority: RCW 75.08.080, 97-07-078 (Order 97-53), § 220-56-105, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-105, filed 5/13/96, effective 6/13/96; 95-04-066 (Order 95-10), § 220-56-105, filed 1/30/95, effective 5/1/95; 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 220-56-124 Unlawful provisions—Hoodspport Hatchery. During the period October 1 through December 15, those waters of Catch Record Card Area 12 within a 2,000 foot arc seaward of yellow buoys at the mouth of Finch Creek at the Hoodspport 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) Special daily limit of four salmon, except release chinook salmon - October 1 through October 15. Special daily limit of four salmon of which no more than two may be chinook salmon - October 16 through December 15.

(3) During the period October 1 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 and 75.12.040. 97-18-035, § 220-56-124, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-56-124, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-56-124, filed 5/31/95, effective 7/1/95; 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 220-56-128 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 400 feet 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 a line 175 feet west of the Burlington Northern Railroad Bridge are closed to fishing.

(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.

(16) Chief Joseph Dam - closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to boat fishing downstream of Chief Joseph Dam to the Corps of Engineers Safety Zone Marker.

(17) 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.

(18) 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.

(19) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam and boundary markers 650 feet below the fish ladders.

(20) 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.

(21) 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.

(22) 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.

(23) 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.

(24) 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.

[Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-128, filed 3/19/97, effective 5/1/97; 95-12-027 (Order 95-46), § 220-56-128, filed 5/31/95, effective 7/1/95; 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 220-56-180 Daily limit codes. (1) Code A: In waters having this code designation, the daily 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 daily 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 daily 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 daily 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 daily 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 daily 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 limit may be chinook, except the daily limit in Catch Record Card Area 12 is three salmon of any species.

(d) During the period July 1 through September 30 the daily 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 daily and possession limits, size restrictions, and opening and closing dates are the same as those for trout (except Lake Chelan) as regulated under Title 77 RCW by the Washington fish and wildlife commission. A 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 Daily Limits A, C, D, F, G, H, and special daily limits shall not exceed the equivalent of two daily limits in fresh form. An additional 40 pounds of salmon may be possessed in frozen or processed form.

(9) In all freshwater areas where the daily limit allows adult salmon to be taken, it is unlawful to continue to fish for salmon after the adult portion of the daily limit has been retained.

[Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-180, filed 3/19/97, effective 5/1/97; 95-04-066 (Order 95-10), § 220-56-180, filed 1/30/95, effective 5/1/95; 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 220-56-190 Coastal salmon—Saltwater seasons and daily 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 daily limit codes in WAC 220-56-180:

(1) Catch Record Card Area 1 - Special daily limit of two salmon, special cumulative limit of four salmon in any seven consecutive days - Sundays through Thursdays only, July 21 through September 25, except closed 0-3 miles offshore and closed in the Columbia River Mouth Control Zone 1, see WAC 220-56-195.

(2) Catch Record Card Area 2 - Special daily limit of two salmon only one of which may be a chinook salmon, special cumulative limit of four salmon in any seven consecutive days - Sundays through Thursdays only, July 21 through September 25, except closed 0-3 miles offshore.

(3) Grays Harbor (Catch Record Card Area 2-2) (a) Special daily limit of six salmon, not more than four of which may be adult salmon, defined as chinook salmon over 24 inches in length, coho salmon over 20 inches in length or pink, chum or sockeye salmon greater than 12 inches in length - August 16 through January 31 in the Westport boat basin only. (b) Daily Limit A, except release all coho - September 1 through September 30: Waters of Catch Record Card Area 2-2 east of the Channel Marker 13 Line.

(4) Willapa Bay (Catch Record Card Area 2-1) Special daily limit of six salmon, not more than three of which may be adult salmon, defined as chinook salmon over 24 inches in length, coho salmon over 20 inches in length or pink, chum or sockeye salmon greater than 12 inches in length - August 16 through January 31.

(5) Catch Record Card Area 3 - Special daily limit of two salmon - July 21 through September 25.

(6) Catch Record Card Area 4 - (a) Waters west of the Bonilla-Tatoosh line - Special daily limit of two salmon, except release coho - July 21 through September 25. (b) Waters east of the Bonilla-Tatoosh line: September 15 through July 31, closed; August 1 through August 29 - Special daily limit of two salmon except release coho and chinook; August 30 through August 31 - Special daily limit of two salmon except release chinook; September 1 through September 14, catch and release only and terminal gear limited to surface flies only.

(7) Unless otherwise provided for in this section, minimum size 24 inches for chinook salmon and 16 inches for coho salmon. No minimum size for other salmon.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-56-190, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-56-190, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-56-190, filed 5/31/95, effective 7/1/95; 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 daily 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 daily 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. In all fisheries provided for in this section, chinook salmon minimum size 22 inches and no minimum size for other salmon.

(1) Catch Record Card Areas 5 and 6 -

(a) Special daily limit of 2 salmon April 16 through June 15 except all chinook salmon greater than 30 inches in length and all coho salmon must be released.

(b) During the period April 16 through September 30 and November 1 through April 15, Dungeness Bay is closed to salmon angling. October 1 through October 31, special daily limit of two coho salmon.

(c) Special daily limit of 2 salmon June 16 through June 30, except release coho.

(d) July 1 through July 31 - Closed.

(e) August 1 through August 10 - Special daily limit of 2 salmon, except release coho and chinook.

(f) August 11 through September 15, special daily limit of 2 salmon, except release chinook.

(g) September 16 through January 31 - Closed.

(h) February 1 through April 15 - Special daily limit of 2 salmon. Release all coho.

(2) Catch Record Card Area 7:

(a) October 1 through July 31 - Special daily limit of 2 salmon. During the period April 16 through June 15 all chinook salmon greater than 30 inches in length must be released.

(b) August 1 through September 30 - Special daily limit of 4 salmon, not more than 2 of which may be coho or chinook.

(c) Notwithstanding the provisions of this subsection during the period October 1 through December 31 the special daily limit in Bellingham Bay is 4 salmon no more than 2 of which may be chinook.

(3) Catch Record Card Area 8-1:

(a) September 16 through April 15 - Special daily limit of 2 salmon. During the period September 16 through September 30 release chinook.

(b) April 16 through August 15 - Closed.

(c) August 16 through September 15 - Special daily limit of 4 salmon, not more than 2 of which may be coho and release all chinook.

(4) Catch Record Card Area 8-2:

(a) August 1 through September 30 - Special daily limit of 2 salmon except release chinook salmon taken outside the Tulalip Bay zone, defined as those waters adjacent to 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.

(b) October 1 through May 31 - Special daily limit of 2 salmon.

(c) June 1 through July 31 - Closed.

(5) Catch Record Card Area 9:

(a) November 1 through June 30 - Special daily limit of 2 salmon.

(b) July 1 through July 31 - Closed.

(c) August 1 through September 1 - Special daily limit of 2 salmon except release chinook salmon.

(d) September 2 through September 30 - Closed.

(e) October 1 through October 31 - Special daily limit of 2 salmon except release coho.

(f) Notwithstanding the provisions of this subsection, salmon fishing is permitted year-round from the Edmonds Fishing Pier - Special daily limit of 2 salmon and all salmon species may be retained.

(6) Catch Record Card Area 10:

(a) October 16 through June 30 - Special daily limit of 2 salmon.

(b) July 1 through October 15 - Special daily limit of 2 salmon except:

(i) During the period July 1 through September 15, Elliott Bay east of a line from Pier 91 to Duwamish Head is closed.

(ii) During the period July 1 through October 15, Shilshole Bay east of a line from Meadow Point to West Point is closed.

(iii) During the period July 1 through August 31, release chinook in waters north of a line from West Point to Skiff Point and in waters northeast of the Agate Pass Bridge.

(iv) During the period September 16 through October 15, release chinook in the Duwamish Waterway from the First Avenue South Bridge to an east-west line through SW Hanford Street on Harbor Island.

(c) Notwithstanding the provisions of this subsection, salmon fishing is permitted year-round from the Elliott Bay public fishing pier at Terminal 86 and Seacrest Pier - Special daily limit of 2 salmon and all salmon species may be retained.

(7) Catch Record Card Area 11 - May 1 through April 30 - Daily limit of 2 salmon.

(8) Catch Record Card Area 12:

(a) December 16 through July 15 - Special daily limit of 2 salmon.

(b) July 16 through September 30 - Special daily limit of 4 salmon, not more than 2 of which may be pink salmon and release all chinook and chum.

(c) October 1 through October 15 - Special daily limit of 4 salmon, not more than 2 of which may be chinook and release all chum.

(d) October 16 through December 15 - Special daily limit of 4 salmon, not more than two of which may be chinook.

(e) Waters of the Hoodspout Hatchery Zone are managed separately as provided for in WAC 220-56-124.

(9) Catch Record Card Area 13 - May 1 through April 30 - Daily limit of 2 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 and 75.12.040. 97-18-035, § 220-56-191, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-56-191, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-56-191, filed 5/31/95, effective 7/1/95; 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 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.

(4) Dungeness Bay: Those waters westerly of a line from Dungeness Spit Light to the number 2 red buoy, and then to the Port Williams boat ramp are closed to salmon angling April 16 through September 30 and November 1 through April 15.

(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) Columbia River Mouth Control Zone 1: Washington waters within Control Zone 1, which Control 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 Control Zone are open to salmon angling or the Buoy 10 fishery is open.

(7) 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 April 16 through June 30.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-56-195, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-56-195, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-56-195, filed 5/31/95, effective 7/1/95; 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 220-56-205 Hook rules—Nonbuoyant lures.

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 lure restriction: In the following waters and during the periods shown, it is unlawful to use a nonbuoyant lure that has more than one single hook or has a hook measuring more than 3/4 inch point to shank:

Area	Time period
Naselle River (including all forks)	July 1-January 31
Hwy 101 Bridge to Hwy 4 Bridge	October 16-January 31
Hwy 4 Bridge to Big Hill Bridge	
Willapa River	
Mouth to Hwy 6 Bridge	October 1-November 30
Hwy 6 Bridge to Fork Creek	October 16-January 31
Humptulips River	September 1-November 30
Satsop River (including all forks)	September 1-November 30
Nemah River-North Fork	October 1-November 30
Nemah River-Middle Fork	September 1-November 30
Dungeness and Gray Wolf Rivers	August 1-October 15
Kennedy Creek	October 1-December 31
Nooksack River-South	
Fork Mouth to Skookum Creek	August 1-October 31
Nooksack River-South	
Fork Upstream from Skookum Creek	June 1-September 30
Big Quilcene River	August 1-December 31
Samish River	August 1-December 31
Stillaguamish River (including all forks)	August 1-November 30
Whatcom Creek	August 1-December 31
Cowlitz River	
From Mill Creek to Barrier Dam	August 1-October 31
Kalama River	
Mouth to temporary rack	September 1-October 31
Lewis River-North Fork	
From lower Cedar	
Creek Boat Ramp to Colvin Creek	April 1-October 31
Washougal River	
Downstream of Salmon Falls Bridge	September 1-October 31
Icicle River	
From Leavenworth Federal Fish Hatchery to mouth	May 8-June 30
Wenatchee River	
From mouth of Icicle River to Highway 2 Bridge	May 8-June 15
Skagit River (and tributaries)	
Upstream of Gilligan Creek	July 1-November 30
Tokol Creek	
From mouth to posted cable markers	December 1-March 31
Capitol Lake	August 1-November 30
Deschutes River	August 1-November 30
Elochoman River	September 1-October 31
Grays River	September 1-October 31
Green/Duwamish River	
mouth to Highway 164 Bridge	August 1-November 30
McAllister Creek	August 1-November 30
Nisqually River	August 1-November 30
Puyallup River	
mouth to Carbon River	August 1-November 30
Skykomish River (including all forks)	August 1-November 30
Snohomish River	August 1-November 30
White/Stuck River	October 1-November 30
Toutle River-North Fork	
Highway 504 Bridge near Kidd Valley	
to mouth of Green River	September 1-October 31
Green River (Cowlitz Co.)	
mouth to 1500 feet below hatchery rack	September 1-October 31

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

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

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-56-205, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-205, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-205, filed 5/13/96, effective 6/13/96; 95-04-066 (Order 95-10), § 220-56-205, filed 1/30/95, effective 5/1/95; 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 220-56-225 Freshwater angling hours. It is unlawful to fish for personal use in those waters and during the period of a nonbuoyant lure restriction as provided for in WAC 220-56-205 from one hour after official sunset to one hour before official sunrise.

[Statutory Authority: RCW 75.08.080. 97-09-066 (Order 97-68), § 220-56-225, filed 4/21/97, effective 5/22/97; 95-04-066 (Order 95-10), § 220-56-225, filed 1/30/95, effective 5/1/95; 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 220-56-235 Possession limits—Bottomfish. It is unlawful for any person to take in any day more than the following quantities of bottomfish for personal use. The possession limit at any time shall not exceed the equivalent of two daily limits in fresh, 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 minimum length 22 inches in Catch Record Card Areas 1 through 3 and Area 4 west of the Bonilla-Tatoosh line;

(ii) 2 fish minimum length 22 inches in Catch Record Card Area 4 east of the Bonilla-Tatoosh line.

(b) Rockfish - 10 fish.

(c) Surfperch (excluding shiner perch) - 15 fish.

(d) Wolf-eel - 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	2 fish
Pollock	2 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	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pollock	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	0 fish
Pollock	0 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 limit taken by spear fishing may include no more than one lingcod. There is no size restriction on the one lingcod allowed in the daily 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.

(g) It is unlawful to retain cabezon taken from Catch Record Card Areas 5 through 13 from December 1 through April 30.

[Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-235, filed 3/19/97, effective 5/1/97; 96-05-004 (Order 96-13), § 220-56-235, filed 2/9/96, effective 5/1/96; 95-04-066 (Order 95-10), § 220-56-235, filed 1/30/95, effective 5/1/95; 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 Daily limits sturgeon, smelt, herring and other food fish not otherwise provided for.

It is unlawful for any person to retain in any 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) Unlawful to fish from a floating device May 1 through June 30 downstream from the boating deadline below Bonneville Dam to markers on the Oregon and Washington shores of the Columbia River at Beacon Rock.

(b) 1 fish with the following size restrictions in all other state waters:

(i) Minimum size is 42 inches in length except minimum size 48 inches in length in waters of the Columbia River and tributaries upstream from Dalles Dam; and

(ii) Maximum size is 60 inches in length.

(c) The possession limit is two daily limits of fresh, frozen or processed sturgeon.

(d) There is an annual personal use limit of 10 sturgeon.

(2) Smelt: 20 pounds. The possession limit is one daily limit in fresh form. Additional smelt may be possessed in frozen or processed form.

(3) Herring: 20 pounds. The possession limit is one daily limit in fresh form. 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. 97-08-017 (Order 97-53), § 220-56-240, filed 3/25/97, effective 5/1/97; 96-05-004 (Order 96-13), § 220-56-240, filed 2/9/96, effective 5/1/96; 95-04-066 (Order 95-10), § 220-56-240, filed 1/30/95, effective 5/1/95; 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 220-56-255 Halibut—Season. It is unlawful to fish for or possess halibut taken for personal use except from:

(1) Catch Record Card Area 1: Open May 1 through September 30, unless closed earlier by emergency regulation. Minimum size limit 32 inches in length.

(2) Catch Record Card Area 2 - Open May 1 through September 30, unless closed earlier by emergency regulation. The following waters are closed to halibut fishing: West of 124°40'W, north of 47°10'N and south of 47°31'42"N (Queets River).

(3) 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, open May 1 to June 30, unless closed earlier by emergency regulation, and open July 1 through September 30 unless closed by emergency regulation, except that the following area southwest of Cape Flattery is closed to halibut fishing at all times:

Those waters within a line from 48°18'N, 125°11'W to 48°18'N, 124°59'W to 48°04'N, 125°11'W to 48°04'N, 124°59'W to the point of origin.

(4) Catch Record Card Area 4 east of the Bonilla-Tatoosh line and Catch Record Card Areas 5 through 13: May 22 through August 10 - Open 12:01 a.m. Thursday through 11:59 p.m. Monday of each week during the open period (closed Tuesdays and Wednesdays).

[Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-255, filed 3/19/97, effective 5/1/97; 95-12-027 (Order 95-46), § 220-56-255, filed 5/31/95, effective 7/1/95; 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 220-56-305 Sturgeon—Catch and release. It is unlawful to retain sturgeon taken from:

(1) Those waters of the Snake River or tributaries upstream from Lower Granite Dam;

(2) Those waters of the Columbia River and tributaries upstream from Priest Rapids Dam;

(3) Those waters of the Columbia River between the upstream line of Bonneville Dam and a line 400 feet below McNary Dam during the period July 1 through December 31. Sturgeon that are hooked must be immediately released and returned to the water.

[Statutory Authority: RCW 75.08.080. 97-08-018 (Order 97-54), § 220-56-305, filed 3/25/97, effective 4/25/97; 95-12-027 (Order 95-46), § 220-56-305, filed 5/31/95, effective 7/1/95; 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 220-56-310 Shellfish—Daily 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: 7 clams.

(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: Closed state-wide.

(12) Crawfish: 10 pounds in the shell. Minimum size 3 1/4 inches from tip of rostrum to tip of tail. Female crawfish with eggs or young attached to the abdomen must be released immediately.

(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: 6 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, 97-07-078 (Order 97-53), § 220-56-310, filed 3/19/97, effective 5/1/97; 95-04-066 (Order 95-10), § 220-56-310, filed 1/30/95, effective 5/1/95; 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 220-56-320 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.

(7) Effective January 1, 1998, in the areas listed below, it is unlawful to take, fish for or possess shrimp taken for personal use with shellfish pot gear unless such gear meets the following requirements:

(a) The entire top, bottom, and sides of each shellfish pot 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 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 length of the bottom of the pot.

(i) Marine Area 7 - north of a line from Cattle Point to San Juan Island true east to Lopez Island, east of a line from Limestone Point on San Juan Island to Sandy Point on Waldron Island, south of a line from Point Hammond on Waldron Island to Point Doughty on Orcas Island, and west of a line from Foster Point on Orcas Island to Upright Head on Lopez Island.

- (ii) Marine Area 8-1.
- (iii) Marine Area 8-2.
- (iv) Marine Area 9 - south of a line from Double Bluff to Foulweather Bluff.
- (v) Marine Area 10.

[Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-320, filed 3/19/97, effective 5/1/97; 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 - Second Saturday in May through July 15;
- (b) District 2 - Second Saturday in May through September 15;
- (c) District 3 - Second Saturday in May 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;
- (f) District 6 - Closed to all shrimp fishing;
- (g) All other areas - The second Saturday in April 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. 97-07-078 (Order 97-53), § 220-56-325, filed 3/19/97, effective 5/1/97; 96-05-004 (Order 96-13), § 220-56-325,

filed 2/9/96, effective 5/1/96; 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 gear. Ring net gear may be used during daylight hours.

(5) No crab fisher may set or pull crab pots, ring nets or star traps in the waters of Hood Canal between one hour after official sunset and one hour before official sunrise.

[Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-330, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-330, filed 5/13/96, effective 6/13/96; 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 220-56-336 Crawfish—Areas and seasons.

The open season for crawfish is the first Monday in May through October 31.

[Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-336, filed 3/19/97, effective 5/1/97.]

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) Ben Ure Spit: Open January 1 through April 15.
- (b) Cama Beach State Park: Closed the entire year.
- (c) Camano Island State Park: Open June 1 through June 30.
- (d) Cutts Island State Park: Open January 1 through June 15.
- (e) 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.

(f) Dosewallips State Park: Open entire year only in area defined by boundary markers and signs posted on the beach.

(g) 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.

(h) Dungeness Spit - Open May 15 through September 30.

(i) Eagle Creek: Open April 1 through April 30.

(j) Fort Flagler State Park: Open April 1 through June 15.

(k) Frye Cove - Open January 1 through July 31.

(l) 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.

(m) Gertrude Island - All tidelands at Gertrude Island closed the entire year.

(n) Hoodspout: Tidelands at Hoodspout Salmon Hatchery are closed the entire year.

(o) Hope Island State Park (South Puget Sound): Open April 1 through June 15.

(p) Kayak Point County Park: Closed the entire year.

(q) Kitsap Memorial State Park: Closed the entire year.

(r) Kopachuck State Park: Closed the entire year.

(s) 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.

(t) McNeil Island - All tidelands on McNeil Island are closed the entire year.

(u) Mukilteo State Park - Closed the entire year.

(v) Mystery Bay State Park: Open April 1 through April 30.

(w) 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 state-owned Oyster Reserves on the east side of North Bay north of the power transmission lines.

(x) North Sequim Bay State Park - Open April 1 through June 15.

(y) Oak Bay County Park: Open January 1 through May 15.

(z) Oyster Reserves: Puget Sound and Willapa Bay 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) North Bay: 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 Case Inlet.

(iii) Oakland Bay: Tidelands on the channel of the northwest shore of the Bayshore Peninsula between department markers.

(iv) Willapa Bay - Long Island oyster reserve: North-west side of Long Island between reserve monuments 39 and 41 and southwest side of Long Island between reserve monuments 58 and 59.

(aa) Penrose Point State Park: Open May 1 through June 15.

(bb) Picnic Point County Park: Closed the entire year.

(cc) Pitt Island - All tidelands on Pitt Island are closed the entire year.

(dd) Point Whitney (excluding Point Whitney Lagoon): Closed the entire year.

(ee) Point Whitney Lagoon: Open June 1 through July 31.

(ff) Port Townsend Ship Canal: Open April 1 through May 15.

(gg) Purdy Spit County Park: The southern shore of the spit from the boat ramp to the bridge is closed the entire year.

(hh) 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, except those tidelands on the west side of the bay defined by boundary markers and a sign on the beach are open April 1 through June 30, daily from official sunrise to official sunset only.

(ii) Rendsland Creek: Open January 1 through April 15.

(jj) Saltwater State Park: Closed the entire year.

(kk) Samish Island Recreation Area - Open January 1 through June 15.

(ll) Scenic Beach State Park - Open April 16 through June 15.

(mm) Sequim Bay State Park - Open April 1 through June 15.

(nn) Spencer Spit State Park: Open April 1 through June 30.

(oo) Strait of Juan de Fuca: All beaches west of the tip of Dungeness Spit: Open November 1 through March 31.

(pp) Triton Cove State Park: Open April 1 through June 30.

(qq) Twanoh State Park: Closed the entire year.

(rr) Useless Bay Tidelands State Park: Open April 1 through July 31.

(ss) West Dewatto: DNR Beach 44A is open January 1 through May 15.

(tt) Willapa Bay: State-owned tidelands east of the department Willapa Bay Field Station and Nahcotta Tidelands Interpretive Site are closed year-round.

(uu) Winas-Maylor Point East: Open January 1 through April 15.

(vv) Wolfe Property State Park: Open April 1 through May 31.

(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. 97-07-078 (Order 97-53), § 220-56-350, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-350, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-56-350, filed 5/31/95, effective 7/1/95; 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 littleneck, cockle, or butter clams taken for personal use which measure less than 1-1/2 inches across the longest dimension of the shell.

(4) It is unlawful to return any eastern softshells, horse clams, or geoducks to the beach or water regardless of size or condition. All such clams taken for personal use must be retained by the digger as part of the daily limit.

[Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-355, filed 3/19/97, effective 5/1/97; 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 220-56-375 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 the aid of a hand-held manually operated prying tool. It is unlawful to use a hammer, mallet or other object to strike oysters and rock scallops during the removal process.

[Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-375, filed 3/19/97, effective 5/1/97; 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: 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.

[1998 WAC Supp—page 288]

(c) Dosewallips State Park: Open the entire year in areas defined by boundary markers and signs posted on the beach only.

(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 oysters the entire year.

(e) Hoodspout: Tidelands at the Hoodspout Salmon Hatchery are closed the entire year.

(f) Kitsap Memorial State Park: Open May 16 through December 31.

(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) 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.

(i) Oyster Reserves: Puget Sound and Willapa Bay oyster reserves are closed the entire year except the following are open the entire year:

Willapa Bay - Long Island oyster reserve: Northwest side of Long Island between reserve monuments 39 and 41 and southwest side of Long Island between reserve monuments 58 and 59.

(j) Penrose Point State Park: Open May 1 through June 15.

(k) Potlatch State Park: Open April 1 through September 15.

(l) 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 except those tidelands on the west side of the bay defined by boundary markers and a sign at the beach are open April 1 through June 30, daily from official sunrise to official sunset, only.

(m) Scenic Beach State Park: Open April 16 through June 15.

(n) Triton Cove State Park: Open April 1 through June 30.

(o) Willapa Bay: State-owned tidelands east of the department Willapa Bay Field Station and the Nahcotta Tidelands Interpretive Site are open only between boundary markers and posted signs.

(p) Wolfe Property State Park - Open April 1 through August 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. 97-07-078 (Order 97-53), § 220-56-380, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-380, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-56-380, filed 5/31/95, effective 7/1/95; 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 4/1/84; 82-13-040 (Order 82-61), § 220-56-380, filed 6/9/82; 82-07-047 (Order 82-19), § 220-56-380, filed 3/18/82; 81-05-027 (Order 81-13), § 220-56-380,

filed 2/17/81, effective 4/1/81; 80-03-064 (Order 80-12), § 220-56-380, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-086.]

Chapter 220-57 WAC

FRESH WATER ANGLING—OPEN AREAS AND SEASONS

WAC

220-57-130	Bogachiel River.
220-57-135	Calawah River.
220-57-137	Carbon River.
220-57-13701	Cascade River.
220-57-140	Chehalis River.
220-57-155	Clearwater River (Jefferson County).
220-57-160	Columbia River.
220-57-165	Copalis River.
220-57-175	Cowlitz River.
220-57-187	Deep River (Wahkiakum County).
220-57-190	Deschutes River.
220-57-200	Dickey River.
220-57-230	Elk River.
220-57-235	Elochoman River.
220-57-240	Elwha River.
220-57-250	Grays River.
220-57-255	Green River (Cowlitz County).
220-57-270	Hoh River.
220-57-280	Hoquiam River—All forks.
220-57-285	Humtulpis River.
220-57-300	Johns River.
220-57-310	Kalama River.
220-57-319	Lewis River.
220-57-370	Puyallup River.
220-57-385	Quillayute River.
220-57-415	Satsop River.
220-57-425	Skagit River.
220-57-430	Skokomish River.
220-57-435	Skykomish River.
220-57-450	Snohomish River.
220-57-455	Snoqualmie River.
220-57-460	Sol Duc River.
220-57-465	Stillaguamish River.
220-57-480	Toutle River—North Fork.
220-57-493	Wallace River.
220-57-495	Washougal River.
220-57-525	Wynoochee River.

WAC 220-57-130 Bogachiel River. Daily Limit A except release adult coho salmon - July 1 through November 30: Downstream from the Highway 101 Bridge. Single point barbless hooks required.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-130, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-130, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-130, filed 5/31/95, effective 7/1/95; 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. Daily Limit A except release adult coho salmon - July 1 through November 30: Downstream from the Highway 101 Bridge. Single point barbless hooks required.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-135, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-135, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-135, filed 5/31/95, effective 7/1/95; 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. Daily Limit A except up to 4 adult salmon may be retained, provided that not more than 2 are adult chinook and release all pink salmon - September 1 through November 30 downstream from the mouth of Voigt Creek.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-137, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-137, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-137, filed 5/31/95, effective 7/1/95; 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 220-57-13701 Cascade River. Special daily limit of 2 salmon except release wild coho - October 1 through November 30: Upstream from mouth to hatchery road bridge.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-13701, filed 8/27/97, effective 9/27/97.]

WAC 220-57-140 Chehalis River. (1) Daily Limit A - May 16 through July 15: Downstream from the high bridge on the Weyerhaeuser 1000 line approximately 400 yards downstream of Roger Creek.

(2) Daily Limit A - September 1 through September 30 except release adult coho salmon: Downstream from the Porter Bridge. Single point barbless hooks required.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-140, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-140, filed 5/31/95, effective 7/1/95; 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 220-57-155 Clearwater River (Jefferson County). Daily Limit A except release adult coho salmon - June 1 through November 30: Downstream from the mouth of the Snahapish River.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-155, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-155, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-155, filed 5/31/95, effective 7/1/95; 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) Daily Limit C - June 1 through December 31: Downstream from Chief Joseph Dam to Rocky Reach Dam.

(2) Rocky Reach Dam to Priest Rapids Dam: Daily Limit C - June 1 through September 15; Daily Limit A - September 16 through December 31.

(3) Priest Rapids Dam to the Vernita Bridge: Daily Limit C - June 1 through August 15; Daily Limit A - August 16 through October 31; Daily Limit C - November 1 through December 31.

(4) Vernita Bridge to old Hanford townsite wooden power line towers; Daily Limit C - June 16 through August 15; Daily Limit A - August 16 through October 22.

(5) Old Hanford townsite wooden power line towers to Highway 395 Bridge connecting Pasco and Kennewick: Daily Limit C - June 1 through August 15; Daily Limit A - August 16 through December 31.

(6) Highway 395 Bridge connecting Pasco and Kennewick to the Interstate 5 Bridge: Daily Limit A - August 1 through December 31. It is unlawful to take or possess sockeye or chum salmon taken downstream of the Highway 395 Bridge.

(7) Interstate 5 Bridge to the Megler-Astoria Bridge: Daily Limit A - August 1 through March 31. During September, it is unlawful to fish for or possess salmon taken for personal use in those waters of the Columbia River north of a line from Abernathy Point Light to a boundary marker east of the mouth of Abernathy Creek. It is unlawful to take or possess sockeye or chum salmon taken downstream from the Interstate 5 Bridge to the Megler-Astoria Bridge.

(8) Megler-Astoria Bridge to the Buoy 10 Line:

(a) Daily Limit F - August 1 through September 30.

(b) Daily Limit A - October 1 through March 31.

(c) It is unlawful to take or possess sockeye or chum salmon taken downstream from the Megler-Astoria Bridge to the Buoy 10 Line.

(8) North Jetty (mouth of Columbia River): Open to angling from the bank only when state waters north of the control zone are open to salmon angling. During such periods fishing from the north jetty is open 7 days per week and the daily 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. Daily limit and gear requirement will be identical with those in the Buoy 10 fishery. It is unlawful to take or possess sockeye or chum salmon taken from the North Jetty.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-160, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-57-160, filed 3/19/97, effective 5/1/97; 95-12-027 (Order 95-46), § 220-57-160, filed 5/31/95, effective 7/1/95; 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; 85-20), § 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. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080. 97-20-071 (Order 97-202), § 220-57-165, filed 9/25/97, effective 10/26/97; 95-12-027 (Order 95-46), § 220-57-165, filed 5/31/95, effective 7/1/95; 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 220-57-175 Cowlitz River. (1) Daily Limit A except release chinook salmon greater than 28 inches in length caught upstream from Blue Creek October 1 through December 31 - August 1 through April 30: Downstream from fishing boundary markers approximately 400 feet below barrier dam structures at the Cowlitz Salmon Hatchery Barrier Dam except closed to salmon angling from the markers to the mouth of Mill Creek when fishing from the south shore August 1 through October 15.

(2) Special daily limit of one salmon - May 1 through July 31: Downstream from I-5 Bridge.

(3) 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.

(4) Daily Limit A except minimum size of 8 inches - open the entire year: From the confluence of the Muddy Fork and Ohanapecosh rivers downstream to Scanewa Lake (Cowlitz Falls Reservoir).

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-175, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-175, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-175, filed 5/31/95, effective 7/1/95; 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 220-57-187 Deep River (Wahkiakum County). Deep River (Wahkiakum County) - Daily Limit A - August 1 through December 31: Upstream from mouth to town bridge.

[Statutory Authority: RCW 75.08.080. 97-20-071 (Order 97-202), § 220-57-187, filed 9/25/97, effective 10/26/97.]

WAC 220-57-190 Deschutes River. Daily Limit A except release coho salmon - July 1 through November 30:

Upstream from the Old Highway 99 Bridge immediately upstream from Tumwater Falls.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-190, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-190, filed 5/31/95, effective 7/1/95; 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 220-57-200 Dickey River. Daily Limit A except release adult coho salmon - July 1 through November 30: Downstream of the mouth of east fork of the Dickey River to the National Park boundary. Single point barbless hooks required.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-200, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-200, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-200, filed 5/31/95, effective 7/1/95; 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 220-57-230 Elk River. Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-230, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-230, filed 5/31/95, effective 7/1/95; 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) Daily Limit A - September 1 through September 30: Downstream from the mouth of the west fork.

(2) Daily Limit A except release chinook salmon greater than 28 inches taken upstream from the Foster Road Bridge - October 1 through December 31: Downstream from the mouth of the west fork.

(3) The following waters are closed to salmon angling at all times:

(a) From a point 100 feet above the upper hatchery rack to the Elochoman Salmon Hatchery Bridge located approximately 400 feet below the upper hatchery rack.

(b) From the department of fish and wildlife's 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 Elochoman 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 and 75.12.040. 97-18-035, § 220-57-235, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-235, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-235, filed 5/31/95, effective 7/1/95; 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) Special daily limit of six coho of which no more than four can be adult coho - October 1 through November 15.

(2) It is unlawful to fish for or possess salmon taken from the waters of the Elwha River between markers located approximately 50 yards upstream and downstream from the tribal hatchery outfall, from the slough connecting the hatchery outfall to the mainstem of the river or within 200 feet downstream of the south spillway on Aldwell Lake Dam to Aldwell Dam.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-240, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-240, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-240, filed 5/31/95, effective 7/1/95; 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 220-57-250 Grays River. Daily Limit A except release all chum salmon and release chinook salmon greater than 28 inches in length caught upstream of the covered bridge October 1 through October 31 - September 1 through October 31: Open from mouth to mouth of South Fork Grays River. West Fork Grays River closed to salmon angling.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-250, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-250, filed 5/31/95, effective 7/1/95; 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). Daily Limit A except release chinook salmon over 28 inches in length October 1 through November 30 - September 1 through November 30: Mouth to 1000 Road Bridge. Closed waters from 1,500 feet below salmon hatchery rack upstream to the water intake at the upper end of the hatchery grounds.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-255, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-255, filed 5/31/95, effective 7/1/95; 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 220-57-270 Hoh River. (1) Daily 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) Daily Limit A - May 16 through August 31: Downstream from the Morgan's Crossing boat launch to the Highway 101 Bridge.

(3) Daily Limit A except release adult coho salmon - May 16 through November 30: Downstream from the Highway 101 Bridge. Single point barbless hooks required.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-270, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-270, filed 5/31/95, effective 7/1/95; 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 220-57-280 Hoquiam River—All forks.

Closed to salmon angling the entire year.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-280, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-280, filed 5/31/95, effective 7/1/95; 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. Daily Limit

A - September 1 through October 15: Downstream from the Highway 101 Bridge.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-285, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-285, filed 5/31/95, effective 7/1/95; 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 220-57-300 Johns River. Closed to salmon

angling the entire year.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-300, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-300, filed 5/31/95, effective 7/1/95; 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 220-57-310 Kalama River. (1) Daily Limit A

- 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) fly fishing only.

(2) Daily Limit A - open the entire year: Downstream from the mouth of Summers Creek to the markers approximately 1,000 feet above the Kalama Falls (Upper) Salmon Hatchery.

(3) Daily Limit A except release chinook salmon greater than twenty-eight inches in length during the period October 1 through December 31 upstream from the natural gas pipeline - August 1 through April 30: Downstream from a point 1,000 feet below the fishway at the upper salmon hatchery to the Modrow Bridge, 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 fly fishing only.

(4) Daily Limit A - August 1 through April 30: Downstream from Modrow Bridge, except during the time the department of fish and wildlife's temporary rack is installed just below the Modrow Bridge, that portion of the river from the temporary rack downstream to a set of markers 1,500 feet below the temporary rack is closed to salmon angling and August 1 through October 15 those waters downstream from the temporary rack are closed to salmon angling.

(5) Fishing from boats with motors is prohibited at all times in waters upstream of the Modrow Bridge.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-310, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-310, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-310, filed 5/31/95, effective 7/1/95; 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 220-57-319 Lewis River. (1) Mainstem - Daily Limit A except during the period May 1 through July 31 the daily limit is one salmon and release chinook August 1 through December 31 - Open entire year: Downstream from east fork to mouth.

(2) East fork:

(a) Daily Limit A except 20 inch minimum length - April 16 through May 31: Downstream from posted markers at top boat ramp at Lewisville Park.

(b) Daily Limit A except 14 inch minimum length - June 1 through July 31: Downstream from posted markers downstream from Lucia Falls.

(3) North fork:

(a) Daily Limit A except during the period May 1 through July 31 the daily limit is one salmon and release chinook salmon August 1 through December 31 - January 1 through December 31: Downstream from Johnson Creek.

(b) Daily Limit A except release chinook salmon August 1 through December 31 - August 1 through April 30: Downstream from the mouth of Colvin Creek (approximately 1/4 mile upstream of the salmon hatchery) to Johnson Creek,

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. During the period August 16 through October 15, bank fishing only.

(c) Daily Limit A except release chinook salmon August 1 through September 30 - August 1 through September 30 and January 1 through April 30: Downstream from the overhead powerlines downstream from Merwin Dam to Colvin Creek.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-319, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-319, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-319, filed 5/31/95, effective 7/1/95; 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 220-57-370 Puyallup River. Daily Limit A except release pink salmon in odd-numbered years - August 1 through December 15: Downstream from the mouth of the Carbon River to the 11th Street Bridge.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-370, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-370, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-370, filed 5/31/95, effective 7/1/95; 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 220-57-385 Quillayute River. Daily Limit A except release adult coho salmon - March 1 through November 30: Downstream from the confluence of the Soleduck and Bogachiel rivers including Olympic National Park waters. Single point barbless hooks required.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-385, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-385, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-385, filed 5/31/95, effective 7/1/95; 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 220-57-415 Satsop River. Daily Limit A October 10 through November 2: Downstream from the

bridge at Schafer State Park on east fork. Single point barbless hooks required.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-415, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-415, filed 5/31/95, effective 7/1/95; 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 220-57-425 Skagit River. (1) Special daily limit of 4 salmon not more than 2 of which may be coho salmon and release all chinook salmon - August 16 through October 31: Downstream from the mouth of the Cascade River. Only one single barbless hook may be used and bait is prohibited upstream from the Sauk River.

(2) Special daily limit of 2 salmon except release coho salmon - November 1 through December 31.

(3) 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 and 75.12.040. 97-18-035, § 220-57-425, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-425, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-425, filed 5/31/95, effective 7/1/95; 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 220-57-430 Skokomish River. Special daily limit of six salmon, not more than four of which may be adult salmon defined as chinook salmon 24 inches in length or greater, coho salmon 16 inches in length or greater, or other salmon 12 inches in length or greater, and release all adult chinook salmon - September 20 through December 15: Downstream from the Highway 101 Bridge.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-430, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-430, filed 5/31/95, effective 7/1/95; 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. (1) Special daily limit of two salmon except release chinook salmon and pink salmon - September 1 through December 31: Downstream from the confluence of north and south forks.

(2) During even-numbered years it is unlawful to retain pink salmon.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-435, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-435, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-435, filed 5/31/95, effective 7/1/95; 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 220-57-450 Snohomish River. (1) Special daily limit of two salmon except release chinook salmon and pink salmon - September 1 through December 31: Downstream from confluence of Skykomish and Snoqualmie rivers.

(2) During even-numbered years it is unlawful to retain pink salmon.

[Statutory Authority: RCW 75.08.080. 97-20-071 (Order 97-202), § 220-57-450, filed 9/25/97, effective 10/26/97; 96-11-078 (Order 96-44), § 220-57-450, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-450, filed 5/31/95, effective 7/1/95; 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. (1) Special daily limit of two salmon except release chinook salmon and pink salmon - September 1 through December 31: Downstream from Snoqualmie Falls.

(2) During even-numbered years it is unlawful to retain pink salmon.

[Statutory Authority: RCW 75.08.080. 97-20-071 (Order 97-202), § 220-57-455, filed 9/25/97, effective 10/26/97; 96-11-078 (Order 96-44), § 220-57-455, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-455, filed 5/31/95, effective 7/1/95; 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. Daily Limit A except release adult coho salmon - March 1 through November 30: Downstream from the concrete pump station at the Sol Duc Hatchery. Single point barbless hooks required.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-460, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-460, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-460, filed 5/31/95, effective 7/1/95; 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. (1) Special daily limit of 4 pink salmon - August 16 through September 30: Downstream from the confluence of the 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.

(2) Special daily 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.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-465, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-465, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-465, filed 5/31/95, effective 7/1/95; 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 220-57-480 Toutle River—North Fork. Daily Limit A except release chinook salmon over 28 inches in length October 1 through November 30 - September 1 through November 30: Highway 504 Bridge to mouth of Green River.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-480, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-480, filed 5/31/95, effective 7/1/95; 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 220-57-493 Wallace River. Special daily limit of 2 coho salmon - September 1 through November 30: Downstream from the Highway 2 Bridge.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-493, filed 8/27/97, effective 9/27/97.]

WAC 220-57-495 Washougal River. Daily Limit A except release chinook salmon over 28 inches in length upstream from the mouth of Little Washougal River during the period October 1 through December 31 - June 1 through March 15: Downstream from bridge at Salmon Falls to mouth.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-495, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 96-11-078 (Order 96-44), § 220-57-495, filed 5/13/96, effective 6/13/96; 95-12-027 (Order 95-46), § 220-57-495, filed 5/31/95, effective 7/1/95; 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, § 220-47-495 (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 220-57-525 Wynoochee River. Daily Limit A except release adult coho salmon - September 1 through October 31: Downstream from the 7400 line bridge upstream of the mouth of Schafer Creek. Single point barbless hooks required.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57-525, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57-525, filed 5/31/95, effective 7/1/95; 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-145 Sammamish Lake.
220-57A-175 Lake Washington.

WAC 220-57A-145 Sammamish Lake. Special daily limit of 2 coho salmon - October 1 through November 30. Waters within 1/4 mile of the mouth of Issaquah Creek are closed.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57A-145, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57A-145, filed 5/31/95, effective 7/1/95; 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-175 Lake Washington. Special daily limit of 2 coho salmon - October 1 through November 30. Open only north of Hwy 520 Bridge and east of the Montlake Bridge.

[Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-57A-175, filed 8/27/97, effective 9/27/97. Statutory Authority: RCW 75.08.080. 95-12-027 (Order 95-46), § 220-57A-175, filed 5/31/95, effective 7/1/95; 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.]

Chapter 220-69 WAC

FISH RECEIVING TICKETS—WEIGHT DELIVERY SHEETS

WAC

220-69-240 Duties of commercial purchasers and receivers.

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 Fish and Wildlife, Olympia, Washington; telephone (360) 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 of shrimp other than ghost shrimp taken from Puget Sound to fail to report to the department the previous day's purchases by 10:00 a.m. the following morning. Such report must be by telephone call to the Point Whitney Shellfish Laboratory or by facsimile transmission (FAX) to the Point Whitney Shellfish Laboratory. All reports must specify the total number of pounds caught by gear type, Marine Fish-Shellfish Management and Catch Reporting Area, and species. The fish receiving ticket reporting requirement of WAC 220-69-240 remains in effect.

(10) 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. 97-08-052 (Order 97-55), § 220-69-240, filed 3/31/97, effective 5/1/97. 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.]

Chapter 220-72 WAC

OYSTER DISEASES AND PESTS

WAC

220-72-002	Promulgation.
220-72-011	Restricted shellfish areas—Puget Sound.
220-72-013	Repealed.
220-72-015	Restricted shellfish areas—Willapa.
220-72-016	Repealed.
220-72-019	Repealed.
220-72-022	Repealed.
220-72-025	Repealed.
220-72-028	Repealed.
220-72-031	Repealed.
220-72-034	Repealed.
220-72-037	Repealed.
220-72-040	Repealed.
220-72-043	Repealed.
220-72-046	Repealed.
220-72-049	Repealed.
220-72-052	Repealed.
220-72-055	Repealed.
220-72-058	Repealed.
220-72-061	Repealed.
220-72-064	Repealed.
220-72-067	Repealed.
220-72-070	Unrestricted shellfish areas.
220-72-073	Unlawful acts—Shellfish transfer.
220-72-076	Unlawful acts—Permit required.
220-72-082	Repealed.
220-72-085	Imports—Written permission.
220-72-088	Repealed.
220-72-091	Repealed.
220-72-094	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-72-013	Restricted shellfish areas—Drayton Harbor. [Order 847, § 220-72-013, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
220-72-016	Restricted shellfish areas—Samish Bay. [Order 847, § 220-72-016, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
220-72-019	Restricted shellfish areas—Padilla Bay. [Order 847, § 220-72-019, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
220-72-022	Restricted shellfish areas—Similk Bay. [Order 847, § 220-72-022, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
220-72-025	Restricted shellfish areas—Liberty Bay. [Order 847, § 220-72-025, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
220-72-028	Restricted shellfish areas—Dyes Inlet. [Order 847, § 220-72-028, filed 9/24/69.] Repealed by 97-08-078 (Order 97-

- 56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-031 Restricted shellfish areas—Case Inlet—Rocky Bay and North Bay. [Order 847, § 220-72-031, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-034 Restricted shellfish areas—Hammersley Inlet—Oakland Bay. [Order 847, § 220-72-034, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-037 Restricted shellfish areas—Totten Inlet—Oyster Bay. [Order 847, § 220-72-037, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-040 Restricted shellfish areas—Eld Inlet—Mud Bay. [Order 847, § 220-72-040, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-043 Restricted shellfish areas—Nisqually Flats. [Order 847, § 220-72-043, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-046 Restricted shellfish areas—Hood Canal—Quilcene Bay. [Order 847, § 220-72-046, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-049 Restricted shellfish areas—Hood Canal—Lynch Cove. [Order 847, § 220-72-049, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-052 Restricted shellfish areas—Hood Canal—Hamma Hamma Flats. [Order 847, § 220-72-052, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-055 Restricted shellfish areas—Henderson Inlet—South Bay. [Order 847, § 220-72-055, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-058 Restricted shellfish areas—Willapa Bay—Middle Sands. [Order 847, § 220-72-058, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-061 Restricted shellfish areas—Willapa Bay—Nemah. [Order 847, § 220-72-061, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-064 Restricted shellfish areas—Willapa Bay—Bay Center. [Order 847, § 220-72-064, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-067 Restricted shellfish areas—Willapa Bay—Cedar River. [Order 847, § 220-72-067, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-082 Imports—Inspection. [Order 847, § 220-72-082, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-088 Imports—Certification. [Order 1045, § 220-72-088, filed 3/8/73; Order 847, § 220-72-088, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-091 Imports—Importation period. [Order 1045, § 220-72-091, filed 3/8/73; Order 847, § 220-72-091, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.
- 220-72-094 Imports—Shipping season. [Order 1045, § 220-72-094, filed 3/8/73; Order 847, § 220-72-094, filed 9/24/69.] Repealed by 97-08-078 (Order 97-56), filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.08.080.

WAC 220-72-002 Promulgation. In order to suppress and prevent the spread of infectious, contagious, communicable diseases and pests affecting shellfish, the

following regulations are adopted (WAC 220-72-011 through 220-72-085).

[Statutory Authority: RCW 75.08.080, 97-08-078 (Order 97-56), § 220-72-002, filed 4/2/97, effective 5/3/97; Order 847, § 220-72-002, filed 9/24/69.]

WAC 220-72-011 Restricted shellfish areas—Puget Sound. All waters, tidelands, shellfish handling facilities and equipment (including aquaculture vehicles and vessels) operated in conjunction with said waters and tidelands of Puget Sound within the following areas are designated as restricted shellfish areas:

(1) Dungeness Bay—inside and westerly of a line projected from the most southerly tip of Dungeness Spit southerly to the mainland.

(2) Drayton Harbor—inside and southerly of a line projected from the end of Semiahmoo Spit to where the International Boundary line intersects the mainland.

(3) Lummi Bay—inside the Lummi Dike and easterly and inside of a line projected from 48°46'32" N. Lat., 122°40'00" W. Long. due south to a point 48°45'55" N. Lat., 122°40'00" W. Long. and then due east to the mainland.

(4) Samish Bay—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.

(5) Padilla Bay—southerly of a line starting at William Point on Samish Island and projected southerly to March Point on Fidalgo Island.

(6) Similk and Skagit Bays—northerly of a line projected across Skagit Bay and following latitude 48° 20' N.

(7) Liberty Bay—inside, westerly and northerly of a line projected true south from Tower Point.

(8) Dyes Inlet—inside and northerly of a line projected true east from the most northern tip of Rocky Point to the mainland in the vicinity of southern Tracyton.

(9) Burley Lagoon—inside and northerly of the Purdy bridge.

(10) Case Inlet—Rocky Bay and North Bay—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.

(11) Hammersley Inlet—Oakland Bay—inside, westerly and northerly of a line starting at Munson Point and projected in a southerly direction to Eagle Point.

(12) Totten Inlet—Oyster Bay—Little Skookum Inlet—inside and southerly of a line starting at the most southeasterly point on Windy Point and projected northeasterly to the most southern tip of the Steamboat Island bridge.

(13) Eld Inlet—

(a) Mud Bay—inside, southerly and westerly of a line starting at Flapjack Point and projected true south to the mainland.

(b) Sanderson Harbor—lying inside and westerly of a line starting at the most northern point on Sanderson Spit and projected northeasterly to the mainland.

(14) Nisqually Flats—southerly of a line starting at the end of the DuPont Dock and projected true west to the mainland.

(15) Hood Canal—

(a) Quilcene Bay—northerly and easterly of a line starting at the Port of Port Townsend boat ramp north of Coast Seafoods company shellfish hatchery projected easterly to a point at 48°48'10" N. Lat., 122°51'30" W. Long. and then projected southeasterly to the most southerly tip of Bolton Peninsula.

(b) Tarboo Bay—northerly and easterly of a line starting at the most northern tip of Long Spit and then projected true west to the mainland.

(c) Rendsland Creek—easterly and inside of lines drawn from:

Point No. 1 at 47°23'02.7" N. Lat.

123°06'42.8" Long. thence to

Point No. 2 at 47°23'02.7" N. Lat.

123°06'55" W. Long. thence to

Point No. 3 at 47°23'16.6" N. Lat.

123°06'55" W. Long., then projected true east to the mainland.

(d) Lynch Cove—easterly of a line starting at Cady Creek on the north shore and projected in a southwesterly direction to a point at 47°23'02.4" N. Lat., 122°56'12.4" W. Long.

(e) Hamma Hamma Flats—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.

(f) Dosewallips Delta—inside and westerly of lines drawn from:

Point No. 1 at 47°41'03" N. Lat.

122°53'45" W. Long. thence to

Point No. 2 at 47°41'03" N. Lat.

122°52'24" W. Long. thence to

Point No. 3 at 47°42'20.6" N. Lat.

122°52'24" W. Long. thence to

Point No. 4 at 47°42'20.6" N. Lat.

122°52'39" W. Long.

(g) Point Whitney—inside and westerly of lines drawn from:

Point No. 1 at 47°45'43.7" N. Lat.

122°51'02" W. Long. thence to

Point No. 2 at 45°45'56" N. Lat.

122°51'02" W. Long. thence to

Point No. 3 at 45°45'56" N. Lat.

122°51'12" W. Long. thence to

Point No. 4 at 47°45'45" N. Lat.

122°51'12" W. Long.

(16) Henderson Inlet—South Bay—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.

[Statutory Authority: RCW 75.08.080. 97-08-078 (Order 97-56), § 220-72-011, filed 4/2/97, effective 5/3/97.]

WAC 220-72-013 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-015 Restricted shellfish areas—Willapa. All waters, tidelands, shellfish handling facilities and equipment (including aquaculture vehicles and vessels) operated in conjunction with said waters and tidelands of Willapa Bay inside and easterly of a line projected from the most northern tip of Leadbetter Point true north to Cape Shoalwater.

[Statutory Authority: RCW 75.08.080. 97-08-078 (Order 97-56), § 220-72-015, filed 4/2/97, effective 5/3/97.]

WAC 220-72-016 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-019 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-022 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-025 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-028 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-031 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-034 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-037 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-040 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-043 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-046 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-049 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-052 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-055 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-058 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-061 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-064 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-067 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-070 Unrestricted shellfish areas. All waters, tidelands and shellfish 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.

[Statutory Authority: RCW 75.08.080. 97-08-078 (Order 97-56), § 220-72-070, filed 4/2/97, effective 5/3/97; Order 847, § 220-72-070, filed 9/24/69.]

WAC 220-72-073 Unlawful acts—Shellfish transfer. It shall be unlawful to move or transfer any shellfish, shellfish aquaculture products (including oyster seed, cultch, and shell), aquaculture equipment, (including aquaculture vehicles and vessels) or any marine organisms adversely affecting shellfish between unrestricted shellfish areas, between restricted shellfish areas, and from an unrestricted shellfish area into a restricted shellfish area without first obtaining and having in possession for each shellfish transfer a current copy of the Washington department of fish and wildlife pamphlet *"Guidelines and requirements for the import and transfer of shellfish including oysters, clams, and other aquatic invertebrates in Washington state."*

[Statutory Authority: RCW 75.08.080. 97-08-078 (Order 97-56), § 220-72-073, filed 4/2/97, effective 5/3/97; Order 847, § 220-72-073, filed 9/24/69.]

WAC 220-72-076 Unlawful acts—Permit required. It shall be unlawful to transfer shellfish, shellfish aquaculture products (including oyster seed, cultch and shell), aquaculture equipment (including aquaculture vehicles and vessels) or any marine organisms adversely affecting shellfish from a restricted area into an unrestricted area without obtaining written permission from the director of fish and wildlife or the director's authorized agent. Such written permit must be affixed to or otherwise accompany the conveyance affecting the physical transfer of such shellfish, shellfish aquaculture products (including oyster seed, cultch and shell), aquaculture equipment (including aquaculture vehicles and vessels) oyster drills, or drill-infested or marine organisms harmful to shellfish. Areas found to have aquatic diseases or pests (including the oyster drill *Cerastostoma inornatum*) will be immediately considered restricted by the department of fish and wildlife. The department will immediately notify property owners of the restricted status.

[Statutory Authority: RCW 75.08.080. 97-08-078 (Order 97-56), § 220-72-076, filed 4/2/97, effective 5/3/97; Order 847, § 220-72-076, filed 9/24/69.]

WAC 220-72-082 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-085 Imports—Written permission. It shall be unlawful to import into the state of Washington any

shellfish, shellfish shell or shellfish seed for the purpose of placing into state waters without written permission from the department of fish and wildlife.

[Statutory Authority: RCW 75.08.080. 97-08-078 (Order 97-56), § 220-72-085, filed 4/2/97, effective 5/3/97; Order 1045, § 220-72-085, filed 3/8/73; Order 847, § 220-72-085, filed 9/24/69.]

WAC 220-72-088 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-091 Repealed. See Disposition Table at beginning of this chapter.

WAC 220-72-094 Repealed. See Disposition Table at beginning of this chapter.

Chapter 220-77 WAC

AQUACULTURE DISEASE CONTROL

WAC

220-77-020	Definitions—Aquaculture disease control.
220-77-040	Shellfish aquaculture disease control.
220-77-065	Kelp importation—Permit required.

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 other shellfish or finfish, or on or within the water or substrate associated with the aquaculture product, shellfish, or finfish, 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 aquatic invertebrates except insects.

(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 or shellfish on an affected bed or within an affected population, 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.

(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 fish and wildlife.

(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.

(11) "Established species" is defined as a species that has been propagated through aquaculture for at least ten years in Washington, or a species naturally reproducing within Washington.

(12) "West coast commerce region" is defined as the states of Alaska, California, Oregon, and Washington and the province of British Columbia.

(13) "Kelp" is defined as any species of brown algae of the order Laminariales.

(14) "Class A shellfish disease" is defined as an infectious disease which can cause significant mortality or loss of condition or quality in affected shellfish.

(15) "Class B shellfish disease" is defined as an infectious disease which is not known to cause significant mortality or loss of condition or quality in affected shellfish.

(16) "Market ready shellfish" are defined as aquatic invertebrate species which are intended for immediate human consumption and will not be placed into or come in contact with state waters.

[Statutory Authority: RCW 75.08.080. 97-08-078 (Order 97-56), § 220-77-020, filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.58.010. 87-08-033 (Order 87-20), § 220-77-020, filed 3/27/87.]

WAC 220-77-040 Shellfish aquaculture disease control. (1) It is unlawful for any person to import into Washington or possess live imported aquatic invertebrates, except market ready shellfish, without first obtaining an aquatic invertebrate import permit issued by the department. A copy of the permit shall accompany the aquatic invertebrates at all times within the state of Washington, and must be presented upon request to department employees.

(2) The director shall appoint a seven-member advisory committee consisting of one representative each from the department, the department of agriculture, the aquatic farmers of Washington, the federally recognized treaty tribes, private displays of aquatic invertebrates, aquatic invertebrate ecologists, and aquatic invertebrate disease control specialists. The committee will advise the department on importation of aquatic invertebrates, make recommendations on classification of shellfish diseases, and review department policy. Recommendations of the committee are not binding on the commission or director.

(3) Established species from existing import areas with current disease free tissue certification from areas of origin free of Class A shellfish diseases are eligible for continued importation.

(a) An additional disease free tissue certification must be submitted every three years. The department will waive the certification requirement if there is sufficient information that the source area is free of Class A shellfish diseases.

(b) Additional disease free certification may be required upon discovery or reports of disease at the geographic source.

(4) Established species from new areas of origin are eligible for import if health history documentation and

disease free tissue certification are provided to the department. Import into quarantine is required for imports originating from outside the west coast commerce region.

(a) Conditional importation approval will be initiated by permit application.

(b) Presence of any Class A shellfish disease in the area of origin will result in denial of conditional approval.

(c) At least one additional disease free certification will be required during the first year of importation. In the absence of disease during the first year of importation, established species will be eligible for continued importation, and the provisions of subsection (3) of this section will apply.

(5) Nonestablished species for which a health history documentation and disease free tissue certification have been initiated by permit application are eligible for importation only into quarantine.

A SEPA check list is required for any importation of a new species.

(6) Health history documentation will be based on available documentation over the five years prior to application for an import permit, unless a longer documentation is required for cause, and is required to be provided by the applicant. Disease free tissue certification is required from representative invertebrates proposed for import, and must be certified by a department-approved invertebrate health care professional.

(7) Department employees may inspect quarantine facilities used for permitted shellfish imports at reasonable times without prior notification.

(8) Importers are required to immediately report to the department any epizootic, significant mortality potentially attributable to an infectious disease or discovery of a Class A shellfish disease in an approved source area. The report is required to be made within 24 hours of the event or discovery. Annual reporting of the presence or absence of Class A or Class B shellfish diseases may be a condition of any permit.

(9) Violation of these rules or the conditions of the permit, confirmation of a Class A shellfish disease at the geographic source, or verification of a substantial shellfish mortality at the geographic source may result in the suspension or revocation of the import permit.

In the event of denial, suspension, or revocation of an import permit, the affected party may appeal through the Administrative Procedure Act. A suspended or revoked permit will remain suspended or revoked during the appeal process.

[Statutory Authority: RCW 75.08.080. 97-08-078 (Order 97-56), § 220-77-040, filed 4/2/97, effective 5/3/97. Statutory Authority: RCW 75.58.010. 87-08-033 (Order 87-20), § 220-77-040, filed 3/27/87.]

WAC 220-77-065 Kelp importation—Permit required. (1) It is unlawful for any person to import kelp into the state of Washington for use in the herring spawn on kelp fishery without first having obtained a permit to do so issued by the department. A copy of the permit must accompany the imported kelp at all times until the kelp is placed into the marine environment and must be presented upon request to department employees.

(2) The director may impose permit conditions as necessary to ensure protection of aquaculture products and native species from disease when the director concludes that there is a risk of disease transmission associated with the imported kelp.

(3) A kelp import permit is not transferrable.

(4) Violation of these rules or the conditions of a permit may result in suspension or revocation of the kelp import permit. In the event of denial, suspension or revocation of a kelp import permit, the affected party may appeal through the Administrative Procedure Act. A suspended or revoked permit will remain suspended or revoked during the appeal process.

[Statutory Authority: RCW 75.08.080. 97-08-078 (Order 97-56), § 220-77-065, filed 4/2/97, effective 5/3/97.]

Chapter 220-88A WAC

EMERGING COMMERCIAL FISHERY—PUGET SOUND SHRIMP

WAC

- 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 beam trawl experimental fishery—Seasons and gear.

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 District 2 from May 16 through September 15 only.

(b) Closed in Shrimp Districts 1, 3, 4, 5 and 6 unless opened by emergency regulation.

(c) Open in the waters of Lopez Sound south of a line projected east and west from the northern tip of Trump Island from July 10 through October 15 only.

(d) Closed in Marine Fish-Shellfish Management and Catch Reporting Area 24C inshore of the 42 fathom depth contour from Onamac Point, Camano Island, to Sunset Beach, Camano Island.

(e) Closed in Marine Fish-Shellfish Management and Catch Reporting Area 26A within two nautical miles of the number 1 bell buoy at Possession Point.

(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 50 pots per fisher in Shrimp District 2.

(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 District 2:

(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 75.08.080. 97-08-052 (Order 97-55), § 220-88A-070, filed 3/31/97, effective 5/1/97. 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 beam 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, 22A, 23A, 23B, 23C, 25A, 25B and 29 except:

(a) Open July 10 through October 15 in the waters of Lopez Sound (22A) south of a line projected east and west from the northern tip of Trump Island.

(b) Closed in Marine Fish-Shellfish Management and Catch Reporting Area 20A in waters less than 60 fathoms deep, and no trawling is allowed from April 16 through July 15.

(c) Trawling is prohibited in waters less than 100 feet deep.

(d) Trawling is prohibited in Shrimp Districts 1, 2, 3, 4, 5, and 6.

(2) Gear restrictions - Beam trawl gear only. Otter trawl gear may not be used.

(a) Maximum beam width in Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, and 22A is 25 feet.

(b) Maximum beam width in Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23B, 23C, 25A, 25B, and 29 is 60 feet.

[Statutory Authority: RCW 75.08.080. 97-08-052 (Order 97-55), § 220-88A-080, filed 3/31/97, effective 5/1/97; 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 220-110 WAC
HYDRAULIC CODE RULES

WAC

220-110-010	Purpose.
220-110-020	Definitions.
220-110-031	Pamphlet hydraulic project approvals—Procedures.
220-110-035	Miscellaneous hydraulic projects—Permit requirements and exemptions.
220-110-331	Aquatic plant removal and control technical provisions.
220-110-332	Hand removal or control.
220-110-333	Bottom barriers or screens.
220-110-334	Weed rolling.
220-110-335	Mechanical harvesting and cutting.
220-110-336	Rotovation.
220-110-337	Aquatic plant dredging.
220-110-338	Water level manipulation.

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 for project review and conditioning HPAs.

The technical provisions in WAC 220-110-040 through 220-110-338 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. 97-13-001 (Order 97-84), § 220-110-010, filed 6/4/97, effective 7/5/97; 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) "Aquatic beneficial plant" means native and nonnative aquatic plants not prescribed by RCW 17.10.010(10), and that are of value to fish life.

(2) "Aquatic noxious weed" means an aquatic weed on the state noxious weed list as prescribed by RCW 17.10.010(10).

(3) "Aquatic plant" means any aquatic noxious weed and aquatic beneficial plant that occurs within the ordinary high water line of waters of the state.

(4) "Beach area" means the beds between the ordinary high water line and extreme low tide.

(5) "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.

(6) "Bed materials" means natural-occurring material, including aquatic plants, found in the beds of state waters.

(7) "Bio-degradable" means material that is capable of being readily decomposed by biological means, such as by bacteria.

(8) "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.

(9) "Bottom barrier or screen" means synthetic or natural fiber sheets of material used to cover and kill plants growing on the bottom of a watercourse.

(10) "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.

(11) "Cofferdam" means a temporary enclosure used to keep water from a work area.

(12) "Control" means level of treatment of aquatic noxious weeds as prescribed by RCW 17.10.010(5).

(13) "Department" means the department of fish and wildlife.

(14) "Diver-operated dredging" means the use of portable suction or hydraulic dredges held by SCUBA divers to remove aquatic plants.

(15) "Drawdown" means decreasing the level of standing water in a watercourse to expose bottom sediments and rooted plants.

(16) "Dredging" means removal of bed material using other than hand held tools.

(17) "Early infestation" means an aquatic noxious weed whose stage of development, life history, or area of coverage makes one hundred percent control and eradication as prescribed by RCW 17.10.010(5) likely to occur.

(18) "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.

(19) "Entrained" means the entrapment of fish into a watercourse diversion without the presence of a screen, into high velocity water along the face of an improperly designed screen, or into the vegetation cut by a mechanical harvester.

(20) "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.

(21) "Eradication" See "control."

(22) "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.

(23) "Extreme low tide" means the lowest level reached by a receding tide.

(24) "Farm and agricultural land" means those lands identified as such in RCW 84.34.020.

(25) "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.

(26) "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.

(27) "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.

(28) "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.

(29) "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.

(30) "General provisions" means those provisions that are contained in every HPA.

(31) "Hand cutting" means the removal or control of aquatic plants with the use of hand-held tools or equipment, or equipment that is carried by a person when used.

(32) "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.

(33) "Hatchery" means any water impoundment or facility used for the captive spawning, hatching, or rearing of fish and shellfish.

(34) "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.

(35) "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.

(36) "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; or

(e) An "Aquatic Plants and Fish" pamphlet issued by the department which identifies and authorizes specific aquatic noxious weed and aquatic beneficial plant removal and control activities.

(37) "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.

(38) "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.

(39) "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.

(40) "Mechanical harvesting and cutting" means the partial removal or control of aquatic plants with the use of aquatic mechanical harvesters which cut and collect aquatic plants, and mechanical cutters which only cut aquatic plants.

(41) "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.

(42) "Natural conditions" means those conditions which arise in or are found in nature. This is not meant to include artificial or manufactured conditions.

(43) "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.

(44) "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.

(45) "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.

(46) "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.

(47) "Purple loosestrife" means *Lythrum salicaria* and *Lythrum virgatum* as prescribed in RCW 17.10.010(10) and defined in RCW 17.26.020 (5)(b).

(48) "River or stream." See "watercourse."

(49) "Rotovation" means the use of aquatic rotovators which have underwater rototiller-like blades to uproot aquatic plants as a means of plant control.

(50) "Saltwater area" means those state waters and associated beds below the ordinary high water line and downstream of river mouths.

(51) "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.

(52) "Spartina" means *Spartina alterniflora*, *Spartina anglica*, *Spartina x townsendii*, and *Spartina patens* as prescribed in RCW 17.10.010(10) and defined in RCW 17.26.020 (5)(a).

(53) "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.

(54) "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.

(55) "Technical provisions" means those conditions that are a part of the HPA and apply to most projects of that nature.

(56) "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.

(57) "Viable" means that any plant or plant part is capable of taking root or living when introduced into a body of water.

(58) "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.

(59) "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.

(60) "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.

(61) "Water type" means water categories as defined in WAC 222-16-030 of the forest practice rules and regulations.

(62) "Weed rolling" means the use of a mechanical roller designed to control aquatic plant growth.

(63) "Wetted perimeter" means the areas of a watercourse covered with water, flowing or nonflowing.

[Statutory Authority: RCW 75.08.080. 97-13-001 (Order 97-84), § 220-110-020, filed 6/4/97, effective 7/5/97; 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 220-110-031 Pamphlet hydraulic project approvals—Procedures. (1) In those instances where a pamphlet is the equivalent of an HPA as defined in WAC 220-110-020(36), a person shall obtain a pamphlet HPA issued by the department which identifies and authorizes specific minor hydraulic project activities before conducting a hydraulic project.

(2) The pamphlet HPA, or clear reproduction, shall be on the project site when work is being conducted and shall be immediately available for inspection.

(3) The pamphlet HPA shall be conditioned to ensure protection of fish life.

(4) Pamphlet 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.

(5) 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.

[Statutory Authority: RCW 75.08.080. 97-13-001 (Order 97-84), § 220-110-031, filed 6/4/97, effective 7/5/97.]

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) An activity conducted solely for the removal or control of spartina does not require an HPA. An activity conducted solely for the removal or control of purple loosestrife and which is performed with hand-held tools, hand-held equipment, or equipment carried by a person when used does not require an HPA. Any other activity conducted solely for the removal or control of aquatic noxious weeds or aquatic beneficial plants shall require either a copy of the current *Aquatic Plants and Fish* pamphlet HPA available from the department or an individual HPA.

(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.

(6) The technical and special provisions of an individual or a pamphlet HPA shall be followed by the permit holder,

equipment operator(s), and other individuals conducting the project.

[Statutory Authority: RCW 75.08.080. 97-13-001 (Order 97-84), § 220-110-035, filed 6/4/97, effective 7/5/97; 94-23-058 (Order 94-160), § 220-110-035, filed 11/14/94, effective 12/15/94.]

WAC 220-110-331 Aquatic plant removal and control technical provisions. WAC 220-110-332 through 220-110-338 set forth technical provisions that shall apply to hydraulic projects that control or remove aquatic plants. Aquatic plant removal and control methods include physical, mechanical, biological and chemical control methods. Often the best approach to aquatic plant control and removal is through the development of a vegetation management plan. A vegetation management plan is a comprehensive approach to control of aquatic plants where all forms of control strategies are considered and usually some combination of techniques is selected and implemented in a planned manner. These plans are based on the idea that decisions should be centered upon an understanding of the biology and ecology of the aquatic plant to be controlled and the environmental characteristics of the site. Integrated vegetation management planning is encouraged at all times to comprehensively address aquatic plant problems for a watercourse. 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 HPA (pamphlet or individual), as necessary to protect fish life. HPAs shall have specific time limitations on project activities to protect fish life. Information concerning timing shall be included with the pamphlet HPA. 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. 97-13-001 (Order 97-84), § 220-110-331, filed 6/4/97, effective 7/5/97.]

WAC 220-110-332 Hand removal or control. A copy of the current *Aquatic Plants and Fish* pamphlet available from the department shall serve as an HPA, unless otherwise indicated, and be on the job site at all times. Hand removal or control of aquatic plants is useful for eradication of an aquatic noxious weed early infestation. Hand removal or control can be effective for small, confined areas. Hand removal or control of aquatic plants projects may 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 hand removal or control of both aquatic noxious weed and aquatic beneficial plant projects except where otherwise indicated:

(1) Due to potential impacts to sockeye spawning areas, prior authorization by the department shall be required for raking in Baker Lake and Lakes Osoyoos, Ozette, Pleasant, Quinault, Sammamish, Washington and Wenatchee. Authorization may or may not be given for raking, and if given, may require mitigation through a written agreement between the applicant and the department for impacts by raking to the spawning area.

(2) Work shall be restricted to the use of hand-pulling, hand-held tools or equipment, or equipment that is carried when used.

(3) Removal or control of aquatic beneficial plants to maintain an access for boating or swimming shall be allowed along a maximum length of 10 linear feet of the applicant's shoreline. Projects for boating and swimming access which cover a larger area shall require prior authorization by the department.

(4) Where possible, the entire plant shall be removed when using hand-pulling for aquatic noxious weeds.

(5) Removal of detached plants and plant fragments from the watercourse shall be as complete as possible when using hand removal to remove or control aquatic noxious weeds. Detached plants and plant fragments shall be disposed of at an upland site so as not to reenter state waters.

(6) Existing fish habitat components such as logs, stumps, and large boulders shall not be removed or disturbed.

(7) Work shall be conducted to minimize the release of sediment and sediment-laden water from the project site.

(8) Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid or other deleterious material from equipment used are allowed to enter or leach into the watercourse.

(9) If at any time as a result of project activities or water quality problems, fish life are observed in distress or a fish kill occurs, operations shall cease and both the department and the department of ecology shall be notified of the problem immediately. The project shall not resume until further approval is given by the department. Additional measures to mitigate impacts may be required.

(10) Every effort shall be made to avoid the spread of plant fragments through equipment contamination. Persons or firms using any equipment to remove or control aquatic plants shall thoroughly remove and properly dispose of all viable residual plants and viable plant parts from the equipment prior to the equipment's use in a body of water.

[Statutory Authority: RCW 75.08.080. 97-13-001 (Order 97-84), § 220-110-332, filed 6/4/97, effective 7/5/97.]

WAC 220-110-333 Bottom barriers or screens. A copy of the current *Aquatic Plants and Fish* pamphlet available from the department shall serve as an HPA, unless otherwise indicated, and be on the job site at all times. Bottom barriers or screens are useful for eradication of an aquatic noxious weed early infestation. Bottom barriers or screens are best used in small, confined areas where control of all plants is desirable. Bottom barrier or screen projects may 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 bottom barrier or screen projects for both aquatic noxious weed or aquatic beneficial plant control or removal except where otherwise indicated:

(1) Due to potential impacts to sockeye spawning areas, prior authorization by the department shall be required for activities in Baker Lake and Lakes Osoyoos, Ozette, Pleasant, Quinault, Sammamish, Washington, and Wenatchee. Authorization may or may not be given for the activity, and

if given, may require mitigation through a written agreement between the applicant and the department for impacts by the activity to the spawning area.

(2) For removal and control of aquatic noxious weeds, bottom barrier or screen material shall not cover more than fifty percent of the length of the applicant's shoreline. Bottom barrier or screen projects covering a larger area shall require prior authorization by the department. Bottom barrier or screen and anchor material consisting of biodegradable material may be left in place. Bottom barrier or screen and anchor material that is not biodegradable shall be completely removed within two years of placement to encourage recolonization of aquatic beneficial plants unless otherwise approved by the department.

(3) To remove or control aquatic beneficial plants such that an access is maintained for boating or swimming, bottom barrier or screen and anchor material that is either biodegradable or nonbiodegradable may be installed along a maximum length of ten linear feet of the applicant's shoreline. Bottom barrier or screen projects for boating and swimming access which cover a larger area shall require prior authorization by the department.

(4) Bottom barrier or screen material shall be securely anchored with pea-gravel filled bags, rock or similar mechanism to prevent billowing and movement offsite.

(5) Bottom barrier or screen and anchors shall be regularly maintained while in place to ensure the barrier or screen and anchors are functioning properly. Barriers or screens that have moved or are billowing shall immediately be securely reinstalled or removed from the watercourse.

(6) Existing fish habitat components such as logs, stumps, and large boulders may be relocated within the watercourse if necessary to properly install the bottom barrier or screen. These habitat components shall not be removed from the watercourse.

(7) If at any time as a result of project activities or water quality problems, fish life are observed in distress or a fish kill occurs, operations shall cease and both the department and the department of ecology shall be notified of the problem immediately. The project shall not resume until further approval is given by the department. Additional measures to mitigate impacts may be required.

(8) Every effort shall be made to avoid the spread of plant fragments through equipment contamination. Persons or firms using any equipment to remove or control aquatic plants shall thoroughly remove and properly dispose of all viable residual plants and viable plant parts from the equipment prior to the equipment's use in a body of water.

[Statutory Authority: RCW 75.08.080. 97-13-001 (Order 97-84), § 220-110-333, filed 6/4/97, effective 7/5/97.]

WAC 220-110-334 Weed rolling. A copy of the current *Aquatic Plants and Fish* pamphlet available from the department shall serve as an HPA, unless otherwise indicated, and be on the job site at all times. Weed rollers are best used when control of all aquatic plants is desired. Weed rolling projects may 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 weed rolling projects for both aquatic noxious

weed or aquatic beneficial plant control or removal except where otherwise indicated:

(1) Due to potential impacts to sockeye spawning areas, prior authorization by the department shall be required for activities in Baker Lake and Lakes Osoyoos, Ozette, Pleasant, Quinault, Sammamish, Washington, and Wenatchee. Authorization may or may not be given for the activity, and if given, may require mitigation through a written agreement between the applicant and the department for impacts by the activity to the spawning area.

(2) Weed rollers shall not be used to remove an aquatic noxious weed early infestation. To remove or control all other infestation levels of aquatic noxious weeds, weed rollers shall not cover an area of more than two thousand five hundred square feet. Weed roller projects covering a greater area shall require prior authorization by the department.

(3) Where the intent is to remove or control aquatic beneficial plants, prior authorization by the department shall be required.

(4) Removal of detached plants and plant fragments from the watercourse shall be as complete as possible when using weed rollers to remove or control aquatic noxious weeds. Detached plants and plant fragments shall be disposed of at an upland site so as not to reenter state waters.

(5) Work shall be conducted to minimize the release of sediment and sediment-laden water from the project site.

(6) Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid or other deleterious material from equipment used are allowed to enter or leach into the watercourse.

(7) If at any time as a result of project activities or water quality problems, fish life are observed in distress or a fish kill occurs, operations shall cease and both the department and the department of ecology shall be notified of the problem immediately. The project shall not resume until further approval is given by the department. Additional measures to mitigate impacts may be required.

(8) Existing fish habitat components such as logs, stumps, and large boulders may be relocated within the watercourse if necessary to properly install the weed roller. These habitat components shall not be removed from the watercourse.

(9) Every effort shall be made to avoid the spread of plant fragments through equipment contamination. Persons or firms using any equipment to remove or control aquatic plants shall thoroughly remove and properly dispose of all viable residual plants and viable plant parts from the equipment prior to the equipment's use in a body of water.

[Statutory Authority: RCW 75.08.080. 97-13-001 (Order 97-84), § 220-110-334, filed 6/4/97, effective 7/5/97.]

WAC 220-110-335 Mechanical harvesting and cutting. A copy of the current *Aquatic Plants and Fish* pamphlet available from the department shall serve as an HPA, unless otherwise indicated, and be on the job site at all times. Mechanical harvesting and cutting projects may 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 mechanical

harvesting and cutting projects for both aquatic noxious weed or aquatic beneficial plant control or removal except where otherwise indicated:

(1) Mechanical harvesters and cutters shall not be used to remove an aquatic noxious weed early infestation.

(2) If the intent of the project is to remove aquatic beneficial plants, prior authorization by the department shall be required.

(3) Removal of detached plants and plant fragments from the watercourse shall be as complete as possible when using mechanical harvesters or cutters to remove or control aquatic noxious weeds. Detached plants and plant fragments shall be disposed of at an upland site so as not to reenter state waters.

(4) Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid or other deleterious material from equipment used are allowed to enter or leach into the watercourse. Equipment shall be well-maintained and where practicable, food-grade oil in the hydraulic systems should be used.

(5) If at any time as a result of project activities or water quality problems, fish life are observed in distress or a fish kill occurs, operations shall cease and both the department and the department of ecology shall be notified of the problem immediately. The project shall not resume until further approval is given by the department. Additional measures to mitigate impacts may be required.

(6) Existing fish habitat components such as logs, stumps, and large boulders may be relocated within the watercourse if necessary to operate the equipment. These habitat components shall not be removed from the watercourse.

(7) Mechanical harvester and cutter operations shall only be conducted in waters of sufficient depth to avoid bottom contact with the cutter blades.

(8) Mechanical harvesters and cutters shall be operated at all times to cause the least adverse impact to fish life.

(9) Fish life that may be entrained in the cut vegetation during mechanical harvester operations shall be immediately and safely returned to the watercourse.

(10) Every effort shall be made to avoid the spread of plant fragments through equipment contamination. Persons or firms using any equipment to remove or control aquatic plants shall thoroughly remove and properly dispose of all viable residual plants and viable plant parts from the equipment prior to the equipment's use in a body of water.

(11) Alteration or disturbance of the bank and bank vegetation shall be limited to that necessary to conduct 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. After authorization by the department, 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. 97-13-001 (Order 97-84), § 220-110-335, filed 6/4/97, effective 7/5/97.]

WAC 220-110-336 Rotovation. An individual HPA shall be required for rotovation projects. Rotovation 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 rotovation projects for both aquatic noxious weed or aquatic beneficial plant control or removal except where otherwise indicated:

- (1) Rotovators shall not be used to remove an aquatic noxious weed early infestation.
- (2) Removal of detached plants and plant fragments from the watercourse shall be as complete as possible when using rotovation to remove or control aquatic noxious weeds. Detached plants and plant fragments shall be disposed of at an upland site so as not to reenter state waters.
- (3) Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid or other deleterious material from equipment used are allowed to enter or leach into the watercourse. Rotovators shall be well-maintained and where practicable, food-grade oil in the hydraulic systems should be used.
- (4) If at any time, as a result of project activities or water quality problems, fish life are observed in distress or a fish kill occurs, operations shall cease and both the department and the department of ecology shall be notified of the problem immediately. The project shall not resume until further approval is given by the department. Additional measures to mitigate impacts may be required.
- (5) Existing fish habitat components such as logs, stumps, and large boulders may be relocated within the watercourse if necessary to operate the equipment. These habitat components shall not be removed from the watercourse.
- (6) Rotovators shall be operated at all times to cause the least adverse impact to fish life.
- (7) Every effort shall be made to avoid the spread of plant fragments through equipment contamination. Persons or firms using any equipment to remove or control aquatic plants shall thoroughly remove and properly dispose of all viable residual plants and viable plant parts from the equipment prior to the equipment's use in a body of water.
- (8) Alteration or disturbance of the bank and bank vegetation shall be limited to that necessary to conduct 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. After authorization by the department, 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.
- (9) Rotovation shall not occur in fish spawning areas unless approved by the department.

[Statutory Authority: RCW 75.08.080. 97-13-001 (Order 97-84), § 220-110-336, filed 6/4/97, effective 7/5/97.]

WAC 220-110-337 Aquatic plant dredging. A copy of the current *Aquatic Plants and Fish* pamphlet available from the department shall serve as an HPA for diver-operated dredging only, unless otherwise indicated, and shall be on the job site at all times. All other dredging for aquatic plant control or removal shall require an individual HPA. Dredging projects may 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 for both aquatic noxious weed or aquatic beneficial plant control or removal except where otherwise indicated:

- (1) All aquatic plant dredging projects.
 - (a) Due to potential impacts to sockeye spawning areas, prior authorization by the department shall be required for activities in Baker Lake and Lakes Osoyoos, Ozette, Pleasant, Quinault, Sammamish, Washington, and Wenatchee. Authorization may or may not be given for the activity, and if given, may require mitigation through a written agreement between the applicant and the department for impacts by the activity to the spawning area.
 - (b) Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid or other deleterious material from equipment used are allowed to enter or leach into the watercourse. Equipment shall be well-maintained and where practicable, food-grade oil in the hydraulic systems should be used.
 - (c) If at any time as a result of project activities or water quality problems, fish life are observed in distress or a fish kill occurs, operations shall cease and both the department and the department of ecology shall be notified of the problem immediately. The project shall not resume until further approval is given by the department. Additional measures to mitigate impacts may be required.
 - (d) Existing fish habitat components such as logs, stumps, and large boulders may be relocated within the watercourse if necessary to operate the equipment. These habitat components shall not be removed from the watercourse.
 - (e) Dredging shall be conducted at all times with dredge types and methods that cause the least adverse impact to fish life.
 - (f) Every effort shall be made to avoid the spread of plant fragments through equipment contamination. Persons or firms using any equipment to remove or control aquatic plants shall thoroughly remove and properly dispose of all viable residual plants and viable plant parts from the equipment prior to the equipment's use in a body of water.
 - (g) Work shall be conducted to minimize the release of sediment and sediment-laden water from the project site.
 - (h) Upon completion of the dredging, the bed shall not contain pits, potholes, or large depressions to avoid stranding of fish.
 - (i) Alteration or disturbance of the bank and bank vegetation shall be limited to that necessary to conduct 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. After prior authorization by the department, 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.

(2) Diver-operated dredging only. The use of diver-operated dredging is useful to remove an aquatic noxious weed early infestation, and to assist in long-term maintenance following control or removal via other methods.

(a) Removal of plants and plant fragments from the watercourse shall be as complete as possible when using diver-operated dredging to remove or control aquatic noxious weeds. Plants and plant fragments shall be removed from the dredge slurry prior to its return to the watercourse. Dredged bed materials, including detached plants and plant fragments, shall be disposed of at an upland disposal site so as not to reenter state waters.

(b) 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.

(c) If the intent of the project is to remove or control aquatic beneficial plants, prior authorization from the department shall be required.

(3) Dredging other than diver-operated dredging. *Except* for diver-operated dredging, an individual HPA shall be required for all dredging for aquatic plant control or removal projects.

(a) Dragline and clamshell dredges shall not be used to remove an aquatic noxious weed early infestation.

(b) Removal of plants and plant fragments from the watercourse shall be as complete as possible when using dredging to remove or control aquatic noxious weeds. Dredged bed materials, including detached plants and plant fragments, shall be disposed of at an upland disposal site so as not to reenter state waters.

(c) Dredging shall not be conducted in fish spawning areas unless approved by the department.

(d) 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.

(e) 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.

[Statutory Authority: RCW 75.08.080. 97-13-001 (Order 97-84), § 220-110-337, filed 6/4/97, effective 7/5/97.]

WAC 220-110-338 Water level manipulation. An individual HPA shall be required for water level manipulation. The use of water level manipulations (drawdowns) to remove or control aquatic noxious weeds or aquatic benefi-

cial plants by exposing plants and root systems to extreme temperature and moisture conditions may be appropriate under specific circumstances. Accurate plant identification is important to ensuring any degree of success. Water level manipulation 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 level manipulation projects for both aquatic noxious weed or aquatic beneficial plant control or removal except where otherwise indicated:

(1) If at any time as a result of project activities or water quality problems, fish life are observed in distress or a fish kill occurs, operations shall cease and both the department and the department of ecology shall be notified of the problem immediately. The project shall not resume until further approval is given by the department. Additional measures to mitigate impacts may be required.

(2) Water level manipulation shall be conducted to cause the least adverse impact to fish life.

(3) Water level manipulation shall occur gradually and in a controlled manner to prevent a sudden release of impounded water or sediments which may result in downstream bed and bank degradation, sedimentation, or flooding. Water levels shall be drawdown and brought back up at rates predetermined in consultation with and approved by the department. Instream flow requirements shall be maintained as water levels are brought back up.

(4) Disturbed bank areas shall be protected from erosion. Erosion control methods may include, but are not limited to, filter fabric and immediate mulching of exposed areas. Riprap, or other bank hardening/armoring method, shall not be allowed.

[Statutory Authority: RCW 75.08.080. 97-13-001 (Order 97-84), § 220-110-338, filed 6/4/97, effective 7/5/97.]

Chapter 220-130 WAC

VOLUNTEER COOPERATIVE FISHERIES ENHANCEMENT PROGRAMS

WAC

220-130-020

Definitions.

220-130-070

Project recovery of reimbursable expenses.

WAC 220-130-020 Definitions. For the purposes of this chapter:

(1) Project means a volunteer fisheries resource project.

(2) Commission's designee means the director, 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. Priority of use of viable eggs is as established by chapter 220-74 WAC.

[Statutory Authority: RCW 75.50.100 and 75.52.035. 98-02-017 (Order 97-245), § 220-130-020, filed 12/30/97, effective 1/30/98. 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 220-130-070 Project recovery of reimbursable expenses. (1) For a project to recover expenses from the sale of surplus salmon carcasses and eggs resulting from project supplementation activities, the following requirements must first be met:

(a) Salmon must be returning to a department approved group facility (hatchery, trap or weir);

(b) An approved and current salmon rearing project must be on file with the department;

(c) The agency must declare that a surplus exists beyond the needs of the department, tribes, other public entities, volunteer cooperative projects and regional fisheries enhancement group requirements; and

(d) An annual budget must be presubmitted and approved by the department.

The department shall indicate which expenses are approved for reimbursement. The budget must be submitted to the department by the first of July preceding the expected return of the salmon, and show expected expenses. To collect the funds the project shall annually submit a list of expenses for review by the commission or its designee. The department shall require actual receipts for items purchased. Expenses shall be limited to the actual annual operation expenses of the project as detailed in the preapproved budget. No profit may be realized by the project and no money shall apply to amortization or depreciation.

(2) The department may sell surplus salmon carcasses and nonviable eggs of a project. If the department cannot sell the surplus salmon carcasses and nonviable eggs of a project, then the project may sell them directly, subject to the following guidelines:

(a) Surplus salmon carcasses and nonviable eggs shall be sold under a competitive bidding system;

(b) The project must provide bid information to the commission or its designee for approval prior to any sale;

(c) Revenue resulting from the sale must be deposited by the successful bidder into a special account of the department and used solely to fund the approved expenses of the project that produced the surplus;

(d) Salmon products provided to the volunteer cooperative project by the successful bidder as part of the approved sale arrangement shall strictly adhere to applicable department of health and department of agriculture requirements;

(e) The project shall provide to the department detailed accounting records of salmon products provided by the successful bidder as part of the approved sale arrangement, including: Types and amount of salmon product received; monthly disposition of salmon products including amount sold, amount in storage, or amount no longer viable, and total moneys collected; and

(f) All revenue from the sale of salmon products provided to the successful bidder as part of the approved sale arrangement shall be deposited into a special account of the department and used solely to fund the approved expenses of the volunteer cooperative project that produced the surplus.

(3) The department may sell the surplus viable salmon eggs of a project. Surplus viable salmon eggs will be sold by the department as prescribed in chapter 220-74 WAC. Revenue received shall be deposited into a special account of the department and used solely to fund the approved expenses of the project that produced the surplus. Surplus viable salmon eggs may not be sold by a project.

(4) Revenue from the sale of surplus salmon carcasses and eggs placed into the special account of the project producing the surplus may not exceed the amount reflected by the current preapproved budget for project expenses. Moneys accruing in excess of the approved expense amount, as determined by the commission or its designee, shall annually be remitted to the state general fund.

(5) All fish produced from a project are intended for release into state waters. Live fish will not be transported from a project without prior written approval of the department.

(6) Surplus carcasses of salmon returning to an approved volunteer cooperative project may be seeded into and along streams for the purpose of nutrient enrichment if a plan has been preapproved and coordinated with the department.

[Statutory Authority: RCW 75.50.100 and 75.52.035. 98-02-017 (Order 97-245), § 220-130-070, filed 12/30/97, effective 1/30/98. 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

220-140-010	Definitions.
220-140-040	Project funds from the sale of surplus salmon carcasses and eggs.

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) "Regional fisheries enhancement group's project surplus viable salmon eggs" means those viable salmon eggs that are surplus to both the needs of the department and other public entities within the state and to the group itself. The priority for use of viable salmon eggs is as established in chapter 220-74 WAC.

[Statutory Authority: RCW 75.50.100 and 75.52.035. 98-02-017 (Order 97-245), § 220-140-010, filed 12/30/97, effective 1/30/98. 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 220-140-040 Project funds from the sale of surplus salmon carcasses and eggs. (1) Regional fisheries enhancement groups whose projects produce surplus salmon carcasses and eggs may request that the department sell such surplus, providing the following conditions are met:

(a) Salmon must be returning to a department approved group facility (hatchery, trap or weir);

(b) An approved and current salmon rearing project must be on file with the department;

(c) The department must declare that a surplus exists beyond the needs of the department, tribes, other public entities, and group project requirements; and

(d) Use of funds generated by such sale will be approved by the regional fisheries enhancement group advisory board and the department, using the same procedure as established for handling moneys allocated from the regional fisheries enhancement group account.

(2) The department may sell the surplus salmon carcasses, nonviable eggs and viable eggs of a group project. Surplus viable salmon eggs shall be sold by the department as prescribed in chapter 220-74 WAC, Surplus salmon eggs. A group may not sell any salmon products resulting from its activities.

(3) All money received by the department from the sale of group surplus salmon carcasses, nonviable eggs and viable eggs shall be placed into the regional fisheries enhancement group account and used solely to fund the expenses of approved activities for the group that developed the project.

(4) All money received by the department from the sale of surplus salmon carcasses, nonviable eggs and viable eggs returning to state funded hatcheries shall be placed into the general regional fisheries enhancement group account. Eighty percent of this money will be distributed equally to each of the twelve groups and twenty percent will be used by the department to administer the program.

(5) All fish produced from an approved group project are intended for release into state waters. Live fish will not be transported from a group project without prior written approval of the department.

(6) Surplus carcasses from salmon returning to a group project may be seeded into and along streams if a plan to do so has been preapproved and coordinated by the department.

[Statutory Authority: RCW 75.50.100 and 75.52.035. 98-02-017 (Order 97-245), § 220-140-040, filed 12/30/97, effective 1/30/98.]

Title 222 WAC FOREST PRACTICES BOARD

Chapters

- 222-08 Practices and procedures.**
- 222-10 State Environmental Policy Act guidelines.**
- 222-12 Policy and organization.**
- 222-16 Definitions.**

- 222-20 Application and notification procedures.**
- 222-22 Watershed analysis.**
- 222-24 Road construction and maintenance.**
- 222-30 Timber harvesting.**
- 222-38 Forest chemicals.**
- 222-46 Consultation and enforcement.**
- 222-50 Relationship to other laws and regulations.**

Chapter 222-08 WAC PRACTICES AND PROCEDURES

WAC

- 222-08-035 Continuing review of forest practices regulations.

WAC 222-08-035 Continuing review of forest practices regulations. *(1) Annual evaluations. The department, after consulting with affected state agencies, Indian tribes, forest landowners, fish and wildlife, natural resources, and environmental interest groups, shall beginning July 1, 1988, report annually to the forest practices board an assessment of how regulations and voluntary processes are working.

(2) Adaptive management. The department is directed to report to the board on opportunities to modify these regulations when baseline data, monitoring, evaluation or the use of interdisciplinary teams show that such adaptive management will better meet the purposes and policies of the Forest Practices Act.

(3) Resource management plans. The department is directed to develop a method for cooperative voluntary resource management planning among forest landowners, governmental agencies, affected Indian tribes, and environmental groups which would result in the development of plans which might be used as an alternative to the forest practice regulations in achieving the purposes and policies set forth in the act. This should be done through pilot projects, at least one of which should be located on the east side of the Cascade summit and one on the west side of the Cascade summit.

[Statutory Authority: RCW 76.09.040 and chapter 34.05 RCW. 97-24-091, § 222-08-035, filed 12/3/97, effective 1/3/98. Statutory Authority: RCW 76.09.040. 87-23-036 (Order 535), § 222-08-035, filed 11/16/87, effective 1/1/88.]

Chapter 222-10 WAC STATE ENVIRONMENTAL POLICY ACT GUIDELINES

WAC

- 222-10-040 Class IV-Special threatened and endangered species SEPA policies.
- 222-10-042 Marbled murrelets.

WAC 222-10-040 Class IV-Special threatened and endangered species SEPA policies. In addition to the SEPA policies established elsewhere in this chapter, the following policies shall apply to Class IV-Special forest practices involving threatened or endangered species.

(1) The department shall consult with the department of fish and wildlife, other agencies with expertise, affected