Chapter 220-16 WAC
DEFINITIONS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-16-018 Definitions—Bottom sink set net. [Order 810, § 220-16-018, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by Order 1193, filed 3/4/75.

220-16-020 Definitions—Geographical districts. [Order 726, § 1 (part), filed 4/26/67; subsections 1-3, 5-9, 11 from Orders 355 and 256, filed 3/1/60; subsection 4 from Order 544, filed 4/3/62; Orders 355 and 256, filed 3/1/60; subsection 10 from Order 507, filed 4/13/60; Orders 355 and 256, filed 3/1/60; subsections 12-14 from Orders 414 and 256, filed 3/1/60; subsection 15 from Order 507, filed 4/13/60; subsection 16 from Order 547, filed 7/5/62; Order 256, filed 3/1/60.] Repealed by filing of later enactment. See WAC 220-16-200 through 220-16-275.

220-16-030 Definitions—General definitions. [Order 726, § 1, (part), filed 4/24/67; subsections 1, 2, 5, 7, 9, 10 from Orders 355 and 256, filed 3/1/65; subsections 3, 8, 12 from Orders 452 and 256, filed 3/1/60; subsection 4 from Order 635, filed 3/31/65; Order 568, filed 3/26/63; Orders 452 and 256, filed 3/1/60; subsection 6 from Orders 385 and 256, filed 3/1/60.] Repealed by filing of later enactment. See WAC 220-16-300 through 220-16-355.

220-16-045 Definitions—Hand dip net. [Order 1105, § 220-16-045, filed 12/28/73; Order 810, § 220-16-045, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 83-24-024 (Order 83-200), filed 11/30/83, effective 1/1/84. Statutory Authority: RCW 75.08.080.

220-16-050 Definitions—Hand line. [Order 810, § 220-16-050, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 79-03-014 (Order 79-11), filed 2/15/79. Statutory Authority: RCW 75.08.080.

220-16-055 Definitions—Hook and line—Angling. [Statutory Authority: RCW 75.08.080. 82-13-040 (Order 82-61), § 220-16-055, filed 6/9/82; Order 810, § 220-16-055, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 91-08-053 (Order 91-18), filed 4/2/91, effective 5/3/91. Statutory Authority: RCW 75.08.080.

220-16-060 Definitions—Jigger. [Order 810, § 220-16-060, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 79-03-014 (Order 79-11), filed 2/15/79. Statutory Authority: RCW 75.08.080.

220-16-070 Definitions—Otter trawl. [Statutory Authority: RCW 75.08.080. 79-05-007 (Order 79-20), § 220-16-070, filed 4/11/79; Order 810, § 220-16-070, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.

220-16-115 Definitions—Suspension set net. [Order 810, § 220-16-115, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by Order 1193, filed 3/4/75.

220-16-130 Definitions—Shrimp trawl. [Statutory Authority: RCW 75.08.080. 80-13-064, (Order 80-123), § 220-16-130, filed 9/17/80; Order 77-145, § 220-16-130, filed 12/13/77; Order 945, § 220-16-130, filed 8/16/71; Order 810, § 220-16-130, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.

220-16-132 Scallop dredge. [Statutory Authority: RCW 75.08.080. 82-03-045 (Order 82-6), § 220-16-132, filed 1/19/82.] Repealed by 82-14-056 (Order 82-72), filed 7/1/82. Statutory Authority: RCW 75.08.080.

220-16-135 Definitions—Smelt rake. [Order 810, § 220-16-135, filed 4/17/69. Formerly WAC 220-16-010 (part).] Repealed by 83-24-024 (Order 83-200), filed 11/30/83, effective 1/1/84. Statutory Authority: RCW 75.08.080.

220-16-230 Geographical definitions—Outside Initiative 77 line. [Order 817, § 220-16-230, filed 5/29/69. Formerly WAC 220-16-020 (part).] Repealed by 12-11-089 (Order 12-61), filed 5/18/12, effective 6/18/12. Statutory Authority: RCW 34.05.353 (1)(c) and (e), (2)(c) and (d), and 77.12.047 (1)(o).

220-16-235 Geographical definitions—Inside Initiative 77 line. [Order 817, § 220-16-235, filed 5/29/69. Formerly WAC 220-16-020 (part).] Repealed by 12-11-089 (Order 12-61), filed 5/18/12, effective 6/18/12. Statutory Authority: RCW 34.05.353 (1)(c) and (e), (2)(c) and (d), and 77.12.047 (1)(o).

220-16-255 Geographical definitions—Razor clam areas. [Order 817, § 220-16-255, filed 5/29/69. Formerly WAC 220-16-020 (part).] Repealed by 13-02-043 (Order 12-290), filed 12/21/12, effective 1/21/13. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047.

220-16-275 Geographical definitions—Village Point. [Order 817, § 220-16-275, filed 5/29/69. Formerly WAC 220-16-020 (part).] Repealed by 12-11-089 (Order 12-61), filed 5/18/12, effective 6/18/12. Statutory Authority: RCW 34.05.353 (1)(c) and (e), (2)(c) and (d), and 77.12.047 (1)(o).

220-16-280 Geographical definitions—Clam and oyster districts. [Order 857, § 220-16-280, filed 12/11/69.] Repealed by 12-11-089 (Order 12-61), filed 5/18/12, effective 6/18/12. Statutory Authority: RCW 34.05.353 (1)(c) and (e), (2)(c) and (d), and 77.12.047 (1)(o).

220-16-325 General definitions—Dressed fish length measurement. [Order 817, § 220-16-325, filed 5/29/69. Formerly WAC 220-16-030 (part).] Repealed by 12-23-016 (Order 12-267), filed 11/9/12, effective 12/10/12. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047.

220-16-385 Sea urchin districts. [Statutory Authority: RCW 75.08.-080. 86-20-028 (Order 86-123), § 220-16-385, filed 9/23/86.] Repealed by 87-23-006 (Order 87-187), filed 11/6/87. Statutory Authority: RCW 75.08.080.

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

WAC 220-16-002 Definition—Adult salmon. "Adult salmon" is defined as a chinook salmon greater than 24 inches in length, a coho salmon greater than 20 inches in length, or a chum, pink or sockeye salmon greater than 12 inches in length.

[Statutory Authority: RCW 75.08.080 and 77.12.040. 98-15-081 (Order 98-122), § 220-16-002, filed 7/15/98, effective 8/15/98.]

WAC 220-16-005 Definitions—Authorized. "Authorized" when used in the context of authorized employee, authorized department personnel, authorized representative of the department, and terms of similar character, shall be defined as any person employed by the department and performing department activities, or any other person under the direct supervision of an employee and who is performing department activities.

[Statutory Authority: RCW 75.08.080 and 77.12.040. 98-15-081 (Order 98-122), § 220-16-005, filed 7/15/98, effective 8/15/98.]

WAC 220-16-010 Definitions—Fishing gear. It shall be unlawful to operate in any area of the state of Washington or any area over which the state of Washington has concurrent jurisdiction any of the types of fishing gear defined hereinafter in this section for any purpose or by any means whatsoever except at the times, places and in the manners and for the species, quantities, sizes and sexes of food fish and shellfish or fish for food fish and shellfish with any type of fishing appliance not defined hereinafter in this section.

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

WAC 220-16-015 General definitions—Trawl gear. (1) "Otter trawl" shall be defined as a cone or funnel-shaped net which is towed or drawn through the water by one or two vessels. Otter trawl nets may be used both on and off the seabed. Otter trawl nets may be fished with or without trawl doors, and may employ warps or cables to direct fish. Otter trawl nets are restricted to the following three categories:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WAC 220-16-028 Definitions—Dip bag net. "Dip bag net" shall be defined as a section of netting distended by a rigid frame and attached directly to a rigid handle.

[Statutory Authority: RCW 77.12.047. 02-08-048 (Order 02-53), § 220-16-028, filed 3/29/02, effective 5/1/02. Statutory Authority: RCW 75.08.080. 83-24-024 (Order 83-200), § 220-16-028, filed 11/30/83, effective 1/1/84; 79-03-014 (Order 79-11), § 220-16-028, filed 2/15/79; Order 1105, § 220-16-028, filed 12/28/73; Order 810, § 220-16-028, filed 4/17/69. Formerly WAC 220-16-010 (part).]

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

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

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

[Statutory Authority: RCW 75.08.080. 92-15-105 (Order 92-47), § 220-16-040, filed 7/20/92, effective 8/20/92; 88-18-066 (Order 88-86), § 220-16-040, filed 9/2/88; Order 810, § 220-16-040, filed 4/17/69. Formerly WAC 220-16-010 (part).]

WAC 220-16-046 Definitions—Skiff gillnet—Skiff net. "Skiff gillnet" or "skiff net" is defined as a gillnet of single web construction with floats along the corkline sufficient to float the net. A skiff gillnet may be laid in part on shore, but may not be anchored, tied, or staked, nor have a lead line so heavily weighted that the net cannot drift.

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

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

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

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

[Order 76-148, § 220-16-065, filed 12/2/76; Order 817, § 220-16-065, filed 5/29/69; Order 810, § 220-16-065, filed 4/17/69. Formerly WAC 220-16-010 (part).]

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

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

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

WAC 220-16-080 Definitions—Reef net. "Reef net" shall be defined as a non self-fishing open bunt square or rectangular section of mesh netting suspended between two anchored boats fashioned in such a manner that to impound salmon passing over the net, the net be raised to the surface. The lead or leads of any "reef net" must be floating at all times, except under stress of tidal conditions, and shall not be fixed to any piling whatsoever, nor shall the lead or leads be constructed of any kind of mesh webbing. In the construction

of any "reef net" no principle of a fyke net or fish trap may be employed.

[Order 810, § 220-16-080, filed 4/17/69. Formerly WAC 220-16-010 (part).]

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

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

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

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

WAC 220-16-095 Definitions—Set net. "Set net" shall be defined as a gillnet which is anchored, tied, staked, laid in part on shore or whose lead line is so heavily weighted that it cannot drift; except that set net does not mean a nondrifting gillnet operated in the Deep River, Blind Slough/Knappa Slough or South Channel Select Areas in accordance with an open fishery season and associated gear rules.

[Statutory Authority: RCW 77.12.047. 07-09-055 (Order 07-60), § 220-16-095, filed 4/12/07, effective 5/13/07; Order 810, § 220-16-095, filed 4/17/69. Formerly WAC 220-16-010 (part).]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[Statutory Authority: RCW 34.05.353 (1)(b), (c), and (d), 77.12.047, 77.50.050, and chapters 77.65 and 77.70 RCW. 12-09-046 (Order 12-61), § 220-16-211, filed 4/13/12, effective 5/14/12; Order 920, § 220-16-211, filed 5/13/71.]

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

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

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

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

WAC 220-16-225 Geographical definitions—Columbia River. The term "Columbia River" shall be construed to include all the waters of the Columbia River, including sloughs tributary thereto, upstream and easterly of a line projected true north-south through Buoy 10 located between the north and south jetties at the mouth of the Columbia River.

[Statutory Authority: RCW 75.08.080 and 77.12.040. 99-08-029 (Order 99-13), § 220-16-225, filed 3/30/99, effective 5/1/99; Order 817, § 220-16-225, filed 5/29/69. Formerly WAC 220-16-020 (part).]

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

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

WAC 220-16-245 Geographical definitions—River mouths. Unless otherwise defined, any reference to the mouths of rivers or streams shall be construed to include those waters of any river or stream, including sloughs and tributaries, upstream and inside of a line projected between the outermost uplands at the mouth. The term "outermost upland" shall be construed to mean those lands not covered by water during an ordinary high tide.

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

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

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

WAC 220-16-257 Razor clam beds. "Razor clam beds" are defined as that portion of Pacific Ocean beaches westerly of a line 150 feet waterward of the extreme upper limit of the hard sand area. The detached Willapa Bay Spits that are north of Leadbetter Channel, west of Ellen Sands and south of the Willapa Ship Channel are also defined as "razor clam beds," as are those portions of the mouths of Grays Harbor and Willapa Bay which contain razor clams.

[Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-16-257, filed 3/29/00, effective 5/1/00. Statutory Authority: RCW 75.08.080. 91-08-054 (Order 91-13), § 220-16-257, filed 4/2/91, effective 5/3/91; 82-07-047 (Order 82-19), § 220-16-257, filed 3/18/82; 80-13-064 (Order 80-123), § 220-16-257, filed 9/17/80.]

WAC 220-16-260 Puget Sound Crab Management Regions. The following areas are defined as Puget Sound Crab Management Regions:

(1) Crab Management Region 1 - (North Puget Sound). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, and 22B.

(2) Crab Management Region 2-East - (Eastern Central Puget Sound). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, and 26A-E (see WAC 220-52-046).

(3) Crab Management Region 2-West - (Western Central Puget Sound). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 25B, 25D, and 26A-W (see WAC 220-52-046).

(4) Crab Management Region 3, subarea 3-1 - (Eastern Strait of Juan de Fuca). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23A and 23B.

(5) Crab Management Region 3, subarea 3-2 - (Central Strait of Juan de Fuca). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23D, 25A, and 25E.

(6) Crab Management Region 3, subarea 3-3 - (Western Strait of Juan de Fuca). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23C and 29.

(7) Crab Management Region 4 - (Southern Central Puget Sound). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 26B and 26C.

(8) Crab Management Region 5 - (Hood Canal). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 25C, 27A, 27B, and 27C.

(9) Crab Management Region 6 - (South Puget Sound). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 26D, 28A, 28B, 28C, and 28D.

[Statutory Authority: RCW 77.12.047. 06-01-013 (Order 05-275), § 220-16-260, filed 12/9/05, effective 1/9/06; 01-03-016 (Order 00-271), § 220-16-260, filed 1/5/01, effective 2/5/01; Order 817, § 220-16-260, filed 5/29/69. Formerly WAC 220-16-020 (part).]

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

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

WAC 220-16-270 Puget Sound Shrimp Districts. The following areas shall be defined as Puget Sound Shrimp Districts:

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

(2) Hood Canal Shrimp District - All waters of Hood Canal south of the Hood Canal Floating Bridge.

[Statutory Authority: RCW 77.12.047. 07-05-051 (Order 07-22), § 220-16-270, filed 2/16/07, effective 3/19/07; 04-07-009 (Order 04-39), § 220-16-270, filed 3/4/04, effective 5/1/04; 03-16-097 (Order 03-180), § 220-16-270, filed 8/6/03, effective 9/6/03; 01-03-016 (Order 00-271), § 220-16-270, filed 1/5/01, effective 2/5/01; Order 817, § 220-16-270, filed 5/29/69. Formerly WAC 220-16-020 (part).]

WAC 220-16-290 Geographical definitions—Deep River (Wahkiakum County). For commercial fisheries, the mouth of the Deep River is defined as the Highway 4 Bridge.

[Statutory Authority: RCW 77.12.047. 03-05-061 (Order 03-29), § 220-16-290, filed 2/18/03, effective 3/21/03.]

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

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

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

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

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

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

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

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

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

The term "fork length" means the distance from the extreme tip of the snout to the center of the fork of the tail.

[Statutory Authority: RCW 77.12.047. 08-07-003, § 220-16-320, filed 3/5/08, effective 4/5/08; Order 817, § 220-16-320, filed 5/29/69. Formerly WAC 220-16-030 (part).]

WAC 220-16-330 General definitions—Dressed fish. (1) A dressed fish is defined as one from which the viscera or the viscera and head have been removed, unless otherwise defined by department rule.

(2) The length of any dressed fish is defined as the shortest distance between the posterior end of the gill opening and the fork of the tail.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. 12-23-016 (Order 12-267), § 220-16-330, filed 11/9/12, effective 12/10/12; Order 817, § 220-16-330, filed 5/29/69. Formerly WAC 220-16-030 (part).]

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

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

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

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

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

[Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-16-345, filed 3/29/00, effective 5/1/00; Order 1193, § 220-16-345,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WAC 220-16-410 Definition—Extenuating circumstances. "Extenuating circumstances" for purposes of this title mean circumstances that lessen the seriousness or magnitude of an act, and which are to be considered in determining if an individual is to be granted extraordinary relief. Such personal characteristics as age, education, fishing experience, and physical capability, as well as other personal characteristics, and such physical circumstances as weather, age of vessel, and vessel propulsion mechanism, as well as other physical circumstances, may be considered when reviewing a set of facts for extenuating circumstances.

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

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

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

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

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

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

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

(2) Friday Harbor: Those tidelands and bedlands adjacent to San Juan Island within a line beginning on the shore 500 yards west of Point Caution, thence 500 yards offshore,

thence south and east following the shoreline to the intersection with a line projected from a University of Washington marker located 100 feet north of the north entrance of the floating breakwater of the Port of Friday Harbor and projected towards Reid Rock Buoy, thence along said line to shore on San Juan Island.

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

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

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

[Statutory Authority: RCW 77.12.040 and 75.08.080. 98-06-031, § 220-16-440, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 90-06-026, § 220-16-440, filed 2/28/90, effective 3/31/90.]

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

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

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

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

WAC 220-16-470 Wild. "Wild" when used to describe the difference between a hatchery fish and a nonhatchery fish, except salmon, 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. When "wild" is used to describe a salmon, "wild" means a salmon with an unclipped adipose fin, regardless of whether the salmon is ventral fin clipped. A salmon with a clipped adipose fin and having a healed scar at the site of the clipped fin is not a wild salmon.

[Statutory Authority: RCW 77.12.047. 05-17-007 (Order 05-168), § 220-16-470, filed 8/3/05, effective 9/3/05; 04-16-126 (Order 04-201), § 220-16-470, filed 8/4/04, effective 9/4/04. Statutory Authority: RCW 75.08.080 and 75.12.040. 97-18-035, § 220-16-470, filed 8/27/97, effective 9/27/97.]

WAC 220-16-475 Forage fish. "Forage fish" is defined as anchovy, herring, sand lance, sardine and smelt.

[Statutory Authority: RCW 77.12.040 and 75.08.080. 98-06-031, § 220-16-475, filed 2/26/98, effective 5/1/98.]

WAC 220-16-480 Sund Rock Conservation Area. The "Sund Rock Conservation Area" is defined as those waters and bed lands enclosed by a line originating at the shore of Hood Canal, at the mouth of Sund Creek (47°26.4'N, 123°7.1'W), thence due east to 123°6.9'W, thence due south to 47°26'N, thence due west until it intersects the beach, thence north along the ordinary high water line to the point of origin, including all of the underwater feature known as Sund Rock.

[Statutory Authority: RCW 77.12.047. 02-08-027 (Order 02-54), § 220-16-480, filed 3/27/02, effective 5/1/02. Statutory Authority: RCW 75.08.080. 00-01-103 (Order 99-215), § 220-16-480, filed 12/16/99, effective 1/16/00; 98-15-031 (Order 98-120), § 220-16-480, filed 7/7/98, effective 8/7/98.]

WAC 220-16-490 Bonilla-Tatoosh Line. The "Bonilla-Tatoosh Line" is defined as a line projected from the most westerly point on Cape Flattery (48°22.863' N. lat., 124°43.907' W. long.) to the lighthouse on Tatoosh Island, WA (48°23.493' N. lat., 124°44.207' W. long.) then to the light on Bonilla Point on Vancouver Island, British Columbia (48°35.73' N. lat., 124°43.00' W. long.).

[Statutory Authority: RCW 77.04.020, 77.12.045, 77.12.047, and C.F.R. Title 50, Part 660. 11-15-001 (Order 11-140), § 220-16-490, filed 7/6/11, effective 8/6/11. Statutory Authority: RCW 75.08.080. 98-15-031 (Order 98-120), § 220-16-490, filed 7/7/98, effective 8/7/98.]

WAC 220-16-550 Octopus Hole Conservation Area. "Octopus Hole Conservation Area" is defined as those waters, tidelands, and bedlands of Hood Canal within a line projected due east from the western shore of Hood Canal on latitude 47°27'01"N for 200 yards, thence southerly 628 yards parallel to the high water mark to latitude 47°26'40", thence due west to shore.

[Statutory Authority: RCW 77.12.047. 04-07-009 (Order 04-39), § 220-16-550, filed 3/4/04, effective 5/1/04. Statutory Authority: RCW 75.08.080 and 77.12.040. 99-15-081 (Order 99-102), § 220-16-550, filed 7/20/99, effective 8/20/99; 98-15-081 (Order 98-122), § 220-16-550, filed 7/15/98, effective 8/15/98; 98-06-031, § 220-16-550, filed 2/26/98, effective 5/1/98.]

WAC 220-16-590 Orchard Rocks Conservation Area. "Orchard Rocks Conservation Area" is defined as those waters and bedlands of Rich Passage within a 400-yard radius of Orchard Rocks day marker.

[Statutory Authority: RCW 77.12.047. 00-17-106 (Order 00-149), § 220-16-590, filed 8/16/00, effective 9/16/00. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-16-590, filed 3/29/00, effective 5/1/00; 98-06-031, § 220-16-590, filed 2/26/98, effective 5/1/98.]

WAC 220-16-610 Anadromous waters. "Anadromous waters" is defined as all waters that are not landlocked.

[Statutory Authority: RCW 77.12.040 and 75.08.080. 98-06-031, § 220-16-610, filed 2/26/98, effective 5/1/98.]

WAC 220-16-700 City of Des Moines Park Conservation Area. "City of Des Moines Park Conservation Area" is defined as those tidelands owned by the City of Des Moines at City of Des Moines Park, and the water column above these tidelands.

[Statutory Authority: RCW 77.12.040 and 75.08.080. 98-06-031, § 220-16-700, filed 2/26/98, effective 5/1/98.]

WAC 220-16-710 South 239th Street Park Conservation Area. "South 239th Street Park Conservation Area" is defined as those tidelands owned by the City of Des Moines at South 239th Street Park, and the water column above these tidelands.

[Statutory Authority: RCW 77.12.040 and 75.08.080. 98-06-031, § 220-16-710, filed 2/26/98, effective 5/1/98.]

WAC 220-16-720 Brackett's Landing Shoreline Sanctuary Conservation Area. "Brackett's Landing Shoreline Sanctuary Conservation Area" is defined as those bed lands and tidelands owned by the City of Edmonds at Brackett's Landing Shoreline Sanctuary, and the water column above these bed lands and tidelands including all of the area known as Edmonds Underwater Park.

[Statutory Authority: RCW 75.08.080. 00-01-103 (Order 99-215), § 220-16-720, filed 12/16/99, effective 1/16/00. Statutory Authority: RCW 77.12.040 and 75.08.080. 98-06-031, § 220-16-720, filed 2/26/98, effective 5/1/98.]

WAC 220-16-730 Colvos Passage Marine Preserve Area. "Colvos Passage Marine Preserve Area" is defined as those waters and bedlands of Colvos Passage enclosed by a line starting at extreme low water on the west shore at 47°20.87'N, thence due east 300 feet, thence southwesterly paralleling the shore for 500 feet, thence due west to the extreme low water line, thence northeasterly along the extreme low water line to the point of origin.

[Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-16-730, filed 3/29/00, effective 5/1/00.]

WAC 220-16-740 Waketickeh Creek Conservation Area. "Waketickeh Creek Conservation Area" is defined as those waters and bedlands from Waketickeh Creek (located 1000 yards northeast of Cummings Point) out perpendicular to shore 500 yards, then parallel to shore northeast 1700 yards, then back to shore along a line perpendicular to shore, excluding the area within 100 feet of ordinary high water.

[Statutory Authority: RCW 77.12.047. 00-17-106 (Order 00-149), § 220-16-740, filed 8/16/00, effective 9/16/00. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-16-740, filed 3/29/00, effective 5/1/00.]

WAC 220-16-750 Saltar's Point Beach Conservation Area. "Saltar's Point Beach Conservation Area" is defined as those tidelands owned by the Town of Steilacoom at Saltar's Point Beach located between Montgomery Street and Martin Street, and the water column above those tidelands.

[Statutory Authority: RCW 77.12.047. 00-17-106 (Order 00-149), § 220-16-750, filed 8/16/00, effective 9/16/00. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-16-750, filed 3/29/00, effective 5/1/00.]

WAC 220-16-760 Keystone Conservation Area. "Keystone Conservation Area" is defined as all bedlands and tidelands and the waters over these starting at the extreme high water line on the east side of the Keystone jetty in Fort Casey State Park then easterly along the extreme high water line to a line projected from shore through the easternmost row of pilings of the old military wharf, then offshore along that line southeasterly for 600 feet, then southwest parallel to the shoreline to a point due south of the southern tip of the jetty, then north to the extreme high water line on the southern tip of the jetty, then along the extreme high water line on the east side of the jetty to the point of origin.

[Statutory Authority: RCW 77.12.047. 02-17-017 (Order 02-187), § 220-16-760, filed 8/9/02, effective 9/9/02; 02-08-048 (Order 02-53), § 220-16-760, filed 3/29/02, effective 5/1/02.]

WAC 220-16-780 Admiralty Head Marine Preserve. "Admiralty Head Marine Preserve" is defined as waters and bedlands inside a line beginning at the extreme low water line on the west shore of Whidbey Island at 48°09.46'N, 122°40.88'W then northerly along the extreme low water line for 0.6 nautical miles, then due west 400 yards, then southerly parallel to the shore to a point due west of the point of origin, then due east to the point of origin.

[Statutory Authority: RCW 77.12.047. 02-17-017 (Order 02-187), § 220-16-780, filed 8/9/02, effective 9/9/02; 02-08-048 (Order 02-53), § 220-16-780, filed 3/29/02, effective 5/1/02.]

WAC 220-16-790 Z's Reef Marine Preserve. "Z's Reef Marine Preserve" is defined as waters and bedlands inside a line beginning at the extreme low water line on the northeast side of Fox Island at 47°14.56'N, 122°35.98'W, then extending 0.5 nautical mile northwesterly along the extreme low water line to 47°14.96'N, 122°36.37'W, then northeast to the minus eighty-five foot depth contour (MLLW = 0 feet) at 47°15.00'N, 122°36.30'W, then southeasterly along the eighty-five foot depth contour to 47°14.67'N, 122°35.81'W, then southwest to the point of origin.

[Statutory Authority: RCW 77.12.047. 07-05-051 (Order 07-22), § 220-16-790, filed 2/16/07, effective 3/19/07; 02-17-017 (Order 02-187), § 220-16-790, filed 8/9/02, effective 9/9/02; 02-08-048 (Order 02-53), § 220-16-790, filed 3/29/02, effective 5/1/02.]

WAC 220-16-800 Hardshell clam. "Hardshell clam" means all clams classified as shellfish under WAC 220-12-020 except geoduck clams, horse clams, and mud or softshell clams.

[Statutory Authority: RCW 77.12.047. 04-07-009 (Order 04-39), § 220-16-800, filed 3/4/04, effective 5/1/04.]

WAC 220-16-810 In a wild state. "In a wild state," when used to describe a population of animals, means the population is naturally reproducing within the state.

[Statutory Authority: RCW 77.12.047. 04-07-009 (Order 04-39), § 220-16-810, filed 3/4/04, effective 5/1/04.]

WAC 220-16-820 Golden Gardens Marine Preserve. "Golden Gardens Marine Preserve" is defined as those tidelands owned by the city of Seattle and the water column above those tidelands down to 4.5 feet below MLLW at

Golden Gardens city park, bounded on the southwest by a line projected northwest from a sign at the walkway entrance to the beach, and on the northeast by a line projected due west from 122°24'07.2" W, 47°41'51.8" N.

[Statutory Authority: RCW 77.12.047. 05-09-009 (Order 05-52), § 220-16-820, filed 4/7/05, effective 5/8/05.]

WAC 220-16-830 Carkeek Park Marine Preserve. "Carkeek Park Marine Preserve" is defined as two sections of tidelands owned by the city of Seattle and the water column above those tidelands down to 4.5 feet below MLLW at Carkeek city park, with a southern section bounded on the south by a line projected perpendicular to the beach from 122°22'49.0" W, 47°42'31.7" N and bounded on the north by a line projected northwest from 122°22'47.41" W, 47°42'43.51" N, and with a northern section bounded on the south by a line projected due west from a point 300 yards north of 122°22'47.41" W, 47°42'43.51" N and bounded on the north by a line projected due west from a point 500 yards north of 122°22'47.41" W, 47°42'43.51" N.

[Statutory Authority: RCW 77.12.047. 05-09-009 (Order 05-52), § 220-16-830, filed 4/7/05, effective 5/8/05.]

WAC 220-16-840 Lincoln Park Marine Preserve. "Lincoln Park Marine Preserve" is defined as those tidelands owned by the city of Seattle and the water column above those tidelands down to 4.5 feet below MLLW at Lincoln city park, bounded on the south by a line projected due west from 122°23'40.4" W, 47°31'33.1" N, and bounded on the north by a line projected due west from 122°24'05.0" W, 47°31'49.8" N.

[Statutory Authority: RCW 77.12.047. 05-09-009 (Order 05-52), § 220-16-840, filed 4/7/05, effective 5/8/05.]

WAC 220-16-850 Discovery Park Marine Preserve. "Discovery Park Marine Preserve" is defined as two sections of tidelands owned by the city of Seattle and the water column above those tidelands down to 4.5 feet below MLLW at Discovery city park, with a southern section located south of West Point bounded on the southeast by a line projected west-southwest from 122°25'31.7" W, 47°39'26.8" N and bounded on the northeast by a line projected west-southwest from the sign posted at the sidewalk entrance to the beach, and with a northern section bounded on the southwest by a line projected northwest from 122°25'20.7" W, 47°40'3.3" N and bounded on the northeast by a line projected northwest from 122°25'4.2" W, 47°40'11.1" N.

[Statutory Authority: RCW 77.12.047. 05-09-009 (Order 05-52), § 220-16-850, filed 4/7/05, effective 5/8/05.]

WAC 220-16-860 Emma Schmitz Marine Preserve. "Emma Schmitz Marine Preserve" is defined as those tidelands owned by the city of Seattle and the water column above those tidelands down to 4.5 feet below MLLW at Emma Schmitz city park, bounded on the south by a line projected along the north edge of SW Oregon Street and bounded on the north by a line projected west-southwest from the high tide line at 122°24'26.5" W, 47°33'53.5" N.

[Statutory Authority: RCW 77.12.047. 05-09-009 (Order 05-52), § 220-16-860, filed 4/7/05, effective 5/8/05.]

WAC 220-16-870 Richey Viewpoint Marine Preserve. "Richey Viewpoint Marine Preserve" is defined as those tidelands owned by the city of Seattle and the water column above those tidelands down to 4.5 feet below MLLW at Richey Viewpoint city park, bounded on the southeast by a line projected due west from 122°24'49.0" W, 47°34'20.2" N, and bounded on the northwest by a line projected southwest from 122°25'8.8" W, 47°34'30.0" N.

[Statutory Authority: RCW 77.12.047. 05-09-009 (Order 05-52), § 220-16-870, filed 4/7/05, effective 5/8/05.]

WAC 220-16-880 Saltwater State Park Marine Preserve. "Saltwater State Park Marine Preserve" is defined as those waters, bedlands, and tidelands of Saltwater State Park within a line projected from the northernmost marker at the DNR high tide line through 122°19'39.02"W, 47°22'25.14"N; then to 122°19'44.14"W, 47°22'26.11"N; then to 122°19'45.91"W, 47°22'21.54"N; then to 122°19'40.86"W, 47°22'20.60"N; then to the southernmost marker on the shoreline and back along the high tide line to the northernmost marker.

[Statutory Authority: RCW 77.12.047. 09-06-042 (Order 09-27), § 220-16-880, filed 2/25/09, effective 5/1/09.]