Chapter 220-32 WAC
COLUMBIA RIVER


220-32-030 Salmon seasons—Areas. [Order 77-14, § 220-32-030, filed 4/15/77; Order 1043, § 220-32-030, filed 2/22/73; Order 915, § 220-32-030, filed 3/4/71; Order 860, § 220-32-030, filed 3/3/70; Subsections 1 and 2 amended by Order 768, § 2, filed 2/1/68; Order 719, § 1 (part), filed 1/30/67; Subsections 1 and 2 from Order 633, filed 2/15/65; Order 600, filed 1/30/64; Order 566, filed 2/7/63; Order 256, filed 1/30/61; Subsections 1 and 2 from Orders 447 and 256, filed 3/1/60; Subsections 5, 9, 10 from Orders 416 and 256, filed 3/16/60; Subsection 10 amended by Order 638, filed 4/28/65; Subsection 6 from Orders 633, filed 3/1/65; Orders 504 and 256, filed 3/1/60; Subsection 7 from Order 667, filed 3/31/66; Orders 447 and 256, filed 3/1/60; Subsection 11 from Order 525, filed 3/3/61; Orders 447 and 256, filed 3/1/60; Subsection 12 from Order 557, filed 3/31/66; Repealed by WSR 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.


220-32-035 Columbia River—Emergency. [Order 860, § 220-32-035, filed 3/3/70; Order 719, § 1 (part), filed 1/30/67; Order 525, § 13; Orders 483 and 256, filed 3/1/60.] Repealed by WSR 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.


220-32-040 Season and areas—Sturgeon. [Statutory Authority: RCW 75.08.070. WSR 82-19-083 (Order 82-142), § 220-32-010, filed 9/21/82; Order 77-14, § 220-32-022, filed 4/15/77; Order 915, § 220-32-036, filed 3/4/71.] Repealed by WSR 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.

220-32-042 Legal gear—Tuna. [Statutory Authority: RCW 75.08.070. WSR 82-19-083 (Order 82-142), § 220-32-022, filed 9/21/82; Order 77-14, § 220-32-022, filed 4/15/77; Order 915, § 220-32-022, filed 3/4/71.] Repealed by WSR 88-22-005 (Order 88-151), filed 10/20/88. Statutory Authority: RCW 75.08.070 and 75.08.080.

(8/28/09)
WAC 220-32-050  Indian fishery—Area and qualification. It shall be unlawful to take, fish for or possess food fish for commercial purposes in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H except that it shall be lawful for individuals possessing treaty fishing rights pursuant to the Yakima Treaty (12 Stat. 951), the Warm Springs Treaty (12 Stat. 963), the Umatilla Treaty (12 Stat. 945), and the Nez Perce Treaty (12 Stat. 957), while having on their person their Federal Tribal Identification Card to take, fish for and possess food fish for commercial purposes in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H in accordance with the following regulations.


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

No open season.

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

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

No open season.


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


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


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

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

(a) Such fishing is permitted year-round in the following areas: That area of the mainstem Columbia River from a line between a marker on the Washington shore and a marker on the Oregon shore, such line located approximately one-half mile upstream from the mouth of Eagle Creek, upstream to a point at the mouth of the fourth flashing light #67 on the approach to the downstream end of the McNary Dam bridge; that area of the mainstem Columbia River from a point 200 feet above the McNary Dam fishway exit upstream to a point 600 feet downstream of the John Day Dam fishway entrance; that area of the mainstem Columbia River from a point 200 feet above the John Day Dam fishway exit upstream to a point at the downstream end of the wingwall of the McNary Dam boat lock; that area of Columbia River from a point 200 feet above the McNary Dam fishway exit upstream to the Highway 12 bridge; excluding those areas within 1/4 mile radius of the mouth of Wind River, Little White Salmon River (Drano Lake), Klickitat River, and Spring Creek Hatchery fishway entrance.

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

(c) It is lawful to use sport angling gear in places and at times allowed under chapter 220-36 WAC series for treaty Indian subsistence purposes.

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

[Ch. 220-32 WAC p. 2] (8/28/09)
WAC 220-32-056 Season and gear—Shad. It shall be lawful to take, fish for and possess shad taken for commercial purposes in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H, except individuals possessing treaty fishing rights pursuant to the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish for sturgeon with setline gear from January 1 through January 31, and during seasons opened under emergency rule by the department and as provided in this section.

(2) During the open season, it is unlawful to:
(a) Retain for commercial or subsistence purposes sturgeon less than 38 inches in fork length or greater than 54 inches in fork length in Columbia River Salmon Management and Catch Reporting Area (SMCRA) 1F. It is unlawful to retain for commercial or subsistence purposes sturgeon less than 43 inches in fork length or greater than 54 inches in fork length in Columbia River SMCRAs 1G and 1H;
(b) Sell, barter, or attempt to sell or barter sturgeon eggs that have been removed from the body cavity of a sturgeon prior to the sale of the sturgeon to a wholesale dealer licensed under chapter 75.28 RCW, or to sell or barter sturgeon eggs at retail; or
(c) Deliver to a wholesale dealer licensed under chapter 75.28 RCW any sturgeon that are not in the round with the head and tail intact.

(3) Gear:
(a) Maximum 100 hooks per setline;
(b) Minimum hook size 9/0;
(c) Treble hooks prohibited; and
(d) Visible buoys, with operator name and tribal identification clearly marked on the buoy.

shoreline of the mouth of the Little White Salmon River are closed the entire year.

(3) Those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline of the mouths of Herman Creek and the Big White Salmon River are closed from August 1 to November 1 of each year.

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

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


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


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

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

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

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

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

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

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

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

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

(2) It shall be unlawful to:

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

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

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

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

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

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