Chapter 220-36 WAC
GRAYS HARBOR

WAC 220-36-015 Gillnet gear—Grays Harbor specifications.

WAC 220-36-020 Grays Harbor salmon fishing—Lawful gear.

WAC 220-36-021 Salmon—Grays Harbor—Summer fishery.

WAC 220-36-023 Salmon—Grays Harbor fall fishery.

WAC 220-36-025 Closed areas—Grays Harbor and tributaries.

WAC 220-36-030 Grays Harbor—Seasons and lawful gear—Forage fish.

WAC 220-36-031 Grays Harbor—Season and gear—Sturgeon.

WAC 220-36-03001 Grays Harbor—Seasons and lawful gear—Forage fish.

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

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

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

[WAC 220-36-022 Salmon fishing areas—Weekly periods. [Statutory Authority: RCW 75.08.080. WSR 87-21-041 (Order 87-161), § 220-36-022, filed 10/14/87; WSR 86-15-016 (Order 86-55), § 220-36-022, filed 7/10/86; WSR 85-13-073 (Order 85-64), § 220-36-022, filed 6/19/85; WSR 84-15-008 (Order 84-66), § 220-36-022, filed 7/6/84; WSR 83-13-054 (Order 83-53), § 220-36-022, filed 6/15/83; WSR 82-13-048 (Order 82-63), § 220-36-022, filed 6/11/82; WSR 81-13-005 (Order 81-37), § 220-36-022, filed 6/8/81; WSR 80-09-072 (Order 80-69), § 220-36-022, filed 7/18/80; Order 77-71, § 220-36-022, filed 6/3/77; Order 77-44, § 220-36-022, filed 6/3/77; Order 76-73, § 220-36-022, filed 8/16/76; Order 1221, § 220-36-022, filed 7/17/75; Order 1133, § 220-36-022, filed 7/19/74.] Repealed by WSR 88-19-098 (Order 88-116), filed 9/20/88. Statutory Authority: RCW 75.08.080.

WAC 220-36-024 Salmon fishing areas—Mesh sizes—Gear. [Statutory Authority: RCW 75.08.080. WSR 87-21-041 (Order 87-161), § 220-36-024, filed 10/14/87; WSR 86-15-016 (Order 86-55), § 220-36-024, filed 7/10/86; WSR 85-13-073 (Order 85-64), § 220-36-024, filed 6/19/85; WSR 84-15-008 (Order 84-66), § 220-36-024, filed 7/6/84; WSR 83-13-054 (Order 83-53), § 220-36-024, filed 6/15/83; WSR 82-13-048 (Order 82-63), § 220-36-024, filed 6/11/82; WSR 81-13-005 (Order 81-37), § 220-36-024, filed 6/8/81; WSR 80-09-072 (Order 80-69), § 220-36-024, filed 7/18/80; Order 77-71, § 220-36-024, filed 6/3/77; Order 77-44, § 220-36-024, filed 6/3/77; Order 76-73, § 220-36-022, filed 8/16/76; Order 1221, § 220-36-022, filed 7/17/75; Order 1133, § 220-36-022, filed 7/19/74.] Repealed by WSR 88-19-098 (Order 88-116), filed 9/20/88. Statutory Authority: RCW 75.08.080.

WAC 220-36-025 Seasons and lawful gear—Other varieties. [Subsections 1 and 2 from Order 525, filed 5/3/61; Orders 336 and 256, filed 3/1/60; subsections 3-6 from Orders 336 and 256, filed 3/1/60; subsection 7 from Order 605, filed 4/21/64; Orders 336 and 256, filed 3/1/60.] Repealed and rescinded by Order 726, filed 4/24/67, as WAC 220-36-030.

WAC 220-36-030 Seasons and lawful gear—Other varieties. [Subsections 1 and 2 from Order 525, filed 5/3/61; Orders 336 and 256, filed 3/1/60; subsections 3-6 from Orders 336 and 256, filed 3/1/60; subsection 7 from Order 605, filed 4/21/64; Orders 336 and 256, filed 3/1/60.] Repealed and rescinded by Order 726, filed 4/24/67, as WAC 220-36-030.

(9/19/14)

[Ch. 220-36 WAC p. 1]
purposes or to possess salmon taken from those waters for commercial purposes, except that:

**Fishing periods:**

(1) Gillnet gear may be used to fish for Chinook, coho, and chum salmon, and shad as provided in this section and in the times and area identified in the chart below.

**Time:**
- 12:00 p.m. October 22 through 8:00 p.m. October 22;
- 6:00 a.m. October 23 through 6:00 p.m. October 23;
- 12:00 p.m. October 28 through 8:00 p.m. October 28;
- 7:00 a.m. October 29 through 7:00 p.m. October 29;
- 12:00 p.m. November 3 through 8:00 p.m. November 3;
- 7:00 a.m. November 4 through 7:00 p.m. November 4;
- 7:00 a.m. November 5 through 7:00 p.m. November 5;
- 12:00 p.m. November 11 through 8:00 p.m. November 11.

**Areas:**
- Area 2A and Area 2D
- Area 2C

(2) Recovery boxes and soak times:

- (a) Each boat must have two operable recovery boxes or one box with two chambers on board when fishing Areas 2A, 2C, and 2D.
  - (i) Each box and chamber must be operating during any time the net is being retrieved or picked and any time a fish is being held in accordance with (b) and (c) of this subsection. The flow in the recovery box must be a minimum of 16 gallons per minute in each chamber of the box, not to exceed 20 gallons per minute.
  - (ii) Each chamber of the recovery box must meet the following dimensions as measured from within the box:
    - (A) The inside length measurement must be at or within 39-1/2 inches to 48 inches;
    - (B) The inside width measurements must be at or within 8 to 10 inches; and
    - (C) The inside height measurement must be at or within 14 to 16 inches.
- (b) When fishing in Grays Harbor Areas 2A and 2D, all steelhead and wild (unmarked) Chinook must be placed in an operating recovery box which meets the requirements in (a) of this subsection prior to being released to the river/bay as set forth in (d) of this subsection.
- (c) When fishing in Grays Harbor Area 2C, all steelhead and wild (unmarked) coho must be placed in an operating recovery box which meets the requirements in (a) of this subsection prior to being released to the river/bay as set forth in (d) of this subsection.
(d) All fish placed in recovery boxes must remain until they are not lethargic and not bleeding and must be released to the river or bay prior to landing or docking.

(e) For Areas 2A, 2C, and 2D, soak time must not exceed 45 minutes. Soak time is defined as the time elapsed from when the first of the gillnet web is deployed into the water until the gillnet web is fully retrieved from the water.

(4) Retention of any species other than coho, chum, hatchery Chinook marked by a healed scar at the site of the adipose fin, or shad is prohibited in Areas 2A and 2D from October 21 through November 30.

(5) Retention of any species other than Chinook, chum, or hatchery coho marked by a healed scar at the site of the adipose fin, or shad, is prohibited in Area 2C from October 21 through November 30.

(6) Quick reporting is required for wholesale dealers and fishers retailing their catch under a "direct retail endorsement." According to WAC 220-69-240(14), reports must be made by 10:00 a.m. the day following landing.

(7) Report all encounters of green sturgeon to the quick reporting office by phone at 866-791-1280, fax at 360-249-1229, or e-mail at harborfishtickets@dfw.wa.gov. Fishers may have wholesale dealers use the "buyer only" portion of the fish ticket and include encounters with each day's quick reporting.

(8) Do NOT remove tags from white or green sturgeon. Please obtain available information from tags without removing tags. Submit tag information to:
Washington Department of Fish and Wildlife
48 Devonshire Rd.
Montesano, WA 98563.

(9)(a) Fishers must take department observers, if requested, by department staff when participating in these openings.

(b) Fishers also must provide notice of intent to participate by contacting Quick Reporting by phone, fax or e-mail. Notice of intent must be given prior to 12:00 p.m. on October 21, for openings in Areas 2A, 2C, or 2D.

(10) It is unlawful to fish for salmon with tangle net or gillnet gear in Areas 2A, 2C, and 2D unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and has in his or her possession a department-issued certification card.

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

(2) During the period March 1 through July 31, it is unlawful for any person, including treaty Indian fishermen, to take, fish for, or possess food fish taken for any purpose from the waters of the Chehalis River or any tributary of the Chehalis River upstream of the Porter Bridge.

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

WAC 220-36-03001 Grays Harbor—Seasons and lawful gear—Forage fish. (1) It is unlawful to fish for or possess anchovy, candlefish, herring, sardine, or smelt for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Area 60B except as provided for in this section.

General

(2) It is unlawful to fish for or possess salmon or sturgeon taken with purse seine or lampara gear.

(3) It is unlawful to fish with purse seine or lampara gear at all times in the waters of Marine Fish-Shellfish Management and Catch Reporting Area 60B if any part of the purse seine or lampara is in waters that are less than 20 feet deep.

(4) It is unlawful to fail to immediately return to the water, unharmed, all species of fish other than herring, anchovy, candlefish, and sardine taken in operation of purse seine, lampara, dip bag net, or hand net gears.

(5) A violation of subsections (1) through (4) of this section is punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty; and RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

Anchovy and candlefish Licensing

(6) A baitfish purse seine fishery license is required to operate purse seine gear for anchovy or candlefish as provided for in this section.

(7) A baitfish lampara fishery license is required to operate lampara gear for anchovy or candlefish as provided for in this section.

[Ch. 220-36 WAC p. 3]
(8) A smelt dip bag license is required to operate dip bag net gear for anchovy or candlefish as provided for in this section.  

(9) A violation of subsections (6) through (8) of this section is punishable under RCW 77.15.500, Commercial fishing without a license—Penalty.  

**Fishing period**  
(10) It is unlawful to fish for or to possess anchovy, candlefish, sardine, or smelt with the use of purse seine or lampara gear at any time except January 1 through January 31, and April 16 through December 31, of any calendar year.  

(11) Dip bag net gear may be used for anchovy or candlefish at all times.  

(12) A violation of subsection (10) or (11) of this section is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.  

**Landing limitations**  
(13) It is unlawful to deliver anchovy, in excess of fifteen percent of the total landing weight, for the purposes of conversion into fish flour, fishmeal, fish scrap, fertilizer, fish oil, or other fishery products.  

(14) It is unlawful for any person licensed to fish under a baitsfih purse seine or baitsfih lampara license to retain, possess, or deliver, to a place or port, regardless of catch area, anchovy in excess of 5 metric tons (11,023 pounds) in one day, and in excess of 10 metric tons (22,046 pounds) during any calendar week beginning 12:01 a.m. Sunday through 11:59 p.m. Saturday.  

(15) A violation of subsection (13) or (14) of this section is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.  

**Gear**  
(16) It is unlawful to fish for anchovy or candlefish with purse seine or lampara gear with a mesh size of less than one-half inch stretch measure.  

(17) It is unlawful to fish with purse seine or lampara gear for anchovy or candlefish if the cork line exceeds 900 feet in length, except: From June 1 through October 31, it is permissible to use gear in which the cork line does not exceed 1,400 feet in length.  

(18) It is unlawful to fish for anchovy or candlefish with dip bag net gear that exceeds 18 square feet.  

(19) A violation of subsections (16) through (18) of this section is punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.  

**Incidental catch**  
(20) It is unlawful to retain sardine taken incidental to a lawful anchovy or candlefish fishery if the sardine exceeds twenty percent of the weight of the total landing.  

(21) It is unlawful to retain smelt or herring taken incidental to a lawful anchovy or candlefish fishery if individual or combined weight of smelt and/or herring exceeds five percent of the weight of the total landing.  

(22) A violation of subsections (20) through (21) of this section is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.  

**Herring Licensing**  
(23) A herring lampara limited entry license is required to operate lampara gear for herring as provided for in this section.  

(24) A herring dip bag net limited entry license is required to operate dip bag net gear for herring as provided for in this section.  

(25) A violation of subsection (23) or (24) of this section is punishable under RCW 77.15.500, Commercial fishing without a license—Penalty.  

**Fishing period**  
(26) It is unlawful to fish for or possess herring with lampara gear at any time except January 1 through January 31, and April 16 through December 31, of any calendar year.  

(27) Dip bag net gear may be used for herring at all times.  

(28) A violation of subsection (26) or (27) of this section is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.  

**Smelt Licensing**  
(33) A smelt dip bag net fishery license is required to operate the dip bag net gear for sardine as provided for in this section.  

(34) A violation of subsection (30) or (31) of this section is punishable under RCW 77.15.500, Commercial fishing—Unlawful gear or methods—Penalty.  

**Fishing period**  
(35) It is unlawful to fish for sardine with dip bag net gear that exceeds 18 square feet.  

(36) A violation of subsection (30) or (31) of this section is punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.  

**Sardine Licensing**  
(37) It is unlawful to take smelt with hand dip net gear for commercial purposes during weekly closed periods extending from 8:00 a.m. Thursdays to 8:00 p.m. Saturdays.  

A violation of this subsection is punishable under RCW 77.15.500, Commercial fishing without a license—Penalty.
77.15.550, Violation of commercial fishing area or time—Penalty.

**Gear**

(38) It is unlawful to take, fish for, and possess smelt taken with hand dip nets exceeding 72 inches maximum frame width. A violation of this subsection is punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

[Statutory Authority: RCW 77.12.047. WSR 10-06-095 (Order 10-33), § 220-36-03001, filed 3/2/10, effective 4/2/10; WSR 03-05-062 (Order 03-26), § 220-36-03001, filed 2/18/03, effective 3/21/03. Statutory Authority: RCW 75.08.080. WSR 95-23-020 (Order 95-166), § 220-36-03001, filed 11/8/95, effective 12/9/95; WSR 85-06-033 (Order 85-14), § 220-36-03001, filed 3/1/85; WSR 84-08-014 (Order 84-24), § 220-36-03001, filed 3/27/84; WSR 80-09-072 (Order 80-69), § 220-36-03001, filed 7/18/80; WSR 79-05-007 (Order 79-20), § 220-36-03001, filed 4/11/79; WSR 78-07-067 (Order 78-45), § 220-36-03001, filed 6/30/78; Order 77-14, § 220-36-030 (codified as WAC 220-36-03001), filed 4/15/77; Order 76-148, § 220-36-030 (codified as WAC 220-36-03001), filed 12/2/76; Order 1049, § 220-36-030, filed 4/11/73; Order 925, § 220-36-030, filed 6/3/71; Order 864, § 220-36-030, filed 5/12/70; Order 726, § 4 (part), filed 4/24/67; subsections 1 and 2 from Order 525, filed 5/3/61; subsection 7 from Order 605, filed 4/21/64; Orders 336 and 256, filed 3/1/60.]

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

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