

**WAC 220-340-750 Commercial sea urchin fisheries. (1) Licensing:**

It is unlawful to fish for, take, or possess sea urchins for commercial purposes without a valid commercial sea urchin dive fishery license and license holder or designated alternate operator on board the designated harvest vessel. A violation of this subsection is a gross misdemeanor or class C felony punishable under RCW 77.15.500, Commercial fishing without a license—Penalty, depending on the circumstances of the violation.

**(2) Harvest areas, seasons, and size restrictions:**

(a) It is unlawful to fish for, take, or possess sea urchins for commercial purposes except during open sea urchin harvest seasons and from open sea urchin districts as set by emergency rule. It is unlawful to fish for, take, or possess sea urchins for commercial purposes from closed areas defined in this section.

(b) It is unlawful for any person to fish for, take, or possess for commercial purposes any green sea urchins less than 2 1/4 inches; or red sea urchins measuring less than 3 1/4 inches or greater than five inches. All measurements are caliper measurements of the largest shell (test) diameter, exclusive of the spines.

(c) It is unlawful to fish for or take sea urchins from official sunset through 5:59 a.m. the following morning.

(d) It is unlawful to harvest or possess sea urchins taken from less than 10 feet below mean lower low water.

(e) It is unlawful to process sea urchins aboard the harvest vessel.

(f) It is unlawful to take sea urchins for commercial use for purposes other than human consumption.

(3) A violation of subsection (2) of this section is a gross misdemeanor or class C felony punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty, depending on the circumstances of the violation.

**(4) Sea urchin districts defined:**

(a) Sea Urchin District 1 (San Juan Islands) is defined as Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, and 22B outside the following closed areas:

(i) San Juan Channel Closed Area: Those waters of San Juan Channel and Upright Channel within the following lines: North and west of a line from the northernmost point of Turn Island on San Juan Island (48.5358°, -122.9713°) to Flat Point on Lopez Island (48.5510°, -122.9197°), and thence projected from Flat Point true west to Shaw Island (48.5510°); north of a line projected from the northernmost point of Turn Island (48.5358°, -122.9713°) true west to San Juan Island (48.5358°); west of a line from Neck Point on Shaw Island (48.5872°, -123.0124°) to Steep Point on Orcas Island (48.6093°, -123.0231°); and south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island (48.6225°, -123.1075°).

(ii) Haro Strait Closed Area: North of a line projected true west from the southernmost point of Cattle Point (48.4501°, -122.9636°) on San Juan Island to the International Boundary (closed area includes those waters of 22A and 23A that fall north of this line) and south of a line projected true west from a point (48.5200°, -123.1527°) 1/4 mile north of Lime Kiln Light (48.5159°, -123.1525°) on San Juan Island to the International Boundary.

(b) Sea Urchin District 2 (Admiralty Inlet) is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23B, 25A, and 25B.

(c) Sea Urchin District 3 (Port Angeles) is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23D, and 23C east of a line projected true north from the shoreline near Low Point at  $-123.8050^{\circ}$  longitude to the International Boundary.

The following area, comprising portions of Sea Urchin Districts 3 and 4, is a closed area: (Low Point Closed Area) Those waters of the Strait of Juan de Fuca in the vicinity of Low Point west of a line projected true north from the shoreline at  $-123.8050^{\circ}$  longitude to the International Boundary, and east of a line projected true north from the shoreline at  $-123.8783^{\circ}$  longitude to the International Boundary.

(d) Sea Urchin District 4 (Sekiu) is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 23C west of a line projected true north from Low Point, along  $-123.8783^{\circ}$  longitude, and those waters of Area 29 east of a line projected true north from the mouth of the Sekiu River ( $48.2878^{\circ}$ ,  $-124.3954^{\circ}$ ).

(e) Sea Urchin District 5 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 29 west of a line projected true north from the mouth of the Sekiu River ( $48.2878^{\circ}$ ,  $-124.3954^{\circ}$ ) and Areas 59A-1, 59A-2, and 59B. Within Sea Urchin District 5, waters within 1/4 mile of Tatoosh Island are closed to the harvest of sea urchins at all times (Tatoosh Island Closed Area).

(f) Sea Urchin District 6 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D and 26A.

(g) Sea Urchin District 7 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 26B, 26C, 26D and 28A. The following areas within Sea Urchin District 7 are closed to the harvest of sea urchins at all times:

(i) Eagle Harbor Closed Area: Those waters of Eagle Harbor west of a line projected from Wing Point ( $47.6207^{\circ}$ ,  $-122.4923^{\circ}$ ) to Eagle Harbor Creosote Light Number 1 ( $47.6163^{\circ}$ ,  $-122.4965^{\circ}$ ), thence projected true west to the shore on Bainbridge Island ( $47.6163^{\circ}$ ).

(ii) Sinclair Inlet Closed Area: Those waters of Sinclair Inlet west of a line projected southerly from the easternmost point of Point Turner ( $47.5648^{\circ}$ ,  $-122.6233^{\circ}$ ) to landfall directly below the Kitsap Transit foot ferry terminal in Annapolis ( $47.5478^{\circ}$ ,  $-122.6162^{\circ}$ ).

(iii) Hale Passage/Wollochet Bay Closed Area: The waters of Hale Passage and Wollochet Bay within the following lines: West of a line projected true south from the shoreline near Point Fosdick at  $-122.5833^{\circ}$  longitude to  $47.2333$  latitude, and thence projected true west to the shoreline of Fox Island ( $47.2333^{\circ}$  latitude), and east of a line projected true south from the shoreline near Green Point at  $-122.6833^{\circ}$  longitude to  $47.2750^{\circ}$  latitude, and thence projected true east to the shoreline of Fox Island ( $47.2750^{\circ}$  latitude).

**(5) Shellfish dive gear and harvest vessel restrictions:**

(a) It is unlawful to fish for, take, or possess sea urchins by any means other than with handheld tools that do not penetrate the shell.

(b) It is unlawful for more than one diver from a harvest vessel to be in the water at any one time during sea urchin harvest operations or when commercial quantities of sea urchins are onboard, except that two divers may be in the water if the harvest vessel is designated on two sea urchin dive fishery licenses.

(c) It is unlawful for a vessel engaged in the harvest of sea urchins to have through-hull fittings for water discharge hoses below the surface of the water. Through-hull fittings above the water line

must be visible at all times. A violation of this subsection is a gross misdemeanor punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

(d) It is unlawful to possess a single hose or combination of hoses capable of measuring longer than 30 feet or water jet nozzles onboard a vessel engaged in the commercial sea urchin fishery. A violation of this subsection is a gross misdemeanor punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

(e) It is unlawful to operate a vessel engaged in sea urchin harvest operations unless the harvester number assigned by the department is properly displayed as provided by department rule (WAC 220-340-020). A violation of this subsection is a misdemeanor punishable under RCW 77.15.540, Unlawful use of a commercial fishery license—Penalty.

(6) **Possession restrictions:** It is unlawful to possess geoduck clams during commercial sea urchin harvest operations, or possess geoduck clams on a vessel that has sea urchins onboard. A violation of this subsection is a gross misdemeanor or class C felony punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty, depending on the circumstances of the violation.

(7) For the purposes of weekly trip limits, the sea urchin fishery week begins Monday and ends Sunday.

[Statutory Authority: RCW 77.04.012, 77.04.020, 77.04-055 [77.04.055], 77.12.045, and 77.12.047. WSR 22-08-048, § 220-340-750, filed 3/31/22, effective 5/1/22. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-340-750, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 14-02-016 (Order 13-305), § 220-52-073, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.12.047. WSR 08-15-127 (Order 08-180), § 220-52-073, filed 7/22/08, effective 8/22/08; WSR 04-17-096 (Order 04-210), § 220-52-073, filed 8/17/04, effective 9/17/04; WSR 02-17-016 (Order 02-186), § 220-52-073, filed 8/9/02, effective 9/9/02; WSR 01-07-021 (Order 01-40), § 220-52-073, filed 3/14/01, effective 4/14/01. Statutory Authority: RCW 75.08.080. WSR 00-03-042 (Order 00-07), § 220-52-073, filed 1/13/00, effective 2/13/00; WSR 94-12-009 (Order 94-23), § 220-52-073, filed 5/19/94, effective 6/19/94; WSR 91-22-064 (Order 91-132), § 220-52-073, filed 11/1/91, effective 12/2/91; WSR 91-10-024 (Order 91-22), § 220-52-073, filed 4/23/91, effective 5/24/91; WSR 87-23-006 (Order 87-187), § 220-52-073, filed 11/6/87; WSR 87-15-022 (Order 87-69), § 220-52-073, filed 7/8/87; WSR 86-20-028 (Order 86-123), § 220-52-073, filed 9/23/86; WSR 85-01-010 (Order 84-214), § 220-52-073, filed 12/7/84; WSR 83-04-025 (Order 83-04), § 220-52-073, filed 1/27/83; WSR 80-13-064 (Order 80-123), § 220-52-073, filed 9/17/80; WSR 79-02-053 (Order 79-6), § 220-52-073, filed 1/30/79; Order 77-145, § 220-52-073, filed 12/13/77; Order 76-152, § 220-52-073, filed 12/17/76; Order 1105, § 220-52-073, filed 12/28/73; Order 990, § 220-52-073, filed 5/11/72.]