

**WAC 220-360-020 Experimental fishery permits.** (1) The director will issue experimental fishery permits after the date the rules take effect designating a fishery as either an emerging commercial fishery or an expanding commercial fishery and establishing the number and qualifications of permit holders.

(2) Only persons meeting the following requirements may hold an experimental fishery permit:

(a) The person must hold a commercial fishing license under chapter 77.65 RCW for the gear that will be used with the experimental fishery permit, or the person must own a vessel that holds such a commercial fishing license. An experimental fishery permit is supplemental to a commercial fishing license, and may not be used unless the fisher or the fisher's vessel is currently licensed.

(b) No person ineligible to hold a commercial fishing license will be issued an experimental fishery permit. The person must meet the qualifications established for the experimental fishery permit that the person seeks.

(c) In the event an emerging or expanding commercial fishery arises from a trial commercial fishery, the director shall consider whether a fisher making application for an experimental fishery permit had previously held a trial commercial fishery permit for that fishery.

(3) An experimental fishery permit will not be issued for any species for which a license, endorsement, or validation limitation has been established pursuant to chapter 77.70 RCW, or for any fishery under the jurisdiction of the secretary of commerce.

(4) The director may at any time close an emerging or expanding commercial fishery for conservation reasons.

[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 § 220-360-020, filed 2/15/17, effective 3/18/17. 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. WSR 12-09-046 (Order 12-61), § 220-88-020, filed 4/13/12, effective 5/14/12. Statutory Authority: RCW 75.08.080. WSR 92-19-012 (Order 92-89), § 220-88-020, filed 9/3/92, effective 10/4/92.]