



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Department of Fish and Wildlife

- Preproposal Statement of Inquiry was filed as WSR 10-02-055 on 12-31-09; or
- Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR \_\_\_\_\_
- Continuance of WSR \_\_\_\_\_

Title of rule and other identifying information: (Describe Subject) : WAC 220-36-015, 220-36-020, 220-36-021, 220-36-023, 220-36-025, and 220-36-03001, and WAC 220-40-027, Rules for commercial salmon fishing in Grays Harbor; WAC 220-40-020, 220-40-021, 220-40-027, and 220-40-030, Rules for commercial salmon fishing in Willapa Bay; and WAC 232-28-620, Coastal salmon – Saltwater seasons and daily limits.

Hearing location(s):  
Natural Resources Building, Room 172  
1111 Washington St., SE,  
Olympia, WA 98504

Date: Friday, April 9, 2010 Time: 9:00 AM – 10:00AM

Date of intended adoption: On or after Monday, April 19, 2010  
(Note: This is NOT the effective date)

**Submit written comments to:**

Name: Rules Coordinator

Address: WDFW Enforcement, 600 Capitol Way, N.,  
Olympia, WA 98501-1091  
e-mail: Lori.preuss@dfw.wa.gov  
fax (360) 902-2155 by Monday, April 5, 2010

**Assistance for persons with disabilities:** Contact

Susan Yeager by Monday, April 5, 2010

TTY (360) 902-2207 or (360) 902-2267

Purpose of the proposal and its anticipated effects, including any changes in existing rules: These rules incorporate the recommendations of the North of Falcon sub-group of the Pacific Fisheries Management Council to take harvestable salmon while protecting species of fish listed as endangered.

Reasons supporting proposal: To protect species of fish listed as endangered while supporting commercial salmon fishing.

Statutory authority for adoption: RCW 77.12.047 and RCW 77.04.020

Statute being implemented: RCW 77.12.047 and RCW 77.04.020

**Is rule necessary because of a:**

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: March 02, 2010  
TIME: 1:00 PM

**WSR 10-06-102**

DATE  
March 2, 2010

NAME (type or print)  
Lori Preuss

SIGNATURE

TITLE  
Rules Coordinator

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None.

**Name of proponent:** (person or organization) Washington Department of Fish and Wildlife.

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Barbara McClellan	48 Devonshire Rd., Montesano, WA 98563	(360) 249-4628
Implementation.... Jim Scott	1111 Washington Street, Olympia	(360) 902-2651
Enforcement..... Bruce Bjork	1111 Washington Street, SE, Olympia, WA 98504	(360) 902-2373

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name: Lori Preuss

Address: WDFW Enforcement, 600 Capitol Way, N., Olympia, WA 98501-1091

phone (360) 902-2930

fax (360) 902-2155

e-mail Lori.preuss@dfw.wa.gov

No. Explain why no statement was prepared.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: These proposals do not affect hydraulics.

# Small Business Economic Impact Statement

1. Description of the reporting, record keeping, and other compliance requirements of the proposed rule.

These rules incorporate the recommendations of the North of Falcon sub-group of the Pacific Fisheries Management Council to take harvestable salmon while protecting species of fish listed as endangered. The rules include legal gear requirements, area restrictions, and open periods for commercial salmon fisheries occurring in Willapa Bay and Grays Harbor.

2. Kinds of professional services that a small business is likely to need in order to comply with such requirements.

None – these rule changes clarify dates for anticipated open periods, areas that are closed in Grays Harbor and Willapa Bay to commercial harvest methods, and legal gear requirements.

3. Costs of compliance for businesses, including costs of equipment, supplies, labor, and increased administrative costs.

None anticipated.

4. Will compliance with the rule cause businesses to lose sales or revenue?

No.

5. Cost of compliance for the ten percent of businesses that are the largest businesses required to comply with the proposed rules using one or more of the following as a basis for comparing costs:

1. Cost per employee;
  2. Cost per hour of labor; or
  3. Cost per one hundred dollars of sales
- There are no anticipated costs of compliance.

6. Steps taken by the agency to reduce the costs of the rule on small businesses or reasonable justification for not doing so.

The Department issues an annual pamphlet and mailer to all license holders to alert them to anticipated open periods, closed areas, and gear requirements.

7. A description of how the agency will involve small businesses in the development of the rule.

The Department co-sponsors the annual North of Falcon process, which is a series of public meetings over a period of several months from February through April each year, and which allows constituents to supply input on the rules contained in this filing.

8. A list of industries that will be required to comply with the rule.

All licensed fishers using legal commercial gear types seeking to harvest salmon in the all-citizen commercial salmon fisheries occurring in Grays Harbor and Willapa Bay.

AMENDATORY SECTION (Amending Order 89-71, filed 7/28/89, effective 8/28/89)

**WAC 220-36-015 Gill net gear--Grays Harbor specifications.** It is unlawful to fish for food fish in Grays Harbor for commercial purposes with gill net gear, or to possess food fish taken from those waters with gill net gear, unless:

(1) The gill net does not exceed 1,500 feet in length along the cork line; and

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

AMENDATORY SECTION (Amending Order 89-71, filed 7/28/89, effective 8/28/89)

**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 (~~(except for)~~), with the exception of salmon taken with gill net gear as provided for in this chapter.

AMENDATORY SECTION (Amending Order 01-104, filed 6/15/01, effective 7/16/01)

**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.

AMENDATORY SECTION (Amending Order 09-109, filed 8/4/09, effective 9/4/09)

**WAC 220-36-023 Salmon--Grays Harbor fall fishery.** From August 16 through December 31 of each year, it is unlawful to fish

for salmon in Grays Harbor for commercial purposes or to possess salmon taken from those waters for commercial purposes, except that:

### **Fishing periods**

(1) Gill net gear may be used to fish for salmon and white sturgeon only according to the chart below. All nonlegal sturgeon (~~(and nonlegal)~~), steelhead, and all species other than Chinook, coho, chum and white sturgeon, must be handled with care to minimize injury and must be released immediately to the river/bay:

Time:	Areas:
6:00 p.m. September <del>((3))</del> <u>2</u> through 6:00 p.m. September <del>((4, 2009))</del> <u>3</u> , <u>2010</u> ;	Area 2C
6:00 p.m. September <del>((8))</del> <u>7</u> through 6:00 p.m. September <del>((9, 2009))</del> <u>8</u> , <u>2010</u> ;	
6:00 a.m. September <del>((13))</del> <u>12</u> through 6:00 p.m. September <del>((14, 2009))</del> <u>13</u> , <u>2010</u> ;	
6:00 a.m. September <del>((20))</del> <u>19</u> through 6:00 p.m. September <del>((21, 2009))</del> <u>20</u> , <u>2010</u> ;	
AND 6:00 p.m. September <del>((29))</del> <u>28</u> through 6:00 p.m. September <del>((30, 2009))</del> <u>29</u> , <u>2010</u> .	

### **Gear**

(2) Gill net gear restrictions: All areas:

(a) Drift gill net gear only. It is unlawful to use set net gear. It is ~~((legal))~~ permissible to have on board a commercial vessel more than one net, provided the nets are of a mesh size that is legal for the fishery, and the length of any one net does not exceed one thousand five hundred feet in length.

Nets with a mesh size different from that being actively fished must be properly stored. A properly stored net is defined as a net on a drum that is fully covered by a tarp (canvas or plastic) and bound with a minimum of ten revolutions of rope that is 3/8 (0.375) inches or greater.

(b) Nine-inch maximum mesh size allowed.

(c) Entire nets must be single mesh size. Only one net may be fished at a time; other nets must be properly stored.

(d) Soak time must not exceed 45 minutes. Soak time is defined as the time elapsed from when the first of the gill net web is deployed into the water until the gill net web is fully retrieved from the water.

(e) Each boat must have two operable recovery boxes or one box

with two chambers on board when fishing Area 2C. Each box must be operating during any time the net is being retrieved or picked. 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. Each chamber of the recovery box must meet the following dimensions as measured from within the box: The inside length measurement must be at or within 39½ inches to 48 inches, the inside width measurements must be at or within 8 to 10 inches, and the inside height measurement must be at or within 14 to 16 inches.

Each chamber of the recovery box must include a water inlet hole between ¾ inch and 1 inch in diameter, centered horizontally across the door or wall of the chamber and 1¾ inches from the floor of the chamber. Each chamber of the recovery box must include a water outlet hole opposite the inflow that is at least 1½ inches in diameter. The center of the outlet hole must be located a minimum of 12 inches above the floor of the box or chamber. The fisher must demonstrate to department employees, fish and wildlife enforcement officers, or other peace officers, upon request, that the pumping system is delivering the proper volume of fresh river/bay water into each chamber.

(f) All wild coho, nonlegal sturgeon, and steelhead must be handled with care to minimize injury to the fish and must be released immediately to the river/bay or to an operating recovery box.

(g) Any fish that is bleeding or lethargic must be placed in the recovery box prior to being released to the river/bay.

(h) All fish placed in recovery boxes must be released to the river/bay prior to landing or docking.

### **Other**

(3) Quick reporting is required for wholesale dealers and fishers retailing their catch under a "direct retail endorsement." According to WAC 220-69-240(12), reports must be made by 10:00 a.m. the day following landing.

(4) Fishers must take department observers if requested by department staff when participating in these openings. Pursuant to WAC 220-69-240, 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 5:00 p.m. on August (~~28, 2009~~) 27, 2010, for the openings in Area 2C.

(5) NOAA Fisheries has listed the southern population of green sturgeon as threatened under the Endangered Species Act, effective July 6, 2006. Most of the green sturgeon taken in Washington fisheries are from the southern population. Therefore, the retention of green sturgeon is prohibited(~~(7)~~) to protect this federally listed stock.

AMENDATORY SECTION (Amending Order 86-55, filed 7/10/86)

**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.

AMENDATORY SECTION (Amending Order 03-26, filed 2/18/03, effective 3/21/03)

**WAC 220-36-03001 Grays Harbor--Seasons and lawful gear--Varieties other than salmon and sturgeon.**

(1) It is unlawful in Marine Fish-Shellfish Management and Catch Reporting Area 60B to fish for food fish, other than sturgeon and salmon, with purse seine or lampara gear exceeding 900 feet in length or having meshes of less than one-half inch stretch measure, or with drag seine gear exceeding 700 feet in length or having meshes less than 4-1/2 inches stretch measure, except as provided in WAC 220-36-03001(6). It is unlawful to fish for or possess salmon or sturgeon taken with purse seine, lampara, or drag seine gear.

(2) It is (~~lawful~~) permissible to fish for and possess bottomfish in Marine Fish-Shellfish Management and Catch Reporting Area 60B at any time with set line and hand line jig gear.

(3) It is (~~lawful~~) permissible to retain for commercial purposes bottomfish taken incidental to any lawful commercial salmon fishery in Grays Harbor Salmon Management and Catch Reporting Areas 2A, 2B, 2C, and 2D, and it is (~~lawful~~) permissible to retain bottomfish taken incidental to any lawful sturgeon fishery in Marine Fish-Shellfish Management and Catch Reporting Area 60B.

(4) It is (~~lawful~~) permissible to take, fish for and possess smelt taken for commercial purposes in all waters of Grays Harbor, except that it is unlawful to take smelt for commercial purposes during weekly closed periods extending from 8:00 a.m. Thursday to 8:00 p.m. Saturday.

(5) It is (~~lawful~~) permissible to fish for and possess herring, anchovies, candlefish, or pilchards taken for commercial purposes with dip bag net gear at any time in the waters of Marine

Fish-Shellfish Management and Catch Reporting Area 60B.

(6) (a) From June 1 through October 31 - It is (~~lawful~~) permissible to fish for and possess anchovies, candlefish, or pilchards with purse seine or lampara in the waters of Grays Harbor (~~provided~~). However, it is unlawful to use gear exceeding 1,400 feet in length or containing meshes of less than 1/2-inch stretch measure. It is (~~lawful~~) permissible to fish for herring with lampara gear in the waters of Grays Harbor (~~provided~~). However, it is unlawful to use gear exceeding 1,400 feet in length or containing mesh less than 1/2-inch stretch measure. All species of fish other than herring, pilchard, candlefish, and anchovy taken in operation of such purse seine or lampara gear must be immediately returned to the water.

(b) From February 1 through April 15 - Closed to all commercial herring, anchovy, candlefish, or pilchard fishing except dip bag net.

(7) It is (~~lawful~~) permissible to take, fish for, and possess herring, candlefish, pilchards, or anchovies taken for commercial purposes with a herring weir from April 1 through September 30 in the waters of Marine Fish-Shellfish Management and Catch Reporting Area 60B, provided that the lead shall not exceed 300 feet in length or extend into any navigation channel or customary gill net drifting lane. It shall be unlawful for any person to install or operate a herring weir without obtaining written permission from the director of fisheries.

(8) 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.

AMENDATORY SECTION (Amending Order 89-71, filed 7/28/89, effective 8/28/89)

**WAC 220-40-020 Willapa Bay salmon--Seasons and lawful gear--Salmon.** It (~~shall be~~) is unlawful to take, fish for, or possess salmon taken for commercial purposes in Willapa Bay fishing areas (~~except for~~), with the exception of salmon taken with gill net gear as provided for in this chapter.

AMENDATORY SECTION (Amending Order 01-104, filed 6/15/01, effective 7/16/01)

**WAC 220-40-021 Willapa Bay salmon--Summer fishery.** From July 5 through August 15, it is unlawful to fish for salmon in Willapa Bay for commercial purposes or to possess salmon taken from those waters for commercial purposes.

AMENDATORY SECTION (Amending Order 09-109, filed 8/4/09, effective 9/4/09)

**WAC 220-40-027 Salmon--Willapa Bay fall fishery.** From August 16 through December 31 of each year, it is unlawful to fish for salmon in Willapa Bay for commercial purposes or to possess salmon taken from those waters for commercial purposes, except that:

**Fishing periods**

(1) Gill net gear may be used to fish for salmon and white sturgeon only as shown below. All nonlegal sturgeon (~~and nonlegal~~), steelhead, and all species other than Chinook, coho, chum and white sturgeon, must be handled with care to minimize injury to the fish and must be released immediately to the river/bay:

<p>Time:</p> <p>6:00 p.m. September <del>((15))</del>  <u>12</u> through 6:00 p.m.  September <del>((19))</del> <u>16</u>,  <del>((2009))</del> <u>2010</u>.</p>	<p>Area:</p> <p>Areas 2G east of a line  projected true south from  the most waterward  exposed end of the rock  jetty located near  Washaway Beach, 2H  west of Willapa Channel  Marker 40, 2J north of a  true east-west line drawn  through the North  Entrance Marker to the  Nahcotta Boat Basin (RF  #2), and 2M.</p>
<p>6:00 p.m. September <del>((22))</del>  <u>21</u> through 6:00 p.m.  September <del>((23))</del> <u>22</u>,  <del>((2009))</del> <u>2010</u>;  AND  6:00 p.m. September <del>((28))</del>  <u>27</u> through 6:00 p.m.  September <del>((29))</del> <u>28</u>,  <del>((2009))</del> <u>2010</u>.</p>	<p>Area 2K</p>
<p>6:00 p.m. September <del>((22))</del>  <u>21</u> through 6:00 p.m.  October <del>((7))</del> <u>6</u>, <del>((2009))</del>  <u>2010</u>.</p>	<p>Areas 2G east of a line  projected true south from  the most waterward  exposed end of the rock  jetty located near  Washaway Beach, 2H, 2J  north of a true east-west  line drawn through the  North Entrance Marker to  the Nahcotta Boat Basin  (RF #2), and 2M.</p>
<p>6:00 p.m. October <del>((10))</del> <u>9</u>  through 6:00 p.m. October  <del>((14))</del> <u>13</u>, <del>((2009))</del> <u>2010</u>.</p>	<p>Areas 2G east of a line  projected true south from  the most waterward  exposed end of the rock  jetty located near  Washaway Beach, 2H, 2J  north of a true east-west  line drawn through the  North Entrance Marker to  the Nahcotta Boat Basin  (RF #2), and 2M.</p>

<p>Time:</p> <p>6:00 p.m. November <del>((+0))</del>  <u>9</u>, through 6:00 p.m.  November <del>((+9))</del> <u>18</u>,  <del>((2009))</del> <u>2010</u>.</p>	<p>Area:</p> <p>Areas 2G east of a line  projected true south from  the most waterward  exposed end of the rock  jetty located near  Washaway Beach, 2H  west of the Willapa  Channel Marker 40, 2J  north of a true east-west  line drawn through the  North Entrance Marker to  the Nahcotta Boat Basin  (RF #2), and 2M.</p>
<p>Noon, November 6,  <del>((2009))</del> <u>2010</u>, through  noon, November 30,  <del>((2009))</del> <u>2010</u>.</p>	<p>Areas 2G, 2H, 2J, and 2M.</p>

(2) The Tokeland Boat basin is closed to commercial fishing during the openings in Salmon Management and Catch Reporting Area (SMCRA) 2G, described in this section. The Tokeland Boat basin is that portion of SMCRA 2G bounded on the south by the shoreline of the boat basin, on the west by the seawall, and on the north and east by a line from the Tokeland Channel Marker "3" (flashing green, 4-seconds), to Tokeland Channel Marker "4," to the tip of the seawall.

**Gear**

(3) Gill net gear restrictions - All areas:

(a) Drift gill net gear only, and the net must be moving with the current. It is unlawful to use set net gear. It ~~((will be legal))~~ is permissible to have on board a commercial vessel more than one net, provided the nets are of a mesh size that is legal for the fishery, and the length of any one net does not exceed one thousand five hundred feet in length.

Nets with a mesh size different from that being actively fished must be properly stored. A properly stored net is defined as a net on a drum that is fully covered by a tarp (canvas or plastic) and bound with a minimum of ten revolutions of rope that is 3/8 (0.375) inches or greater.

(b) From August 16 through August 31: Seven and one-half inch minimum mesh. Net must hang straight from top to bottom. Strings may only be used to secure breakaway panels.

(c) From September 1 through September 21(~~((7-2009))~~): Six-inch maximum mesh, and net may be no more than fifty-five meshes deep. Net must hang straight from top to bottom. Strings may only be used to secure breakaway panels.

~~((+c))~~ (d) From September 22 through October 31(~~((7-2009))~~): Six and one-half inch maximum mesh.

~~((+d))~~ (e) From November 6 through November 30(~~((7-2009))~~): Nine-inch minimum mesh(~~((7))~~), except that from 6:00 p.m. November 10 through 6:00 p.m. November 19(~~((7-2009))~~) (coho directed), there are two alternatives:

(i) Use six-inch maximum mesh; and net may be no more than fifty-five meshes deep. Net must hang straight from top to bottom. Strings may only be used to secure break-away panels; or

(ii) Use nine-inch minimum mesh.

(iii) Only one net of either six-inch or nine-inch configuration, not exceeding fifteen hundred feet, may be used when in the act of fishing.

#### **Other**

(4) Quick reporting is required for wholesale dealers and fishers retailing their catch under a "direct retail endorsement." According to WAC 220-69-240(12), reports must be made by 10:00 a.m. the day following landing.

(5) NOAA Fisheries has listed the southern population of green sturgeon as threatened under the Endangered Species Act, effective July 6, 2006. Most of the green sturgeon taken in Washington fisheries are from the southern population. Therefore, the retention of green sturgeon is prohibited; to protect this federally listed stock.

AMENDATORY SECTION (Amending Order 03-26, filed 2/18/03, effective 3/21/03)

**WAC 220-40-030 Willapa Bay--Seasons and lawful gear--Varieties other than salmon and sturgeon.** (1) It is unlawful in Marine Fish-Shellfish Management and Catch Reporting Area 60C to fish for food fish, other than sturgeon and salmon, with purse seine or lampara gear exceeding 900 feet in length or having meshes of less than one-half inch stretch measure, or with drag seine gear exceeding 700 feet in length or having meshes of less than 4-1/2 inches stretch measure, except as provided in WAC 220-40-030(3). It is unlawful to fish for or possess salmon or sturgeon taken with purse seine, lampara, or drag seine gear.

(2) It is (~~lawful~~) permissible to fish for and possess bottomfish taken for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Area 60C, at anytime with set line and hand line jig gear.

(3)(a) From June 1 through October 31 - It is (~~lawful~~) permissible to fish for and possess anchovy, candlefish, or pilchard(~~s~~) taken for commercial purposes with purse seine or lampara in the waters of Willapa Bay(~~, provided~~). However, it is unlawful to use gear exceeding 1,400 feet in length or containing meshes less than one-half inch stretch measure. It is (~~lawful~~) permissible to fish for and possess herring taken for commercial purposes with lampara gear from the waters of Willapa Bay(~~, except~~). However, it is unlawful to use lampara gear exceeding 1,400 feet in length or containing mesh less than 1/2-inch stretch measure. All species of fish other than herring, anchovy,

candlefish and pilchard taken in operation with such purse seine or lampara gear must be immediately, with care, returned to the water.

(b) From February 1 through March 15 - Closed to all commercial herring, anchovy, candlefish or pilchard fishing except dip bag net.

(c) It is (~~lawful~~) permissible to fish for, take, and possess herring, anchovy, candlefish, or pilchard(~~s~~) with dip bag net gear at any time in the waters of Willapa Bay.

(4) It is (~~lawful~~) permissible to retain for commercial purposes bottomfish taken incidental to any lawful commercial salmon fishery in Willapa Bay Salmon Management and Catch Reporting Areas 2G, 2H, 2J, 2K, and 2M, and it (~~shall be lawful~~) is permissible to retain bottomfish taken incidental to any lawful sturgeon fishery in Marine Fish-Shellfish Management and Catch Reporting Area 60C.

(5) It is (~~lawful~~) permissible to take, fish for, and possess smelt taken with hand dip nets in any of the waters of Willapa Bay (~~except~~). However, it is unlawful to take smelt for commercial purposes during weekly closed periods extending from 8:00 a.m. Thursday to 8:00 p.m. Saturday.

(6) It is (~~lawful~~) permissible to take (~~bottom fish~~) bottomfish with drag seine gear in Marine Fish-Shellfish Management and Catch Reporting Area 60C from March 1 through June 30.

(7) 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 60C if any part of the purse seine or lampara is in waters that are less than 20 feet deep.

AMENDATORY SECTION (Amending Order 09-133, filed 7/8/09, effective 8/8/09)

**WAC 232-28-620 Coastal salmon--Saltwater seasons and daily limits.** It (~~shall be~~) is unlawful to take, fish for, or possess salmon taken by angling for personal use except from the following coastal areas, during the following seasons, in the quantities(~~for~~) and the sizes provided for in WAC 220-56-180, and for the species designated in this section. An area is open when a daily limit is provided:

(1) **Catch Record Card Area 1:**

(a) May 1 through June (~~27~~) 26 - Closed.

(b) June (~~28~~) 27 through September 30 - Daily limit of 2 salmon, of which not more than one may be a Chinook salmon. Release wild coho.

(~~d~~) (c) October 1 through April 30 - Closed.

(~~e~~) (d) Closed in the Columbia River Mouth Control Zone 1 during all open periods(~~r~~). See WAC 220-56-195.

(2) **Catch Record Card Area 2:**

(a) May 1 through June (~~27~~) 26 - Closed.

(b) June (~~28~~) 27 through July (~~23~~) 22 - Open Sundays through Thursdays only. Daily limit 2 salmon (~~plus 1 additional pink salmon~~), of which not more than one may be a Chinook salmon. Release wild coho.

(c) July (~~24~~) 23 through September (~~20~~) 19 - Daily limit 2 salmon (~~plus 1 additional pink salmon~~), of which not more than one may be a Chinook salmon. Release wild coho.

(d) September (~~21~~) 20 through April 30 - Closed.

(e) Closed to salmon fishing August 1 through September (~~20~~) 19 in the Grays Harbor Control Zone described in WAC 220-56-195(11).

(3) **Willapa Bay (Catch Record Card Area 2-1):**

(a) May 1 through June (~~27~~) 26 - Closed.

(b) June (~~28~~) 27 through July 31 - Open concurrent with Area 2 when Area 2 is open for salmon angling. Area 2 rules apply.

(c) August 1 through August 15 - Daily limit of six salmon, not more than two of which may be adult salmon. Release chum.

(d) August 16 through January 31 - Daily limit 6 salmon, not more than 3 of which may be adult salmon, and of the adult salmon, not more than 2 may be Chinook. Release chum.

(e) February 1 through April 30 - Closed.

(4) **Grays Harbor (Catch Record Card Area 2-2 east of the Buoy 13 line):**

(a) May 1 through September 15 - Closed.

(b) September 16 through November 30 - Daily limit of 2 salmon, of which only 1 may be a wild adult coho. Release chum and adult Chinook.

(c) December 1 through April 30 - Closed.

(d) Notwithstanding the provisions of this subsection, Westport Boat Basin and Ocean Shores Boat Basin: Open only August 16 through January 31 - Daily limit of six salmon, not more than four of which may be adult salmon.

(5) **Grays Harbor (Catch Record Card Area 2-2 west of the Buoy 13 line)** - Closed.

(6) **Catch Record Card Area 3:**

(a) May 1 through June ((26)) 25 - Closed.

(b) June ((27)) 26 through July ((17)) 16 - Open Tuesdays through Saturdays only. Daily limit of 2 salmon (~~plus 2 additional pink salmon~~), of which not more than one may be a Chinook salmon. Release wild coho.

(c) July ((18)) 17 through September ((20)) 19 - Daily limit of 2 salmon (~~plus 2 additional pink~~), of which not more than one may be a Chinook salmon. Release wild coho.

(d) September ((21)) 20 through April 30 - Closed.

(e) Notwithstanding the provisions of this subsection, waters north of 47°50'00"N latitude and south of 48°00'00"N latitude also open September 26 through October 11 - Daily limit two salmon, of which not more than one may be a Chinook salmon. Release wild coho.

(7) **Catch Record Card Area 4:**

(a) May 1 through June ((26)) 25 - Closed.

(b) June ((27)) 26 through July ((17)) 16 - Open Tuesdays through Saturdays only. Daily limit of 2 salmon (~~plus 2 additional pink~~), of which not more than one may be a Chinook salmon. Release wild coho salmon. Waters east of a true north-south line through Sail Rock closed.

(c) July ((18)) 17 through September ((20)) 19 - Daily limit of 2 salmon (~~plus 2 additional pink~~), of which not more than one may be a Chinook salmon. Release wild coho salmon. Waters east of a true north-south line through Sail Rock closed June ((27)) 26 through July 31. Release Chinook salmon caught east of the Bonilla-Tatoosh line beginning August 1. Release chum salmon beginning August 1.

(d) September ((21)) 20 through April 30 - Closed.