



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 10-18-01 on 8/18/10, and WSR 10-13-121 filed on 6/22/10; 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 220-16-890 through 950 (new sections);
WAC 220-20-100 General provisions - Marine protected areas; and
WAC 220-56-235 Possession limits—Bottomfish.

Hearing location(s):

Natural Resources Building, Room 172
1111 Washington St SE
Olympia WA 98501

Date: December 3-4, 2010 Time: 8:30 a.m.

Submit written comments to:

Name: Lori Preuss, Rules Coordinator
Address: 600 Capitol Way, N.
Olympia WA 98501-1091

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

fax (360) 902-2155 by (date) December 4, 2010

Assistance for persons with disabilities: Contact

Susan Yeager by November 15, 2010

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

Date of intended adoption: On or after February 4, 2011

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: See Attachment 1

Reasons supporting proposal: See Attachment 1

Statutory authority for adoption: RCW 77.04.012, 77.12.045, and 77.12.047

Statute being implemented: RCW 77.04.012, 77.12.045, and 77.12.047

Is rule necessary because of a:

Federal Law?

Yes

No

Federal Court Decision?

Yes

No

State Court Decision?

Yes

No

If yes, CITATION:

50 CFR, Parts 223 and 224

DATE

October 20, 2010

NAME (type or print)

Lori Preuss

SIGNATURE

TITLE

Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 20, 2010

TIME: 11:19 AM

WSR 10-21-117

(COMPLETE REVERSE SIDE)

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..... Heather Reed	48 Devonshire Road, Montesano, WA 98563	(360) 249-1202
Implementation.... James Scott	1111 Washington Street Olympia	(360) 902-2736
Enforcement..... Bruce Bjork	1111 Washington Street Olympia	(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: Heather Reed
Address: 48 Devonshire Road
Montesano, WA 98563

phone (360) 249-1202
fax (360) _____
e-mail Heather.Reed@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: This proposal does not involve hydraulics.

Attachment 1

Purpose of the proposal and its anticipated effects, including any changes in existing rules and reasons supporting proposal

The WAC sections relevant to this proposal are:

WAC 220-56-235 Possession limits- Bottomfish.

WAC 220-20-100 General provisions- Marine protected areas.

WAC 220-16 (new sections 890-950).

Revisions to these WACs are proposed under three distinct alternatives.

Alternative 1: This alternative implements more restrictive sport and commercial bottomfish regulations in order to enhance the quality of consumptive and non-consumptive recreational opportunities and to protect bottomfish resources in Marine Area 4 east of the Bonilla-Tatoosh line. Four species of bottomfish were recently added to the federal Endangered Species List.

- WAC 220-56-235 would be revised to reduce the aggregate bottomfish limit in Marine Area 4 east of the Bonilla-Tatoosh line from 15 to either 12 (Alternative 1/Option A) or 10 (Alternative 1/Option B).

Alternative 2: This alternative would close one or more areas to recreational and commercial bottomfishing in order to provide additional protection to bottomfish stocks, four species of which were recently added to the federal Endangered Species Act, and to increased non-consumptive recreational opportunities in Marine Area 4 east of the Bonilla-Tatoosh line.

- New sections are added to chapter 220-16 WAC that legally define six individual areas in Marine Area 4 east of the Bonilla-Tatoosh line as Marine Conservation Areas.
- WAC 220-20-100: This rule would be amended to close newly defined Marine Conservation Areas to recreational and commercial bottomfish fishing.

Alternative 3: This alternative considers closing one or more areas in Marine Area 4 east of the Bonilla-Tatoosh line to the harvest of all fish, shellfish and other invertebrates in order to provide protection to all marine resources, including the four species of bottomfish recently added to the federal Endangered Species List; to promote biodiversity; and to maximize non-consumptive recreational opportunities.

- New sections are added to chapter 220-16 WAC that legally define seven individual areas in Marine Area 4 east of the Bonilla-Tatoosh line as Marine Preserves.
- WAC 220-20-100: This rule would be amended to close newly defined Marine Preserves to the harvest of all fish, shellfish, and other invertebrates in order to provide protection to all marine resources, promote biodiversity, and maximize non-consumptive recreational opportunities.

Small Business Economic Impact Statement

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

There are no reporting or record keeping requirements in the proposed rule.

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

None.

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

None.

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

The rule is not expected to result in a loss of revenue for any commercial fishing operations in the area. The establishment of marine preserves or conservation areas is focused in the area shoreward of 20 fathoms, where there is little, if any, commercial fishing activity due to the rocky habitat. Historical commercial landing data shows no recent commercial landings in the area for the majority of the commercial fishing gear types. Some recent commercial landings were reported for the set-line fishery in this area, but this fishery targets dog fish and sablefish, both of which occur in commercial quantities in waters deeper than 20 fathoms.

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:

- (a) Cost per employee;
- (b) Cost per hour of labor; or
- (c) Cost per one hundred dollars of sales.

There is no cost of compliance, as explained in number 4 above.

Now compare the largest businesses' cost of compliance with the cost of compliance for small businesses. Will this rule have a disproportionate impact on small businesses?

All businesses in these particular fisheries are considered small businesses.

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

There are no costs associated with this rule.

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

WDFW held three public meetings to discuss the proposed closed areas:

Seattle

August 23, 2010

5:30-8:30 p.m.

Port Angeles

August 24, 2010

7:00-9:00 p.m.

Olympia

August 26, 2010

7:00-9:00 p.m.

In addition, WDFW has posted the proposals on the agency web page at:

<http://wdfw.wa.gov/conservation/fisheries/marinearea4/> and is accepting written comments through December 4, 2010.

Public testimony will be taken at the Commission's December 3-4, 2010, meeting as part of the WDFW rule adoption process.

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

All state commercial fishers must comply.

9. An estimate of the number of jobs that will be created or lost as the result of compliance with the proposed rule.

No jobs will be created or lost.

ALTERNATIVE 2

NEW SECTION

WAC 220-16-890 Tatoosh Island Conservation Area. "Tatoosh Island Conservation Area" is defined as all waters and tidal and submerged lands within a boundary created by connecting the following coordinates:

124°44.575'W long., 48°23.492'N lat.

124°44.575'W long., 48°23.800'N lat.

124°43.956'W long., 48°23.800'N lat.

124°44.956'W long., 48°23.492'N lat., and back to the point of origin.

NEW SECTION

WAC 220-16-900 Waadah Island Conservation Area. "Waadah Island Conservation Area" is described as all waters and tidal and submerged lands within a boundary created by connecting the following coordinates:

124°36.200'W long., 48°22.800'N lat.

124°36.200'W long., 48°23.513'N lat.

124°35.800'W long., 48°23.359'N lat.

124°35.800'W long., 48°22.954'N lat., and then following the shoreline back to the point of origin.

NEW SECTION

WAC 220-16-910 Chibahdehl Rocks Conservation Area. "Chibahdehl Rocks Conservation Area" is described as all waters and tidal and submerged lands within a line beginning at 124°41.100'W long., 48°23.366'N lat., then projected north to the intersection with the 20 fathom bottomfish closure line at 124°41.100'W long., 48°24.048'N lat., then projected easterly to 124°40.000'W long., 48°24.100'N lat., then southeasterly to 124°39.500'W long.,

48°24.031'N lat., then south to 124°39.500'W long., 48°23.458'N lat., then following the shoreline back to the point of origin.

NEW SECTION

WAC 220-16-920 Third Beach Reef Conservation Area. "Third Beach Reef Conservation Area" is described as all waters and tidal and submerged lands within a line beginning at 124°35.400'W long., 48°22.400'N lat., then projected north to the intersection with the 20 fathom bottomfish closure line at 124°35.400'W long., 48°23.204'N lat., then southeasterly to 124°34.000'W long., 48°22.664'N lat., then south to 124°34.000'W long., 48°22.045'N lat., then following the shoreline northwesterly back to the point of origin.

NEW SECTION

WAC 220-16-930 Rasmussen Creek to Shipwreck Point Conservation Area. "Rasmussen Creek to Shipwreck Point Conservation Area" is described as all waters and tidal and submerged lands within a line beginning at 124°29.421'W long., 48°19.920'N lat., then projected north to the intersection with the 20 fathom bottomfish closure line at 124°29.421'W long., 48°20.892'N lat., then southeasterly to 124°27.000'W long., 48°19.952'N lat., then south to 124°27.000'W long., 48°19.028'N lat., then following the shoreline northwesterly back to the point of origin.

NEW SECTION

WAC 220-16-940 Shipwreck Point to Sekiu River Conservation Area. "Shipwreck Point to Sekiu River Conservation Area" is described as all waters and tidal and submerged lands within a line beginning at 124°27.000'W long., 48°19.028'N lat., then projected north to the intersection with the 20 fathom bottomfish closure line at 124°27.000'W long., 48°19.952'N lat., then southeasterly to 124°23.723'W long., 48°18.679'N lat., then south to 124°23.723'W long., 48°17.267'N lat., then following the shoreline northwesterly back to the point of origin.

ALTERNATIVE 3

NEW SECTION

WAC 220-16-890 Tatoosh Island Marine Preserve. "Tatoosh Island Marine Preserve" is defined as all waters and tidal and submerged lands within a boundary created by connecting the following coordinates:

124°44.575'W long., 48°23.492'N lat.
124°44.575'W long., 48°23.800'N lat.
124°43.956'W long., 48°23.800'N lat.
124°44.956'W long., 48°23.492'N lat., and back to the point of origin.

NEW SECTION

WAC 220-16-900 Waadah Island Marine Preserve. "Waadah Island Marine Preserve" is described as all waters and tidal and submerged lands within a boundary created by connecting the following coordinates:

124°36.200'W long., 48°22.800'N lat.
124°36.200'W long., 48°23.513'N lat.
124°35.800'W long., 48°23.359'N lat.
124°35.800'W long., 48°22.954'N lat., and then following the shoreline back to the point of origin.

NEW SECTION

WAC 220-16-910 Chibahdehl Rocks Marine Preserve. "Chibahdehl Rocks Marine Preserve" is described as all waters and tidal and submerged lands within a line beginning at 124°41.100'W long., 48°23.366'N lat., then projected north to the intersection with the 20 fathom bottomfish closure line at 124°41.100'W long., 48°24.048'N lat., then projected easterly to 124°40.000'W long., 48°24.100'N lat., then southeasterly to 124°39.500'W long.,

48°24.031'N lat., then south to 124°39.500'W long., 48°23.458'N lat., then following the shoreline back to the point of origin.

NEW SECTION

WAC 220-16-920 Third Beach Reef Marine Preserve. "Third Beach Reef Marine Preserve" is described as all waters and tidal and submerged lands within a line beginning at 124°35.400'W long., 48°22.400'N lat., then projected north to the intersection with the 20 fathom bottomfish closure line at 124°35.400'W long., 48°23.204'N lat., then southeasterly to 124°34.000'W long., 48°22.664'N lat., then south to 124°34.000'W long., 48°22.045'N lat., then following the shoreline northwesterly back to the point of origin.

NEW SECTION

WAC 220-16-930 Rasmussen Creek to Shipwreck Point Marine Preserve. "Rasmussen Creek to Shipwreck Point Marine Preserve" is described as all waters and tidal and submerged lands within a line beginning at 124°29.421'W long., 48°19.920'N lat., then projected north to the intersection with the 20 fathom bottomfish closure line at 124°29.421'W long., 48°20.892'N lat., then southeasterly to 124°27.000'W long., 48°19.952'N lat., then south to 124°27.000'W long., 48°19.028'N lat., then following the shoreline northwesterly back to the point of origin.

NEW SECTION

WAC 220-16-940 Shipwreck Point to Sekiu River Marine Preserve. "Shipwreck Point to Sekiu River Marine Preserve" is described as all waters and tidal and submerged lands within a line beginning at 124°27.000'W long., 48°19.028'N lat., then projected north to the intersection with the 20 fathom bottomfish closure line at 124°27.000'W long., 48°19.952'N lat., then southeasterly to 124°23.723'W long., 48°18.679'N lat., then south to 124°23.723'W long., 48°17.267'N lat., then following the shoreline northwesterly back to the point of origin.

NEW SECTION

WAC 220-16-950 Tatoosh Island to Koitlah Point Marine Preserve. "Tatoosh Island to Koitlah Point Marine Preserve" is defined as all waters and tidal and submerged lands within a line beginning at Cape Flattery, 124°43.907'W long., 48°22.863'N lat., then projected northwest to 124°44.280'W long., 48°23.072'N lat., then connecting the following coordinates approximating the 20 fathom depth contour:

124°44.280'W long., 48°23.072'N lat.
124°44.282'W long., 48°23.283'N lat.
124°44.694'W long., 48°23.359'N lat.
124°44.944'W long., 48°23.571'N lat.
124°44.771'W long., 48°24.472'N lat.
124°44.587'W long., 48°24.583'N lat.
124°44.358'W long., 48°24.583'N lat.
124°44.138'W long., 48°24.175'N lat.
124°44.20'W long., 48°23.90'N lat.,

Then southeasterly to 124°40.00'W long., 48°24.10'N lat., then to 124°38.217'W long., 48°23.855'N lat., then south to Koitlah Point at 124°38.217'W long., 48°23.276'N lat., and then following the shoreline back to the point of origin.

ALTERNATIVE 2

AMENDATORY SECTION (Amending Order 09-27, filed 2/25/09, effective 5/1/09)

WAC 220-20-100 General provisions--Marine protected areas.

(1) It is unlawful to fish for or possess fish, shellfish, or wildlife taken from any conservation area defined in chapter 220-16 WAC.

(2) The following marine preserves are closed to the taking of fish, shellfish, and wildlife as indicated:

(a) The Admiralty Head Marine Preserve is closed to the taking of fish and wildlife, and closed to the taking of shellfish except sea cucumbers and sea urchins.

(b) The Colvos Passage Marine Preserve is closed to the taking of shellfish and wildlife, closed to all commercial harvest of fish, and closed to recreational harvest of fish except it is lawful to take salmon for personal use by trolling, defined as fishing from a vessel under power and in gear making forward progress.

(c) The San Juan Island Marine Preserve is closed to the taking of shellfish except it is lawful to take crab from Parks Bay, and closed to the taking of food fish other than salmon except it is lawful to take herring and Yellow and Low Island Preserve is closed to the taking of food fish.

(d) The Titlow Beach Marine Preserve is closed to the taking of shellfish and wildlife, closed to the commercial harvest of all fish, and closed to the recreational harvest of all fish except that it is lawful to take salmon if taken with artificial lures from shore or from a nonmotorized vessel.

(e) The Z's Reef Marine Preserve is closed to the taking of shellfish and wildlife, closed to the commercial harvest of all fish, and closed to the recreational harvest of all fish except that it is lawful to take salmon with fly fishing gear as defined in WAC 220-56-210.

(f) The Seattle city park Marine Preserves (Golden Gardens, Carkeek, Lincoln, Discovery, Emma Schmitz, and Richey Viewpoint) are closed to removal of organisms from the intertidal areas, except that finfish may be harvested using hook and line gear, provided it is lawful under other WDFW fishing regulations. Any organism except finfish taken by hook and line in the intertidal area must be placed unharmed in the location it was found. Removal of organisms of unclassified marine invertebrates in numbers less

than the daily limits is an infraction. All other penalties for larger numbers removed apply.

(g) The Saltwater State Park Marine Preserve is closed to all recreational harvest.

(h) The Tatoosh Island Conservation Area is closed at all times to the recreational and commercial harvest of all bottomfish.

(i) The Waadah Island Conservation Area is closed at all times to the recreational and commercial harvest of all bottomfish.

(j) The Chibahdehl Rocks Conservation Area is closed at all times to the recreational and commercial harvest of all bottomfish.

(k) The Third Beach Reef Conservation Area is closed at all times to the recreational and commercial harvest of all bottomfish.

(l) The Rassmussen Creek to Shipwreck Point Conservation Area is closed at all times to the recreational and commercial harvest of all bottomfish.

(m) The Shipwreck Point to Sekiu River Conservation Area is closed at all times to the recreational and commercial harvest of all bottomfish.

ALTERNATIVE 3

AMENDATORY SECTION (Amending Order 09-27, filed 2/25/09, effective 5/1/09)

WAC 220-20-100 General provisions--Marine protected areas.

(1) It is unlawful to fish for or possess fish, shellfish, or wildlife taken from any conservation area defined in chapter 220-16 WAC.

(2) The following marine preserves are closed to the taking of fish, shellfish, and wildlife as indicated:

(a) The Admiralty Head Marine Preserve is closed to the taking of fish and wildlife, and closed to the taking of shellfish except sea cucumbers and sea urchins.

(b) The Colvos Passage Marine Preserve is closed to the taking of shellfish and wildlife, closed to all commercial harvest of fish, and closed to recreational harvest of fish except it is lawful to take salmon for personal use by trolling, defined as fishing from a vessel under power and in gear making forward progress.

(c) The San Juan Island Marine Preserve is closed to the taking of shellfish except it is lawful to take crab from Parks Bay, and closed to the taking of food fish other than salmon except it is lawful to take herring and Yellow and Low Island Preserve is closed to the taking of food fish.

(d) The Titlow Beach Marine Preserve is closed to the taking of shellfish and wildlife, closed to the commercial harvest of all fish, and closed to the recreational harvest of all fish except that it is lawful to take salmon if taken with artificial lures from shore or from a nonmotorized vessel.

(e) The Z's Reef Marine Preserve is closed to the taking of shellfish and wildlife, closed to the commercial harvest of all fish, and closed to the recreational harvest of all fish except that it is lawful to take salmon with fly fishing gear as defined in WAC 220-56-210.

(f) The Seattle city park Marine Preserves (Golden Gardens, Carkeek, Lincoln, Discovery, Emma Schmitz, and Richey Viewpoint) are closed to removal of organisms from the intertidal areas, except that finfish may be harvested using hook and line gear, provided it is lawful under other WDFW fishing regulations. Any organism except finfish taken by hook and line in the intertidal area must be placed unharmed in the location it was found. Removal of organisms of unclassified marine invertebrates in numbers less

than the daily limits is an infraction. All other penalties for larger numbers removed apply.

(g) The Saltwater State Park Marine Preserve is closed to all recreational harvest.

(h) The Tatoosh Island Marine Preserve is closed at all times to the recreational and commercial harvest of all fish, shellfish, and invertebrates.

(i) The Waadah Island Marine Preserve is closed at all times to the recreational and commercial harvest of all fish, shellfish, and invertebrates.

(j) The Chibahdehl Rocks Marine Preserve is closed at all times to the recreational and commercial harvest of all fish, shellfish, and invertebrates.

(k) The Third Beach Reef Marine Preserve is closed at all times to the recreational and commercial harvest of all fish, shellfish, and invertebrates.

(l) The Rassmussen Creek to Shipwreck Marine Preserve is closed at all times to the recreational and commercial harvest of all fish, shellfish, and invertebrates.

(m) The Shipwreck Point Sekiu River Marine Preserve is closed at all times to the recreational and commercial harvest of all fish, shellfish, and invertebrates.

(n) The Tatoosh Island to Koitlah Point Marine Preserve is closed at all times to the recreational and commercial harvest of all fish, shellfish, and invertebrates.

ALTERNATIVE 1 - OPTION 1

AMENDATORY SECTION (Amending Order 10-64, filed 3/19/10, effective 5/1/10)

WAC 220-56-235 Possession limits--Bottomfish. It is unlawful for any person to take in any day more than the following quantities of bottomfish for personal use. The possession limit at any time shall not exceed the equivalent of two daily limits in fresh, frozen or processed form. Unless otherwise provided bottomfish fishing is open the entire year.

(1) Coastal (Catch Record Card Areas 1 through 4) - 15 fish in the aggregate, except east of the Bonilla-Tatoosh line - 12 fish in the aggregate, of all species and species groups of bottomfish, which may include no more than:

(a) Lingcod - 2 fish:

(i) Minimum length 22 inches in Catch Record Card Areas 1 through 3.

(ii) Minimum length 24 inches in Catch Record Card Area 4.

(b) Rockfish - 10 fish. Release all canary and yelloweye rockfish. In Marine Area 4 east of the Bonilla Tatoosh Line: 6 fish. Only black or blue rockfish may be retained.

(c) Surfperch (excluding shiner perch) - 15 fish.

(d) Wolfeel - 0 fish from Catch Record Card Area 4.

(e) Cabezon - 2 fish east of the Bonilla-Tatoosh line.

(2) Inner Puget Sound (Catch Record Card Areas 5 through 13):

(a) Catch Record Card Areas 5 and 6 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish in Marine Area 5 except	1 fish May 1 through September 30 only black or blue rockfish may be retained.
in Marine Area 5 west of Slip Point	3 fish only black or blue rockfish may be retained.
in Marine Area 6.	0 fish
Surfperch	10 fish
Pacific cod	2 fish
Pollock	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish

Wolf-eel	0 fish
Cabezon	2 fish
Pacific hake	2 fish

(b) Catch Record Card Area 7 - 15 fish in the aggregate of all species of bottomfish, which may include no more than:

Rockfish	0 fish
Surfperch	10 fish
Pacific cod	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pollock	2 fish
Pacific hake	2 fish

(c) Catch Record Card Areas 8-1 through 11 and 13 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish	0 fish
Surfperch	10 fish
Pacific cod	0 fish
Pollock	0 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pacific hake	0 fish

(d) Catch Area 12: Closed.

(e) It is unlawful to possess lingcod taken by angling or by spear fishing less than 26 inches in length or greater than 36 inches in length.

(f) It is unlawful to retain cabezon taken from Catch Record Card Areas 5 through 11 and 13 from December 1 through April 30.

(g) It is unlawful to retain six-gill shark taken from Catch Record Card Areas 5 through 13.

(h) In Catch Record Area 5, the daily limit for rockfish is the first legal rockfish caught, except west of Slip Point the daily limit for rockfish is the first three legal rockfish caught. Only black or blue rockfish may be retained. After the daily limit of rockfish is caught, all subsequent rockfish must be released.

(i) In Catch Record Card Area 5, it is unlawful to take rockfish by spear fishing except when this area is open to spear fishing for lingcod.

ALTERNATIVE 1 - OPTION 2

AMENDATORY SECTION (Amending Order 10-64, filed 3/19/10, effective 5/1/10)

WAC 220-56-235 Possession limits--Bottomfish. It is unlawful for any person to take in any day more than the following quantities of bottomfish for personal use. The possession limit at any time shall not exceed the equivalent of two daily limits in fresh, frozen or processed form. Unless otherwise provided bottomfish fishing is open the entire year.

(1) Coastal (Catch Record Card Areas 1 through 4) - 15 fish in the aggregate, except east of the Bonilla-Tatoosh line - 10 fish in the aggregate, of all species and species groups of bottomfish, which may include no more than:

(a) Lingcod - 2 fish:

(i) Minimum length 22 inches in Catch Record Card Areas 1 through 3.

(ii) Minimum length 24 inches in Catch Record Card Area 4.

(b) Rockfish - 10 fish. Release all canary and yelloweye rockfish. In Marine Area 4 east of the Bonilla Tatoosh Line: 6 fish. Only black or blue rockfish may be retained.

(c) Surfperch (excluding shiner perch) - 15 fish.

(d) Wolfeel - 0 fish from Catch Record Card Area 4.

(e) Cabezon - 2 fish east of the Bonilla-Tatoosh line.

(2) Inner Puget Sound (Catch Record Card Areas 5 through 13):

(a) Catch Record Card Areas 5 and 6 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish in Marine Area 5 except	1 fish May 1 through September 30 only black or blue rockfish may be retained.
in Marine Area 5 west of Slip Point	3 fish only black or blue rockfish may be retained.
in Marine Area 6.	0 fish
Surfperch	10 fish
Pacific cod	2 fish
Pollock	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish

Wolf-eel	0 fish
Cabezon	2 fish
Pacific hake	2 fish

(b) Catch Record Card Area 7 - 15 fish in the aggregate of all species of bottomfish, which may include no more than:

Rockfish	0 fish
Surfperch	10 fish
Pacific cod	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pollock	2 fish
Pacific hake	2 fish

(c) Catch Record Card Areas 8-1 through 11 and 13 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish	0 fish
Surfperch	10 fish
Pacific cod	0 fish
Pollock	0 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pacific hake	0 fish

(d) Catch Area 12: Closed.

(e) It is unlawful to possess lingcod taken by angling or by spear fishing less than 26 inches in length or greater than 36 inches in length.

(f) It is unlawful to retain cabezon taken from Catch Record Card Areas 5 through 11 and 13 from December 1 through April 30.

(g) It is unlawful to retain six-gill shark taken from Catch Record Card Areas 5 through 13.

(h) In Catch Record Area 5, the daily limit for rockfish is the first legal rockfish caught, except west of Slip Point the daily limit for rockfish is the first three legal rockfish caught. Only black or blue rockfish may be retained. After the daily limit of rockfish is caught, all subsequent rockfish must be released.

(i) In Catch Record Card Area 5, it is unlawful to take rockfish by spear fishing except when this area is open to spear fishing for lingcod.