

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, except ~~((that))~~:

Fishing periods:

(1) Gillnet gear may be used to fish for coho salmon, ~~((white sturgeon))~~ chum salmon, and ~~((adipose fin clipped hatchery))~~ Chinook salmon:

Time:	Areas:
6:00 a.m. August 12 through 6:00 p.m. August 15 ((, 2013)) .	Area 2N, ((Area 2R,)) Area 2T (except those waters north of a line from Toke Point channel marker 3 easterly through Willapa Harbor channel marker 13 (green), then northeasterly to the power transmission pole located at 46°43.1907'N; 123°50.83134'W), and Area 2U
((6:00 a.m. August 12 through 6:00 p.m. August 13, 2013	Area 2M))

Gear:

(2) Gillnet gear restrictions - All areas:

(a) Drift gillnet gear only. It is unlawful to use set net gear. It 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.

It is unlawful to use a gillnet to fish for salmon ~~((or white sturgeon))~~ if the lead line weighs more than two pounds per fathom of net as measured on the cork line. It is permissible to have a gillnet with a lead line weighing more than two pounds per fathom aboard a vessel when the vessel is fishing in or in transit through Willapa Bay, provided the net is 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) Mesh size must not exceed nine inches.

Other:

~~((3) Recovery boxes and soak times:~~

~~((a) Each boat must have two operable recovery boxes or one box with two chambers on board when fishing in Willapa Bay Areas 2M, 2N, 2R, 2T, and 2U. 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 39 1/2 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 3/4 inch and 1 inch in diameter, centered horizontally across the door or wall of the chamber and 1 3/4 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 1 1/2 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.

(b) 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.

(c) All wild (unmarked) Chinook, chum, nonlegal sturgeon, and all steelhead must be handled with care to minimize injury to the fish and must be released immediately to the river/bay or an operating recovery box when fishing in Willapa Bay Salmon Management Catch Reporting Areas (SMCRA) 2M, 2N, 2R, 2T, and 2U.

(d) Any steelhead or salmon that is required to be released and is bleeding or lethargic must be placed in the recovery box prior to being released to the river/bay. The recovery box must meet the requirements in (a) of this subsection.

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

(4)) (3) 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.

((5)) (4) Retention of any species other than coho salmon, ((white sturgeon with a fork length measure of not less than 43 inches and not more than 54 inches,)) chum salmon, and ((hatchery)) Chinook ((marked by a healed scar at the site of the adipose fin)) salmon, is prohibited.

((6)) (5) Report ALL encounters of ((wild (unmarked) Chinook,)) green sturgeon((7)) and steelhead (your name, date of encounter, and number of species encountered) to the quick reporting office via 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 have encounters included with each day's quick reporting.

((7) White sturgeon, when lying on their side, are measured from the tip of the nose to the fork of the tail. This measurement is referred to as the fork length. All white sturgeon to be retained must have a fork length measure of no less than 43 inches and no more than 54 inches.

(8)) (6) Do NOT remove tags from white sturgeon ((that are not allowed to be retained. For white sturgeon that can be retained, please submit tags to the Washington Department of Fish and Wildlife, 48 Devonshire Rd., Montesano, WA 98563. For white sturgeon not of a legal size and all green sturgeon,)). Please obtain available information from tags without removing the tags. Submit tag information to the Washington Department of Fish and Wildlife, 48 Devonshire Rd., Montesano, WA 98563.

~~((9))~~ (7) It is unlawful to fish with gillnet gear in Areas 2M, 2N, 2R, 2T, and 2U 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.

~~((10))~~ (8) Fishers must take department observers if requested by department staff when participating in these openings. 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 ~~((August 8, 2013))~~ July 28.

AMENDATORY SECTION (Amending WSR 13-17-001, filed 8/7/13, effective 8/12/13)

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) Gillnet gear may be used to fish for coho salmon, ~~((white sturgeon, and adipose fin-clipped hatchery))~~ chum salmon, and Chinook salmon:

Time:	Area:
((6:00)) 7:00 p.m. August ((19)) <u>25</u> through ((6:00 p.m.)) 7:00 a.m. August ((20, 2013)) <u>26</u> ;	2N ((, 2R,)) and 2U
((6:00)) 7:00 p.m. ((August 21)) <u>September 1</u> through ((6:00 p.m. August 22, 2013)) 7:00 a.m. <u>September 2</u> ;	
((6:00 p.m. August 26)) 7:00 p.m. <u>September 7</u> through ((6:00 a.m. August 27, 2013)) 7:00 a.m. <u>September 8</u> ;	
((AND 6:00)) 7:00 p.m. ((August 28)) <u>September 8</u> through ((6:00)) 7:00 a.m. ((August 29, 2013)) <u>September 9</u> ;	
((6:00)) 7:00 p.m. <u>September</u> ((3)) <u>9</u> through ((6:00)) 7:00 a.m. ((September 4, 2013)) <u>September 10</u> ;	((2M, 2N, 2R, and 2U))
((6:00)) 7:00 p.m. <u>September</u> ((5)) <u>10</u> through ((6:00)) 7:00 a.m. <u>September</u> ((6, 2013)) <u>11</u> ;	((2N, 2R, and 2U))
<u>AND</u>	

<p>Time:</p> <p>((6:00)) 7:00 p.m. September ((9)) 14 through ((6:00 p.m.)) 7:00 a.m. September ((10; 2013)) 15;</p> <p>((AND</p> <p>6:00 p.m. September 12 through 6:00 p.m. September 13, 2013;</p> <p>6:00 p.m. September 15 through 6:00 p.m. October 12, 2013;</p> <p>6:00 p.m. September 15 through 5:59 a.m. September 22, 2013;</p> <p>6:01 p.m. September 22 through 5:59 a.m. September 29, 2013;</p> <p>6:01 p.m. September 29 through 5:59 a.m. October 6, 2013;</p> <p>AND</p> <p>6:01 p.m. October 6 through 6:00 p.m. October 12, 2013;))</p> <p><u>6:00 p.m. September 15</u> <u>through 6:00 p.m.</u> <u>September 19;</u></p> <p><u>6:00 p.m. September 22</u> <u>through 6:00 p.m.</u> <u>September 26;</u></p> <p>AND</p> <p><u>6:00 p.m. September 28</u> <u>through 6:00 p.m.</u> <u>September 30;</u></p> <p><u>6:00 p.m. September 15</u> <u>through 6:00 p.m.</u> <u>September 18;</u></p> <p><u>6:00 p.m. September 22</u> <u>through 6:00 p.m.</u> <u>September 25;</u></p> <p>AND</p> <p><u>6:00 p.m. September 28</u> <u>through 6:00 p.m. October</u> <u>2;</u></p> <p><u>6:00 p.m. September 30</u> <u>through 6:00 p.m. October</u> <u>3.</u></p>	<p>Area:</p> <p>((2M, 2N, 2R, and 2U))</p> <p>2M, 2N, 2R, and 2T</p> <p>2U</p> <p>2M, 2N, 2R, 2T, and 2U</p> <p>2M, 2N, 2R, and 2T (except those waters of 2T north of a line from Toke Point channel marker 3 easterly through Willapa Harbor channel marker 13 (green), then northeasterly to the power transmission pole located at 46°43.1907'N; 123°50.83134'W)</p> <p>2U</p> <p>2M, 2N, 2R, and 2T</p>
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Time: 6:00 p.m. October 4
through 6:00 p.m. October 7;
12:00 ~~((p.m.))~~ a.m.
November ~~((6))~~ 2 through
~~((12:00))~~ 11:59 p.m.
November ~~((20, 2013.))~~ 7;
12:00 a.m. November 10
through 11:59 p.m.
November 14;
AND
12:00 a.m. November 17
through 11:59 p.m.
November 19.

Area: 2M, 2N, 2R, 2T, and 2U

Gear:

(2) Gillnet gear restrictions - All areas:

(a) (i) Drift gillnet gear only. It is unlawful to use set net gear. It 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.

(ii) It is unlawful to use a gillnet to fish for salmon (~~and/or white sturgeon~~) if the lead line weighs more than two pounds per fathom of net as measured on the cork line. It is permissible to have a gillnet with a lead line weighing more than two pounds per fathom aboard a vessel when the vessel is fishing in or transiting through Willapa Bay, provided the net is 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 ((19)) 16 through ((September 13, 2013)) 12:00 p.m., September 8: Mesh size must not exceed ((nine inch maximum mesh.~~

~~(c) From September 15 through September 22, 2013: Mesh size must not exceed six inch maximum mesh.~~

~~(d) From September 23 through October 12, 2013: Mesh size must not exceed six and one half inch maximum mesh.~~

~~(e) From November 6 through November 20, 2013: There are two alternatives for mesh size:~~

~~(i) Use six and one half inch maximum mesh; or~~

~~(ii) Use nine inch minimum mesh.~~

~~Only one net of either six and one half inch or nine inch configuration, not exceeding fifteen hundred feet, may be used when in the act of fishing)) nine inches stretched.~~

(c) From 12:01 p.m. September 8 through November 30: Mesh size must not exceed six and one-half inches stretched.

Other:

(3) Recovery boxes and soak time limits described in this section are required from 12:01 p.m. September 8 through 12:00 p.m. (noon) September 22:

(a) Each boat must have two operable recovery boxes or one box with two chambers on board when fishing in Willapa Bay Areas 2M, 2N, 2R, 2T, and 2U (~~from August 19 through October 12, 2013~~)).

(i) Each box and chamber 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.

(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((7));

(B) The inside width measurements must be at or within 8 to 10 inches((7)); and

(C) The inside height measurement must be at or within 14 to 16 inches.

(iii) Each chamber of the recovery box must include a water inlet hole between 3/4 inch and 1 inch in diameter, centered horizontally across the door or wall of the chamber and 1-3/4 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 1-1/2 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.

~~(b) ((From August 19 through October 12, 2013, 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.~~

~~(c) From August 19 through October 12, 2013, all chum, nonlegal sturgeon, all steelhead, and wild (unmarked) Chinook 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 when fishing in Willapa Bay Areas 2M, 2N, 2R, 2T, and 2U.~~

~~From November 6 through November 20, 2013, all chum, all nonlegal sturgeon, and all steelhead must be handled with care to minimize injury to the fish and must be released immediately to the river/bay when fishing in Willapa Bay Areas 2M, 2N, 2R, 2T, and 2U.~~

~~(d) Any steelhead or salmon required to be released and is bleeding or lethargic must be placed in the recovery box prior to being released to the river/bay. The recovery box must meet the requirements in (a) of this subsection.~~

~~(e)) 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 (c) of this subsection.~~

~~(c) All fish placed in recovery boxes must remain until they are not lethargic and not bleeding and must be released to the river/bay prior to landing or docking.~~

~~(d) 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) 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.

(5) Retention prohibitions:

(a) From August 16 through November 30, all green and white sturgeon and all steelhead, except as provided in subsection (3) of this

section, must be handled with care to minimize injury to the fish and must be released immediately to the river/bay.

(b) From August 16 through 12:00 p.m. September 8, retention of any species other than coho salmon, chum salmon, or Chinook is prohibited.

(c) From 12:01 p.m. September 8 through 12:00 p.m. (noon) September 22, retention of any species other than coho salmon(~~(, white sturgeon with fork length measure not less than 43 inches and not more than 54 inches, and)~~), chum salmon, or hatchery Chinook marked by a healed scar at the site of the adipose fin is prohibited.

(d) From 6:00 p.m. September 22 through November 30, retention of any species other than coho salmon, chum salmon, and Chinook is prohibited.

(6) Report ALL encounters of green sturgeon, steelhead, and wild (unmarked) Chinook (your name, date of encounter, and number of species encountered) to the quick reporting office via 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 have encounters included with each day's quick reporting.

~~(7) ((White sturgeon, when lying on their side, are measured from the tip of the nose to the fork of the tail. This measurement is referred to as the fork length. All white sturgeon to be retained must have a fork length measure of no less than 43 inches and no more than 54 inches.~~

~~(8)) Do NOT remove tags from white sturgeon ((that are not allowed to be retained. For white sturgeon that can be retained, please submit tags to the Washington Department of Fish and Wildlife, 48 Devonshire Rd., Montesano, WA 98563. For white sturgeon not of a legal size and all green sturgeon,)). Please obtain available information from tags without removing tags. Submit tag information to the Washington Department of Fish and Wildlife, 48 Devonshire Rd., Montesano, WA 98563.~~

~~((9))~~ (8) It is unlawful to fish with gillnet gear in Areas 2M, 2N, 2R, 2T, and 2U unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and has in their possession a department-issued certification card.

~~((10))~~ (9) Fishers must take department observers if requested by department staff when participating in these openings. 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 August ~~((13, 2013))~~ 12.