RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Washington Department of Fish and Wildlife

Permanent Rule Only

Effective date of rule:
Permanent Rules 17-04
☒ 31 days after filing.
☐ Other (specify)
(If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
☐ Yes ☒ No If Yes, explain:

Purpose: The purpose of the rulemaking is to better organize the structure of and clean-up specific provisions in the WDFW's administrative code so that it is easier to understand and navigate for the public and department staff. The rulemaking consolidates all rules into one WAC Title (Title 220) from two Titles (Titles 220 and 232) and makes technical changes to WAC sections.

Citation of existing rules affected by this order:
Repealed: 220-95-013, 220-95-018, 220-95-022
Amended: See attached Exhibit A
Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047

Other authority : None

PERMANENT RULE (Including Expedited Rule Making)
Adopted under notice filed as WSR 17-02-088 on January 4, 2017

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: phone ( ) _____
Address: fax ( ) _____
e-mail _____

Date adopted: February 10, 2017

NAME (TYPE OR PRINT)
Brad Smith

SIGNATURE
Brad Smith

TITLE
Chair, Washington Fish and Wildlife Commission

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 15, 2017
TIME: 11:42 AM

WSR 17-05-112

(COMPLETE REVERSE SIDE)

Note: If any category is left blank, it will be calculated as zero. No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note. A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended		Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed

The number of sections adopted in the agency's own initiative:

New		Amended	221	Repealed	3

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

Exhibit A

Amended WACs

Title 220

220-12-005, 220-12-090

220-16-015, 220-16-126, 220-16-211, 220-16-257, 220-16-260, 220-16-300, 220-16-305, 220-16-310, 220-16-315, 220-16-320, 220-16-330, 220-16-335, 220-16-340, 220-16-345, 220-16-350, 220-16-355, 220-16-360, 220-16-370, 220-16-375, 220-16-380, 220-16-395, 220-16-400, 220-16-420, 220-16-430, 220-16-450, 220-16-470, 220-16-475, 220-16-490, 220-16-610, 220-16-800, 220-16-810

220-20-001, 220-20-013, 220-20-015, 220-20-021, 220-20-025, 220-20-050, 220-20-080, 220-20-100, 220-20-117, 220-20-118, 220-20-121, 220-20-124

220-22-020

220-24-010, 220-24-020, 220-24-030, 220-24-040

232-30-250, 232-30-460

220-32-059, 220-32-055, 220-32-057, 220-32-060

220-33-001

220-36-015, 220-36-020, 220-36-021, 220-36-023

220-40-015, 220-40-020, 220-40-027, 220-40-031

220-44-030, 220-44-035, 220-44-040, 220-44-050, 220-44-090, 220-44-095, 220-44-100

220-47-001, 220-47-301, 220-47-302, 220-47-303, 220-47-310, 220-47-319, 220-47-325, 220-47-410, 220-47-427

220-48-005, 220-48-052, 220-48-071

220-49-005, 220-49-020, 220-49-023, 220-49-063

220-52-010, 220-52-01901, 220-52-01902, 220-52-01903, 220-52-040, 220-52-041, 220-52-042, 220-52-050, 220-52-051, 220-52-052, 220-52-063, 220-52-066, 220-52-068, 220-52-069, 220-52-070, 220-52-068, 220-52-069, 220-52-070

220-55-070, 220-55-220,

220-56-100, 220-56-105, 220-56-107, 220-56-110, 220-56-115, 220-56-116, 220-56-128, 220-56-129, 220-56-150, 220-56-175, 220-56-255, 220-56-282, 220-56-360, 220-56-365, 220-56-382, 220-56-500, 220-56-510

220-69-210, 220-69-240, 220-69-246, 220-69-250, 220-69-274, 220-69-220, 220-69-230, 220-69-23402, 220-69-241, 220-69-243, 220-69-254, 220-69-256, 220-69-260, 220-69-273, 220-69-300,

220-74-010, 220-74-020, 220-74-022, 220-74-025

220-76-001, 220-76-010, 220-76-140

220-77-010, 220-77-030, 220-77-065, 220-77-082

220-80-080

220-88-040

220-88D-010, 220-88D-050

220-125-020, 220-125-070

220-130-020, 220-130-080

220-140-010, 220-140-030, 220-140-040

220-310-175, 220-310-180, 220-310-190

Title 232

232-12-002, 232-12-005, 232-12-016, 232-12-017, 232-12-019, 232-12-062, 232-12-063, 232-12-064, 232-12-066, 232-12-067, 232-12-141, 232-12-142, 232-12-271, 232-12-275, 232-12-277, 232-12-297, 232-12-830, 232-12-845

232-28-297, 232-28-516, 232-28-620, 232-28-621, 232-28-623

232-36-020, 232-36-030, 232-36-050, 232-36-051, 232-36-052, 232-36-054, 232-36-055, 232-36-065, 232-36-090, 232-36-100, 232-36-110, 232-36-210, 232-36-300, 232-36-310, 232-36-400, 232-36-500

AMENDATORY SECTION (Amending WSR 07-23-002, filed 11/7/07, effective 12/8/07)

WAC 220-44-030 Coastal bottomfish gear. (1)(a) It is unlawful to take, fish for, possess, transport through the waters of the state, or land in any Washington state ports, bottomfish taken for commercial purposes in violation of gear requirements published in the Code of Federal Regulations (C.F.R.), Title 50, Part 660, Subpart G. This subpart provides requirements for commercial groundfish fishing in the Pacific Ocean. Additional regulations may be listed in the Federal Register, and these override the C.F.R. if there are any inconsistencies. Prior to using coastal bottomfish gear, a person must consult both the Federal Register and the C.F.R.. This chapter, chapter ((~~220-44~~)) 220-355 WAC, adopts the federal regulations imposed by the C.F.R. and the Federal Register, and it incorporates those regulations by reference. Where rules refer to the fishery management area, that area is extended to include Washington state waters coterminous with the Exclusive Economic Zone. A copy of the federal rules may be obtained by ((~~contacting Lori Preuss at 360-902-2930, or~~)) going on the internet at www.pcouncil.org. State regulations may apply that are more restrictive than federal regulations.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.520.

(2) Otter trawl and beam trawl.

(a) It is unlawful to use, operate, or carry aboard any fishing vessel otter trawl gear having meshes measuring less than 3 inches anywhere in the net.

(b) It is unlawful to use or operate any bottom roller or bobbin trawl having meshes less than 4.5 inches anywhere in the net. Rollers, bobbins, or discs used in roller or bobbin trawls must be a minimum of 14 inches in diameter.

(c) It is unlawful to use or operate a pelagic trawl with meshes less than 3.0 inches anywhere in the net. Footropes of pelagic trawls must be less than 1.75 inches in diameter, including twine necessary for seizing material. Sweep lines, including the bottom leg of the bridle, must be bare.

(d) It is unlawful to use or operate a pelagic trawl net unless bare rope or webbing with an individual mesh size no smaller than 16 inches completely encircles the net immediately behind the footrope or headrope for at least 20 feet. A band of mesh may encircle the net under transfer cables, or lifting or splitting straps (chokers), but the band must be: Over riblines and restraining straps; of the same mesh size, and coincide knot-to-knot with the net to which it is attached; and no wider than 16 meshes.

(e) It is unlawful to use or operate a trawl net that has chafing gear encircling more than 50 percent of the circumference of any bottom, roller, bobbin, or pelagic trawl, except as specified in (d) of this subsection. No section of chafing gear may be longer than 50 meshes of the body of the net to which it is attached. Except at the corners, the terminal end of each section of chafing gear must not be connected to the net. Chafing gear must be attached outside any rib lines and restraining straps. There is no limit on the number of sections of chafing gear on a net.

(f) It is unlawful to use double-wall cod ends in any trawl gear.

(g) Licensing: A food fish trawl, non-Puget Sound fishery license is the license required to operate the gear provided for in this sec-

tion. Additionally, a federal limited entry permit is required in Areas 59A-1, 59A-2, 59B, 60A-1, and 60A-2, and that portion of Area 58B within the Exclusive Economic Zone.

(h) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

(i) Violation of gear requirements under this subsection is punishable pursuant to RCW 77.15.520.

(3) Set lines.

(a) It is unlawful for the operator of set lines to leave such gear unattended, unless the following requirements are met:

(i) Gear must be marked with a buoy. The buoy must have affixed to it in a visible and legible manner a department-approved and registered buoy brand issued to the licensee. Set lines must also be marked at the surface at each terminal end with a pole and flag, light, and radar reflector.

(ii) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(iii) Set lines must be attended to no less than every seven days.

(b) Licensing: A food fish set line fishery license is the license required to operate the gear provided for in this section.

(c) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

(4) Bottomfish pots.

(a) It is unlawful for the operator of bottomfish pots to leave such gear unattended, unless ((~~unless~~)) the following requirements are met:

(i) Gear must be marked with a buoy. The buoy must have affixed to it, in a visible and legible manner, a department-approved and registered buoy brand issued to the licensee.

(ii) Bottomfish pots laid on a ground line must be marked at the surface with a pole and a flag, light, and radar reflector at each terminal end.

(iii) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(iv) Bottomfish pots must be attended to no less than every seven days.

(b) Licensing: A bottomfish pot fishery license is the license required to operate the gear provided for in this section.

(c) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

(5) Commercial jig gear.

(a) Licensing: A bottomfish jig fishery license is the license required to operate the gear provided for in this section.

(b) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

(6) Troll lines.

(a) Licensing: A bottomfish troll fishery license is the license required to operate the gear provided for in this section.

(b) Violation of licensing requirements under this subsection is punishable pursuant to RCW 77.15.500.

AMENDATORY SECTION (Amending WSR 09-01-178, filed 12/23/08, effective 1/23/09)

WAC 220-44-035 Highly migratory species fisheries—Possession and landing requirements—Gear restriction. (1) It is unlawful to possess, transport through the waters of the state, or land into any Washington port, highly migratory species taken in violation of any permit or data collection requirements as published in the Code of Federal Regulations (C.F.R.), Title 50, Part 660, Subpart K. These federal regulations provide the requirements for highly migratory species fisheries in the Pacific Ocean. There may be additional regulations listed in the Federal Register, and these override the regulations in the C.F.R. if there are any inconsistencies between the two. Chapter ((~~220-44~~)) 220-355 WAC incorporates the C.F.R. by reference and is based, in part, on the C.F.R. Where rules refer to the fishery management area, that area is extended to include Washington state waters coterminous with the Exclusive Economic Zone. A copy of the federal rules may be obtained by ((~~contacting Lori Preuss at 360-902-2930, or~~)) the internet at www.pcouncil.org. State regulations may apply that are more restrictive than federal regulations.

(2) Except as authorized under the federal rules referenced in this subsection, it is unlawful to use drift gillnet gear in state and offshore waters west of the Bonilla-Tatoosh line, north of the Washington-Oregon boundary, and south of the United States-Canada boundary.

(3) Violation of reporting requirements under this section is punishable pursuant to RCW 77.15.280.

(4) Violation of gear requirements under this section is punishable pursuant to RCW 77.15.520.

AMENDATORY SECTION (Amending WSR 07-23-002, filed 11/7/07, effective 12/8/07)

WAC 220-44-040 Coastal bottomfishing areas and seasons. (1)(a) It is unlawful to possess, transport through the waters of the state, or land in any Washington state port bottomfish in violation of any area or time closure or requirement as published in the Code of Federal Regulations (C.F.R.), Title 50, Part 660, Subpart G. These federal regulations provide the requirements for commercial groundfish fishing in the Pacific Ocean. There may be additional regulations listed in the Federal Register, and these override the regulations in the C.F.R. if there are any inconsistencies between the two. Chapter ((~~220-44~~)) 220-355 WAC incorporates the C.F.R. by reference and is based, in part, on the C.F.R. Where rules refer to the fishery management area, that area is extended to include Washington state waters coterminous with the Exclusive Economic Zone. A copy of the federal rules may be obtained by ((~~contacting Lori Preuss at 360-902-2930, or~~)) the internet at www.pcouncil.org. State regulations may apply that are more restrictive than federal regulations.

(b) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

(2)(a) It is unlawful to use otter trawl or beam trawl gear in state territorial waters (0-3 miles) within Areas 58B, 59A-1, 59A-2, 59B, 60A-1 or 60A-2.

(b) Violation of gear requirements under this subsection is punishable pursuant to RCW 77.15.520.

(3)(a) It is unlawful for vessels using trawl gear to take and retain or possess groundfish within the trawl Rockfish Conservation Area (RCA) or Essential Fish Habitat (EFH) zones, except that:

(i) Trawl gear vessels may transit though the trawl RCA or EFH zones with groundfish onboard, as long as the vessel does not fish for any species within the RCA or EFH zone on the same trip; and

(ii) The activity is otherwise authorized under federal regulations.

(b) For purposes of this section, "trawl RCA and EFH zones" means those areas and boundaries defined as "trawl RCA" or "EFH zone" in the Code of Federal Regulations (C.F.R.), Title 50, Part 600, Subpart G. The C.F.R. lists the requirements for commercial groundfish fishing in the Pacific Ocean. Additional regulations may be enacted and listed in the Federal Register, and these regulations override those in the C.F.R. if there are any inconsistencies between the two.

(c) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

(4)(a) It is unlawful for vessels using nontrawl gear to take and retain or possess groundfish within the nontrawl Rockfish Conservation Area (RCA), or to land such fish, except that:

(i) Nontrawl gear vessels may travel through the nontrawl RCA with groundfish onboard as long as the vessel does not fish for any species within the RCA on the same trip; and

(ii) The activity is otherwise authorized under federal regulations.

(b) For purposes of this section, "nontrawl RCA" means those areas and boundaries defined as "nontrawl RCA" in the Code of Federal Regulations (C.F.R.), Title 50, Part 600, Subpart G. The C.F.R. lists the requirements for commercial groundfish fishing in the Pacific Ocean. Additional regulations may be enacted and listed in the Federal Register, and these supersede the federal regulations in the C.F.R. if there are any inconsistencies between the two.

(c) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

(5)(a) It is unlawful to use set line gear in state territorial waters (0-3 miles) within Areas 58B, 59A-1, 59A-2, 59B, 60A-1 and 60A-2, and in that portion of Area 58B within the Exclusive Economic Zone.

(b) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

(6)(a) It is unlawful to use bottomfish pots in state territorial waters (0-3 miles) within Areas 58B, 59A-1, 59A-2, 59B, 60A-1 and 60A-2, and in that portion of Area 58B within the Exclusive Economic Zone.

(b) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

(7)(a) It is unlawful to use commercial jig gear in state territorial waters (0-3 miles) within Areas 58B, 59A-1, 59A-2, 59B, 60A-1 and 60A-2, and in that portion of Area 58B within the Exclusive Economic Zone.

(b) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

(8)(a) It is unlawful to use bottomfish troll gear in state territorial waters (0-3 miles) within Areas 58B, 59A-1, 59A-2, 59B, 60A-1 and 60A-2, and in that portion of Area 58B within the Exclusive Economic Zone.

(b) Violation of catch requirements under this subsection is punishable pursuant to RCW 77.15.550.

AMENDATORY SECTION (Amending WSR 07-23-002, filed 11/7/07, effective 12/8/07)

WAC 220-44-050 Coastal bottomfish catch limits. (1)(a) It is unlawful to possess, transport through the waters of the state, or land in any Washington state port, bottomfish taken in excess of the amounts or less than the minimum or maximum sizes, or in violation of any of the possession, landing, or sorting requirements published in the Code of Federal Regulations (C.F.R.), Title 50, Part 660, Subpart G. These federal regulations provide the requirements for commercial groundfish fishing in the Pacific Ocean. Additional regulations may be enacted and listed in the Federal Register, and these regulations override those in the C.F.R. if there are any inconsistencies between the two. Therefore, persons must consult these federal regulations, which chapter ((~~220-44~~)) 220-355 WAC incorporates by reference and is based on, in part. Where rules refer to the fishery management area, that area is extended to include Washington state waters coterminous with the Exclusive Economic Zone. A copy of the federal rules may be obtained by ((~~contacting Lori Preuss at 360-902-2930, or~~)) the internet at www.pcouncil.org. State regulations may apply that are more restrictive than federal regulations.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(2)(a) It is unlawful to possess, transport through the waters of the state, or land into any Washington port, walleye pollock taken with trawl gear from Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A-1, 59A-2, 59B, 60A-1, 60A-2, 61, 62, or 63, except by trawl vessels participating in the directed Pacific whiting fishery and the directed coastal groundfish fishery.

(b) Violation of this section is a gross misdemeanor, punishable under RCW 77.15.550.

(3)(a) It is unlawful for trawl vessels participating in the directed Pacific whiting and/or the directed coastal groundfish fishery to land incidental catches of walleye pollock greater than forty percent of their total landing by weight, not to exceed ten thousand pounds.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(4)(a) It is unlawful for an original receiver to receive whiting and whiting by-catch under the authority of an exempted fishing permit (EFP) issued by NMFS through the department, unless the original receiver has entered into a signed agreement with the department specifying the responsibilities of the original receiver in conjunction with the whiting EFP fishery. Failure to comply with the terms of the agreement shall be cause to remove the original receiver from the list of original receivers allowed to receive unsorted whiting catches from EFP vessels.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(5)(a) It is unlawful to land thresher shark taken by any means from state and offshore waters of the Pacific Ocean north of the Washington-Oregon boundary and south of the United States-Canada boundary. It is unlawful to land thresher shark taken south of the Washington-Oregon boundary unless each thresher shark landed is accompanied by a minimum of two swordfish.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(6)(a) It is unlawful to take salmon incidental to any lawful bottomfish fishery.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(7)(a) It is unlawful to retain sturgeon species, other than white sturgeon, taken incidental to any lawful bottomfish fishery. White sturgeon may be taken as long as the fisher complies with minimum and maximum size restrictions for commercial fisheries.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

(8)(a) It is unlawful to retain any species of shellfish taken incidental to any lawful bottomfish fishery, except that it is lawful to retain octopus and squid.

(b) Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550.

AMENDATORY SECTION (Amending WSR 07-23-002, filed 11/7/07, effective 12/8/07)

WAC 220-44-090 Bottomfish—Far offshore fishery. (1)(a) It is unlawful for any fisher to transport through the waters of the state, or to land in any Washington state port, bottomfish taken outside the Exclusive Economic Zone (more than 200 miles offshore), except that any fisher may transport bottomfish through the waters of the state or land bottomfish taken without the Exclusive Economic Zone, provided:

(i) The fisher has, at least 48 hours prior to participating in the far offshore fishery, notified the department either by writing to the Washington Department of Fish and Wildlife, 48A Devonshire Road, Montesano, WA 98563; or telephoning the department during regular business hours, Monday through Friday, at 360-586-6129. The fisher must provide the following information: Vessel name and official number; anticipated fishing dates; anticipated port of landing;

(ii) The fisher makes the vessel available for a hold inspection, if required to do so by the department, prior to departure for the far offshore fishery; and

(iii) The fisher notifies the department at least 24 hours prior to landing bottomfish at any Washington state port. The fisher must provide the following information: Port of landing; estimated date and time of landing; estimated species composition, and weight of fish aboard.

(b) Violation of this subsection is a misdemeanor, punishable under RCW 77.15.280.

(2)(a) It is unlawful for any fisher to fish within, or to land fish taken from within, the Exclusive Economic Zone during any trip for which a declaration to participate in the far offshore fishery has been made.

(b) Violation of this subsection is a misdemeanor, punishable under RCW 77.15.280.

(3)(a) Fishers participating in the far offshore fishery are required to be properly licensed in order to land bottomfish into a Washington state port.

(b) Violation of catch restrictions is punishable pursuant to RCW 77.15.550.

(4) This section does not apply to bottomfish that have been previously landed in another state, territory, or country; does not apply to delivery by vessels other than the catcher vessel; and does not apply to bottomfish taken in Canadian territorial waters.

AMENDATORY SECTION (Amending WSR 14-11-028, filed 5/13/14, effective 6/13/14)

WAC 220-44-095 Coastal sardine purse seine fishery——Harvest, landing, and reporting requirements——Gear. (1) **Licensing, harvest, and reporting requirements.** It is unlawful for persons fishing under a Washington sardine purse seine fishery license or temporary annual fishery permit to fail to:

(a) Carry an observer onboard for any sardine fishing trip if requested by the department;

(b) Surrender up to five hundred sardines per vessel per trip if requested by department samplers for biological information; and

(c) Complete a department-issued logbook each month in which fishing activity occurs, and submit it to the department by the 15th day of the following month.

(2) **Possession, transport, and seasons.**

(a) It is unlawful to possess, transport through the waters of the state, or deliver into any Washington port, Pacific sardine (*Sardinops sagax*) or other coastal pelagic species taken in violation of gear requirements and other rules published in Title 50, Part 660, Subpart I of the Code of Federal Regulations (C.F.R.). These federal regulations govern commercial fishing for coastal pelagic species in the Exclusive Economic Zone off the coasts of Washington, Oregon, and California. Where the federal regulations refer to the fishery management area, that area is interpreted to include Washington state waters coterminous with the Exclusive Economic Zone. Updates to the federal regulations are published in the Federal Register. Discrepancies or errors between the C.F.R. and Federal Register will be resolved in favor of the Federal Register. This chapter incorporates the C.F.R. by reference and is based, in part, on the C.F.R. A copy of the federal rules may be obtained by contacting the department of fish and wildlife rules coordinator at 360-902-2403, or going to the U.S. Government Printing Office's GPO Access web site (www.gpoaccess.gov). State regulations that are more restrictive than the federal regulations will prevail.

(b) It is unlawful to fish for or possess Pacific sardine taken with any gear from coastal waters except during the coastal sardine

fishery season open to purse seine fishing each year from April 1st through December 31st.

(c) It is unlawful to take Pacific sardine in state waters except for the incidental take authorized by the coastal baitfish regulations.

(d) It is unlawful to retain any species that is taken incidental to sardine, except for anchovy, mackerel, and market squid (*Logligo opalescens*).

(e) It is unlawful to retain mackerel (*Scombridae*) or jacks (*Carangidae*) taken incidental to a lawful sardine fishery that in combination exceeds forty-five percent of the weight of the total landing.

(f) It is unlawful to fail to release any salmon encircled in the purse seine prior to completion of the set or to land or retain salmon on the fishing vessel.

(g) It is unlawful to transfer sardine catch from one fishing vessel to another.

(3) **Landing and delivery.**

(a) It is unlawful to fail to have legal purse seine gear as defined by department rule aboard a vessel making a sardine landing.

(b) It is unlawful to fail to deliver sardine landings to a processing facility located on shore.

(c) It is unlawful to land fish at more than one processing facility and to fail to offload all fish onboard the vessel once the delivery commences at the time of landing.

(d) It is unlawful to deliver more than fifteen percent cumulative weight of sardines for the purposes of conversion into fish flour, fish meal, fish scrap, fertilizer, fish oil, other fishery products, or by-products, for purposes other than human consumption or fishing bait used during the sardine fishery season.

(4) A violation of the reporting requirements provided in this section is punishable under RCW ((~~77.15.560,~~)) 77.15.630 Commercial fish, shellfish harvest or delivery—Failure to report—Penalty.

(5) A violation of the gear requirements provided in this section is punishable under RCW 77.15.520((~~,~~)) Commercial fishing—Unlawful gear or methods—Penalty.

(6) A violation of the harvest or landing requirements provided in this section is punishable under RCW 77.15.550((~~,~~)) Violation of a commercial fishing area or time—Penalty.

AMENDATORY SECTION (Amending WSR 07-23-002, filed 11/7/07, effective 12/8/07)

WAC 220-44-100 Bottomfish caught during research—Permits. (1) Vessels engaged in chartered research for the National Marine Fisheries Service (NMFS) or the International Pacific Halibut Commission (IPHC) may land and sell bottomfish caught during that research without the catch being counted toward any trip or cumulative limit for the participating vessel.

(2) Vessels that have been compensated for research work by NMFS or IPHC with an exempted fishing permit (EFP) to land fish as payment for such research may land and sell fish authorized under the EFP without the catch being counted toward any trip or cumulative limit for the participating vessel.

(3) Any bottomfish landed during authorized NMFS or IPHC research or under the authority of a compensating EFP for past-chartered research work must be reported on a separate fish receiving ticket and not included on any fish receiving ticket reporting bottomfish landed as part of any trip or cumulative limit.

(4) Bottomfish landed under the authority of NMFS or IPHC research work or an EFP-compensating research with fish must be clearly marked "NMFS Compensation Trip" or "IPHC Compensation Trip" on the fish receiving ticket in the space reserved for dealer's use.

(5) The NMFS or IPHC scientist in charge must sign the fish receiving ticket in the area reserved for dealer's use if any bottomfish are landed during authorized NMFS or IPHC research. If the fish are landed under the authority of an EFP as payment for research work, the EFP number must be listed in the dealer's use space.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-44-020	220-356-030
220-44-030	220-355-070
220-44-035	220-355-080
220-44-040	220-355-090
220-44-050	220-355-100
220-44-080	220-355-110
220-44-090	220-355-120
220-44-095	220-356-040
220-44-100	220-351-090

AMENDATORY SECTION (Amending WSR 07-21-128, filed 10/23/07, effective 11/23/07)

WAC 220-33-001 General provision——Commercial fishing regulated. (1) It is unlawful to fish for food fish in the lower Columbia River for commercial purposes or to possess food fish taken from those waters for commercial purposes, except as provided in this chapter.

(2) In the Columbia River downstream of Bonneville Dam and in the select areas (described in WAC ((~~220-22-010~~)) 220-301-010), it shall be lawful to have onboard a commercial fishing vessel more than one licensed net, each of the lawful size or length prescribed for a single net as long as the net or nets are of legal size for the fishery, or the net or nets has a minimum mesh size of 9 inches, and the length of any one net does not exceed 1,500 feet in length.

(a) When specifically authorized by the director, nets not lawful for use at that time and area may be onboard the boat if properly stored.

(b) A properly stored net is defined as a net on a drum that is fully covered by tarp (canvass or plastic) and bound with a minimum of ten revolutions of rope with a diameter of 3/8 (0.375) inches or greater.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-33-001	220-358-010
220-33-005	220-358-020
220-33-010	220-358-030
220-33-020	220-358-040
220-33-030	220-358-050
220-33-040	220-358-060
220-33-060	220-358-070

AMENDATORY SECTION (Amending WSR 02-19-007, filed 9/5/02, effective 10/6/02)

WAC 220-12-005 Request for classification of nonnative aquatic animal species. Any person requesting classification of a nonnative aquatic animal species as a food fish, game fish, or shellfish must follow the procedure for request for designation prior to approval for release in WAC ((~~232-12-016~~)) 220-640-010(1).

AMENDATORY SECTION (Amending WSR 12-05-082, filed 2/16/12, effective 3/18/12)

WAC 220-12-090 Classification——Nonnative aquatic animal species. (1) Prohibited aquatic animal species. The following species are classified as prohibited aquatic animal species:

(a) Amphibians:

(i) In the family Hylidae: Cricket frog, in the genus *Hyla* species in the group *Arborea* including: *Hyla annectans, Hyla arborea, Hyla chinensis, Hyla hallowellii, Hyla immaculata, Hyla japonica, Hyla meridionalis, Hyla sanchiangensis, Hyla simplex, Hyla suweonensis, Hyla tsinlingensis, Hyla ussuriensis,* and *Hyla zhaopingensis*.

(ii) In the family Pelobatidae, spadefoots, all species of the genus *Pelobates* including *P. cultripes, P. fuscus, P. syriacus,* and *P. varaldii*. All species of the genus *Scaphiopus* including: *S. couchii, S. holbrookii,* and *S. hurterii*. All species of the genus *Spea* including: *S. hurterii, S. bombifrons, S. hammondii,* and *S. multiplicata* with the exception of the native species: *Spea intermontana* the great basin spadefoot.

(iii) In the family Pipidae: African clawed frog, all members of the genera *Silurana,* and *Xenopus*.

(iv) In the family Ranidae:

(A) Bull frog, *Rana catesbeiana*.

(B) Holoarctic brown frogs and Palearctic green frogs of the genus *Rana*, including the following: *Rana arvalis* group (*R. arvalis, R. chaochiaoensis, R. chevronta*); *Rana chensinensis* group (*R. altaica, R. chensinensis, R. dybowskii, R. kukunoris, R. kunyuensis, R. ornativentris, R. pirica*); *Rana graeca* group (*R. graeca, R. italica*); *Rana japonica* group (*R. amurensis, R. aragonensis, R. japonica, R. omeimontis, R. zhenhaiensis*); the subgenus *Rugosa* (*Rana rugosa, Rana emeljanovi, Rana tientaiensis*); *Rana tagoi* group (*R. sakuraii, R. tagoi*); *Rana temporaria* group (*R. asiatica, R. dalmatina, R. honnorate, R. huanrenensis, R. iberica, R. latastei, R. macrocnemis, R. okinavana, R. pyrenaica, R. tsushimensis, R. zhengi*); and in the *Rana Pelophylax* section, the subgenus *Pelophylax* (*R. bedriagae, R. bergeri, R. cerigensis, R. chosenica, R. cretensis, R. demarchii, R. epeirotica, R. fukienensis, R. grafti, R. hubeiensis, R. lateralis, R. lessonae, R. nigrolineata, R. nigromaculata, R. perezi, R. plancyi, R. porosa, R. ridibunda, R. saharica, R. shqiperica, R. shuchinae, R. terentievi, R. tenggerensis*); and the *Rana ridibunda-Rana lessonae* hybridogenetic complex species *R. esculenta* and *R. hispanica*.

(v) In the family Ambystomatidae: Mole salamanders. In the genus *Ambystomata*: *A. californiense, A. laterale, A. opacum, A. rosaceum, A.*

tigrinum, except for the native species *A. tigrinum mavortium* Western tiger salamander, and *A. tigrinum melanostictum* Tiger salamander.

(vi) In the family Amphiumidae one, two, and three toed salamanders or congo eels: All members of the genus *Amphiuma*.

(vii) In the family Cryptobranchidae: Giant salamanders and hellbenders, all members of the genera *Andrias* and *Cryptobranchus*.

(viii) In the family Dicamptodontidae, American giant salamanders, all members of the genus *Dicamptodon*, except for the native species: *Dicamptodon tenebrosus*, Pacific giant salamander, and *Dicamptodon copei*, Cope's giant salamander.

(ix) In the family Hynobiidae: Mountain salamanders, all members of the genera *Batrachuperus, Hynobius, Liua, Onychodactylus, Pachyhynobius, Pseudohynobius, Ranodon,* and *Salamandrella*.

(x) In the family Plethodontidae, subfamily Desmognathinae: All members of the genus *Desmognathus*, dusky salamander.

(xi) In the family Plethodontidae, subfamily Plethodontinae: All members of the genera *Aneides* (climbing salamanders); *Batrachoseps* (slender salamanders); *Eurycea* (American brook salamanders); *Gyrinophilus* (cave salamanders); *Hemidactylium* (four-toed salamanders); *Hydromantes* (web-toed salamanders); *Plethodon* (woodland and slimy salamanders); *Pseudotriton* (mud or red salamanders), and *Speleomantes* (European salamanders).

(xii) In the family Proteidae, mudpuppies, all members of the genus *Necturus* and *Proteus*.

(xiii) In the family Salamandridae: Newts, all members of the genera *Chioglossa*; *Eichinotriton* (mountain newts); *Euproctus* (European mt. salamander); *Neurergus* (Kurdistan newts); *Notophthalmus* (red-spotted newts); *Pachytriton* (Chinese newts); *Paramesotriton* (warty newts); *Salamandrina* (speckled salamander); *Taricha* except for the native species *Taricha granulosa granulosa* the Northern rough-skinned newt, and *Triturus* (alpine newts).

(xiv) In the family Sirenidae, sirens, all species of the genera *Pseudobranchus* and *Siren*.

(b) Reptiles:

(i) In the family Chelydridae, snapping turtles, all species.

(ii) In the family Emydidae:

(A) Chinese pond turtles, all members of the genus *Chinemys*.

(B) Pond turtles, all members of the genus *Clemmys*.

(C) European pond turtle, *Emys orbicularis*.

(D) Asian pond turtle, all members of the genus *Mauremys*.

(iii) In the family Trionychidae, American soft shell turtles, all members of the genus *Apalone*.

(c) Crustaceans:

(i) Family Cercopagidae:

(A) Fish hook water flea, *Cercopagis pengoi*.

(B) Spiny water flea, *Bythotrephes cederstroemi*.

(ii) Family Grapsidae: Mitten crabs: All members of the genus *Erochier*.

(iii) Family Cambaridae: Crayfish: All genera, except a person may possess and transport dead prohibited crayfish species obtained under the department's recreational crayfishing rules (WAC ((~~220-56-336 and 220-56-315~~)) 220-330-090 and 220-330-100). There is no daily limit, size limit, or sex restriction for prohibited crayfish species. All nonnative crayfish must be kept in a separate container from native crayfish. Release of any live crayfish species into waters other than the water being fished is prohibited.

(iv) Family Parastacidae: Crayfish: All genera except *Engaeos*, and except the species *Cherax quadricarinatus*, *Cherax papuanus*, and *Cherax tenuimanus*.

(v) Family Portunidae: European green crab, *Carcinus maenas*.

(vi) Family Spheromatidae: Burrowing isopod, *Sphaeroma quoyanum*.

(d) Fish:

(i) Family Amiidae: Bowfin, grinnel, or mudfish, *Amia calva*.

(ii) Family Channidae: China fish, snakeheads: All members of the genus *Channa*.

(iii) Family Characidae: Piranha or caribe: All members of the genera *Pygocentrus*, *Rooseveltiella*, and *Serrasalmus*.

(iv) Family Clariidae: Walking catfish: All members of the family.

(v) Family Cyprinidae:

(A) Fathead minnow, *Pimephales promelas*.

(B) Carp, Bighead, *Hypopthalmichthys nobilis*.

(C) Carp, Black, *Mylopharyngodon piceus.*

(D) Carp, Grass (in the diploid form), *Ctenopharyngodon idella*.

(E) Carp, Silver, *Hypopthalmichthys molitrix*.

(F) Ide, silver orfe or golden orfe, *Leuciscus idus*.

(G) Rudd, *Scardinius erythropthalmus*.

(vi) Family Gobiidae: Round goby, *Neogobius melanostomus*.

(vii) Family Esocidae: Northern pike, *Esox lucius*: A person may possess and transport dead prohibited Northern pike obtained under the department's recreational sport fishing rules (WAC ((~~220-56-100 and 220-56-115~~)) 220-300-160 and 220-310-110). There is no minimum size, no daily limit, and no possession limit. Release of any live Northern pike into water other than the water being fished is prohibited.

(viii) Family Lepisosteidae: Gar-pikes: All members of the family.

(e) Mammals:

Family Myocastoridae: Nutria, *Myocastor coypu*.

(f) Molluscs:

(i) Family Dreissenidae: Zebra mussels: All members of the genus *Dreissena* and all species known as quagga.

(ii) Family Gastropoda: New Zealand mud snail, *Potamopyrgus antipodarum*.

(2) Regulated aquatic animal species. The following species are classified as regulated aquatic animal species:

(a) Crustaceans:

All nonnative crustaceans classified as shellfish.

(b) Fish:

(i) All nonnative fish classified as food fish and game fish.

(ii) Family Cichlidae: Tilapia: All members of the genera *Tilapia*, *Oneochromis*, and *Sartheradon*.

(iii) Family Clupeidae: Alewife, *Alosa pseudoharengus*.

(iv) Family Cyprinidae:

(A) Common carp, koi, *Cyprinus carpio*.

(B) Goldfish, *Carassius auratus*.

(C) Tench, *Tinca tinca*.

(D) Grass carp (in the triploid form), *Ctenopharyngodon idella*.

(v) Family Poeciliidae: Mosquito fish, *Gambusia affinis.*

(c) Molluscs:

(i) All nonnative molluscs classified as shellfish.

(ii) Family Psammobiidae: Mahogany clam or purple varnish clam, *Nuttalia obscurata*.

(3) Unregulated aquatic animal species. The following species are classified as unregulated aquatic animal species: None.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-12-005	220-640-050
220-12-010	220-300-370
220-12-020	220-320-010
220-12-090	220-640-040

AMENDATORY SECTION (Amending WSR 15-11-042, filed 5/14/15, effective 6/14/15)

WAC 220-56-100 Definitions—Personal-use fishing. The following definitions apply to personal use fishing rules in Title((~~s~~)) 220 ((~~and 232~~)) WAC:

(1) "Anadromous game fish" means steelhead, sea-run cutthroat trout, and sea-run Dolly Varden and bull trout.

(2) "Anti-snagging rule" means:

(a) Except when fishing with a buoyant lure (with no weights added to the lure or line) or trolling from a vessel or floating device, terminal fishing gear is limited to a lure or bait with one single point hook.

(b) Only single point hooks measuring not more then 3/4 inch from point to shank may be used and all hooks must be attached to or below the lure or bait.

(c) Weights may not be attached below or less than 12 inches above the lure or bait.

(3) "Bait" means any substance which attracts fish by scent or flavors. Bait includes any lure which uses scent or flavoring to attract fish.

(4) "Barbless hook" means a hook on which all barbs have been deleted when manufactured or filed off or pinched down.

(5) "Bass" means largemouth and smallmouth bass.

(6) "Bow and arrow fishing" means any method of taking, or attempting to take, fish by the use of an arrow equipped with a barbed head and a line attached, and propelled by a bow, as in the sport of archery, while the fisher is above the surface of the water.

(7) "Buoy 10 line" means a true north-south line projected through Buoy 10 at the mouth of the Columbia River. "Buoy 10 fishery" means a fishery between a line in the Columbia River from Tongue Point in Oregon to Rocky Point in Washington and the Buoy 10 line.

(8) "Buoyant lure" means a lure that floats on the surface of freshwater when no additional weight is applied to the line or lure, and when not being retrieved by a line.

(9) "Channel Marker 13 line" means a true north-south line through Grays Harbor Channel Marker 13.

(10) "Daily limit" means the maximum number or pounds of fish, shellfish, or seaweed of the required size of a given species or aggregate of species which a person may retain in a single day.

(11) "Fresh" means fish or shellfish that are refrigerated, iced, salted, or surface glazed.

(12) "Freshwater area" means:

(a) Within any freshwater river, lake, stream or pond.

(b) On the bank or within 10 yards of any freshwater river, lake, stream or pond.

(c) On or within any boat launch, ramp, or parking facility associated with any freshwater river, lake, stream or pond.

(13) "Frozen" means fish or shellfish that are hard frozen throughout.

(14) "Gaffing" means an effort to take fish by impaling the fish with a hook attached directly to a pole or other device.

(15) "Hatchery" when used to describe the difference between a hatchery fish and a nonhatchery fish, except salmon, means a fish having a clipped adipose fin or a clipped ventral fin with a healed scar

at the location of the clipped fin. A hatchery salmon is a salmon having a clipped adipose fin and a healed scar at the location of the clipped fin, regardless of whether the fish is missing a ventral fin.

(16) "Hook" means one single point, double or treble hook. A "single point hook" means a hook having only one point. A "double hook" means a hook having two points on a common shank. A "treble hook" means a hook having three points on a common shank.

(17) "Hook and line" or "angling" are identical in meaning and, except as provided in WAC ((~~220-56-115~~)) 220-310-110, are defined as the use of not more than one line with three hooks attached to a pole held in hand while landing fish, or the use of a hand operated line without rod or reel, to which may be attached not more than three hooks. When fishing for bottom fish, "angling" and "jigging" are identical in meaning.

(18) "In the field or in transit" means at any place other than at the ordinary residence of the harvester. An ordinary residence is a residential dwelling where a person normally lives, with associated features such as address, telephone number, utility account, etc. A motor home or camper parked at a campsite or a vessel are not considered to be an ordinary residence.

(19) "Juvenile" means a person under fifteen year of age.

(20) "Lure" means a manufactured article constructed of feathers, hair, fiber, wood, metal, glass, cork, leather, rubber or plastic which does not use scent or flavoring to attract fish. "Nonbuoyant lure" means a lure complete with hooks, swivels or other attachments, which does not float in freshwater.

(21) "Night closure" means closed to fishing from one hour after official sunset to one hour before official sunrise.

(22) "Opening day of lowland lake season" means the fourth Saturday in April.

(23) "Possession limit" means the number of daily limits allowed to be retained in the field or in transit.

(24) "Processed" means fish or shellfish which have been processed by heat for human consumption as kippered, smoked, boiled, or canned.

(25) "Steelhead license year limit" means the maximum number of steelhead trout any one angler may retain from April 1st through the following March 31st.

(26) "Selective gear rules" means terminal fishing gear is limited to artificial flies with barbless single hooks or lures with barbless single hooks and bait is prohibited. Up to three hooks may be used. Only knotless nets may be used to land fish. In waters under selective gear rules, fish may be released until the daily limit is retained.

(27) "Slough" means any swamp, marsh, bog, pond, side-channel, or backwater connected to a river by water. Waters called sloughs that are not connected to a river are considered lakes.

(28) "Snagging" means an effort to take fish with a hook and line in a manner that the fish does not take the hook or hooks voluntarily in its mouth.

(29) "Spearing" or "spear fishing" means an effort to take fish or shellfish by impaling the fish or shellfish on a shaft, arrow or other device.

(30) "Stationary gear restriction" means the line and weight and lure or bait must be moving while in the water. The line and weight and lure or bait may not be stationary.

(31) "Steelhead" means sea-run rainbow trout over twenty inches in length.

(32) "Trolling" means a method of fishing from a vessel or floating device that is underway and under power.

(33) "Unmarked salmon" means a salmon with intact adipose and ventral fins.

(34) "Trout" means brown trout, bull trout, cutthroat trout, Dolly Varden, Eastern brook trout, golden trout, grayling, Kokanee (silver trout), lake trout, rainbow trout, tiger trout, and, in WAC ((~~220-310-175~~)) 220-312-010 through ((~~220-310-200~~)) 220-312-060, salmon from waters designated as "landlocked salmon rules apply."

(35) "Whitefish gear rules" means terminal fishing gear is restricted to one single hook, maximum hook size three-sixteenths inch point to shank (hook size 14), and bait is allowed. All species: Release all fish except whitefish.

(36) "Wild" when used to describe the difference between a hatchery fish and a nonhatchery fish, except salmon, means a fish with all fins intact.

(37) "Wild" when used to describe a salmon (Chinook, coho, chum, pink or sockeye), means a salmon with an unclipped adipose fin, regardless of whether the fish is ventral fin-clipped. A salmon with a clipped adipose fin and a healed scar at the site of the clipped fin is not a wild salmon.

(38) "Wild cutthroat release" means it is unlawful to retain any cutthroat trout that does not have a clipped adipose fin and a healed scar at the location of the clipped fin.

(39) "Wild steelhead release" means it is unlawful to retain any steelhead that does not have a clipped adipose or ventral fin and a healed scar at the location of the clipped fin.

AMENDATORY SECTION (Amending WSR 15-13-081, filed 6/12/15, effective 7/13/15)

WAC 220-56-105 Geographical definitions—River mouth definitions. When pertaining to angling, unless otherwise defined, any reference to the mouths of rivers or streams includes those waters of any river or stream, including sloughs and tributaries, upstream and inside of a line projected between the outermost uplands at the mouth. The term "outermost upland" means those lands not covered by water during an ordinary high tide. The following river mouths are hereby otherwise defined:

Abernathy Creek - Highway 4 Bridge.

Bear River - Highway 101 Bridge.

Bone River - Highway 101 Bridge.

California Creek - Drayton Harbor Road Bridge.

Chambers Creek - Burlington Northern Railroad Bridge.

Chehalis River - Highway 101 Bridge in Aberdeen.

Chelan River - Railroad Bridge.

Cispus River - Posted markers at the Lewis County P.U.D. kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus rivers.

Cowlitz River - A line projected across the river between two fishing boundary markers set on each bank of the river approximately one-half mile downstream from the lowermost railroad bridge crossing the Cowlitz River.

Dakota Creek - A line from the outermost headland of the south bank to a house at 1285 Runge Avenue, Blaine, Washington, approximately one-quarter mile downstream from the Blaine Road Bridge.

Deschutes River - A line projected across the river 400 feet below the lower Tumwater Falls fish ladder.

Drano Lake - Highway 14 Bridge.

Duwamish River - First Avenue South Bridge.

Elk River - Highway 105 Bridge.

Entiat River - Railroad Bridge.

Hawk Creek (Lincoln County) - Falls at the Hawk Creek campground.

Hoquiam River - Highway 101 Bridge.

Humptulips River - Mouth of Jessie Slough.

Johns River - Highway 105 Bridge.

Kalama River - Boundary markers at mouth.

Kennedy Creek - An arc 500 yards east of the midpoint of the northbound Highway 101 Bridge.

Kettle River - Barstow Bridge.

Klickitat River - Burlington Northern Railroad Bridge.

Lake Washington Ship Canal - A line 400 feet west of the fish ladder at the Chittenden Locks.

Lewis River - A straight line running from a fishing boundary marker or from the outermost upland at the north shore of the Lewis River mouth, southerly across the Lewis River to a fishing boundary marker near the south shore.

McLane Creek - A line 100 feet upstream of and parallel to the southernmost Highway 101 Bridge.

Methow River - Highway 97 Bridge.

Naselle River - Highway 101 Bridge.

North Nemah River - Highway 101 Bridge.

Niawiakum River - Highway 101 Bridge.

Nisqually River - At the upstream end of Alder Lake, the mouth of the Nisqually River is the Highway 7 Bridge at Elbe.

North River - Highway 105 Bridge.

Palix River - Highway 101 Bridge.

Puyallup River - 11th Street Bridge.

Samish River - The Samish Island Bridge (Bayview-Edison Road).

Sammamish River - 68th Avenue NE Bridge.

Skagit River - A line projected from the terminus of the jetty with McGlinn Island to the white monument on the easterly end of Ika Island, then to a white monument on the westerly end of Craft Island, then to a white monument near the corner of the levee on the westerly side of Dry Slough, and then to a white monument on the easterly side of Tom Moore Slough.

Skamokawa Creek - Highway 4 Bridge.

Skookum Creek - A line 400 yards below the old railroad bridge.

Snohomish River - Burlington Northern Railway Bridges crossing main river and sloughs.

South Nemah River - Lynn Point 117 degrees true to the opposite shore.

Spokane River - State Route 25 Bridge.

Tahuya River - North Shore Rd. Bridge.

Tucannon River - The water south of a line of sight from a sign with an orange triangle along the shoulder of Highway 261 (the northwest of the Tucannon River), southeast across to the eastern, unsubmerged shoreline of the Tucannon River. (The embayment between the eastern shoreline of the Tucannon River and the rock bluff to the east that has an affixed orange channel navigation marker, along the south shore of the Snake River, is considered part of the Snake River.)

Wallace River - The furthest downstream railroad bridge.

Washougal River - A straight line from the Crown Zellerbach pumphouse southeasterly across the Washougal River to the east end of the Highway 14 Bridge near the upper end of Lady Island.

Whatcom Creek - A line projected approximately 14 degrees true from the flashing light at the southwesterly end of the Port of Bellingham North Terminal to the southernmost point of the dike surrounding the Georgia Pacific treatment pond.

Little White Salmon River - At boundary markers on river bank downstream from the Little White Salmon National Fish Hatchery.

White Salmon River - Burlington Northern Railroad Bridge.

Willapa River - City of South Bend boat launch.

Wind River - Boundary line markers at mouth.

Yakima River - Highway 240 Bridge.

AMENDATORY SECTION (Amending WSR 14-15-006, filed 7/2/14, effective 8/2/14)

WAC 220-56-107 Definitions—Fishing hours. (1) It is permissible to fish for food fish, game fish, and unclassified fish twenty-four hours per day during any open period for the species, except as otherwise provided. Unless otherwise provided, fishing seasons open at 12:01 a.m. on the first day and end at 11:59 p.m. on the last day of any season.

(2) It is unlawful to fish for the following species during the following times and within the following areas:

(a) ((~~It is unlawful to fish for salmon at night in the Hoodsport Hatchery zone as provided in WAC 220-56-124.~~

~~(b)~~)) It is unlawful to fish for any species during night closures as provided in department rule.

((~~(c)~~)) (b) It is unlawful to fish for sturgeon in freshwater, except the Chehalis River, during the night closure provided in WAC ((~~220-56-282~~)) 220-316-010 (6)(k).

((~~(d)~~)) (c) It is unlawful to fish for smelt in Puget Sound from 10:00 p.m. to 6:00 a.m. unless the person fishes for smelt using forage fish jig gear.

AMENDATORY SECTION (Amending WSR 85-11-020, filed 5/10/85)

WAC 220-56-110 Possession of personal-use food fish and shellfish. (1) The personal-use possession limit of food fish shall include all fresh, frozen, canned and other processed fish in the immediate possession of an individual, together with fish held for him by a custom canner or processor, and fish consigned by him for processing, preserving, storing, or transporting to a place other than where such food fish were taken.

(2) It shall be unlawful for any custom canner, or any person operating as a canner or processor of personal-use catches of food fish to accept, process or hold in the name of an individual more than his lawful possession limit.

(3) Custom canners or processors of personal-use food fish or shellfish, resort operators and others who hold fish on their premises for sport fishermen, shall maintain accurate written accounts of such fish. These records shall be made available for inspection by the department of fisheries, and shall contain the name, signature and permanent address of the taker, the date and area of catch; the number, weight, species and date submitted for processing or holding and the final quantities processed by numbers of units.

(4) It shall be unlawful for any commercial fish dealer, cold storage plant operator, restaurant or hotel to store or have in possession any food fish or shellfish taken by any person for personal use, unless it is identified by tags attached bearing the names and addresses of the persons taking such food fish or shellfish.

(5) It shall be unlawful for any person taking food fish or shellfish for personal use to intermingle his catch or part of his catch with that of any duly licensed person taking food fish or shellfish for commercial purposes except for commercially caught fish retained for personal use as provided for in WAC ((~~220-20-016 and 220-20-021~~)) 220-354-030 and 220-353-110.

AMENDATORY SECTION (Amending WSR 17-01-085, filed 12/16/16, effective 1/16/17)

WAC 220-56-115 Angling gear——Lawful and unlawful acts. (1) It is unlawful for any person to use more than one line while angling for personal use, except:

(a) Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing in lakes, ponds, and reservoirs open to fishing unless listed as an exception in WAC ((~~220-55-220~~)) 220-220-160. Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing in rivers and marine areas as noted in WAC ((~~220-55-220 and 220-310-175 through 220-310-200~~)) 220-220-160 and 220-312-010 through 220-312-060.

(b) A second line using forage fish jigger gear is permissible while fishing in Catch Record Card Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, and 13.

(c) When fishing outside 3 miles from shore in Pacific Ocean waters for tuna species, anglers are not restricted on the number of rods or lines fished per angler, provided that no other species are possessed onboard the vessel. A violation of this subsection is an infraction, punishable under RCW 77.15.160, Infractions.

(2) It is unlawful for any person to take, fish for, or possess fish taken for personal use by any means other than angling with a line attached to a pole held in hand while landing the fish or with a hand-operated line without rod or reel, except:

(a) It is unlawful to fish for or possess salmon taken for personal use with hand lines in marine waters of Puget Sound east of the mouth of the Sekiu River and in Washington waters at the mouth of the Columbia River east of a line projected true north and south through Buoy 10, Grays Harbor, and Willapa Bay.

(b) It is permissible to leave a pole in a pole holder while playing or landing the fish if the pole is capable of being readily removed from the pole holder.

(c) It is permissible to use an electric power-operated reel designed for sport fishing attached to a pole.

(3) It is unlawful for any person while angling to fail to keep his angling gear under his or her direct and immediate physical control.

(4) In areas where a saltwater license is valid, each fisher aboard a vessel may continue to deploy angling gear or shellfish gear until the daily limit of food fish or shellfish for all licensed anglers and juvenile anglers aboard has been retained.

(5) In Catch Record Card Area 4 east of the Bonilla-Tatoosh line and Areas 5 through 13: It is unlawful for any person to take, fish for, or possess bottomfish or halibut taken for personal use, to fail to have onboard the vessel a fish descending or fish recompression device, rigged for immediate use, and capable of rapidly returning fish to depth of capture.

(6) A violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested fish or shellfish. If the person has harvested fish or shellfish, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree——Penalty, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree——Penalty.

(7) It is unlawful to possess fish or shellfish taken with gear in violation of the provisions of this section. Possession of fish or shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish or shellfish were taken with such gear. Possession of such fish or shellfish is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree ——Penalty, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree——Penalty.

AMENDATORY SECTION (Amending WSR 10-07-105, filed 3/19/10, effective 5/1/10)

WAC 220-56-116 Statewide saltwater hook rules. (1) It is unlawful to use more than two hooks to fish in saltwater, except for forage fish jigger gear and squid jig gear, and when fishing from the north jetty of the Columbia River.

(2) It is unlawful to use barbed hooks in Marine Areas 5-13, except for forage fish jigger gear.

(3) It is unlawful to use other than one single-point barbless hook to fish for sturgeon.

(4) It is unlawful to use other than single-point barbless hooks to fish for salmon in Marine Areas 1-13.

(5) It is unlawful to fish for or possess salmon taken with terminal gear hooks in violation of anti-snagging rule in the following saltwater areas during the periods indicated: Budd Inlet waters south of a line projected true west from the KGY radio station to the mainland and north of the closed zone provided for in WAC ((~~220-56-128~~)) 220-310-030 - July 16 through October 31.

(6) It is unlawful to use forage fish jig gear, and anti-snagging rule and night closure in effect, in the Duwamish Waterway downstream from the First Avenue South Bridge to an east-west line through Southwest Hanford Street on Harbor Island parallel to Southwest Spokane Street where it crosses Harbor Island - July 1 through October 31.

(7) Use of gear in violation of this section is an infraction, punishable under RCW 77.15.160.

(8) It is unlawful to possess fish or shellfish taken with gear in violation of the provisions of this section. Possession of fish or shellfish while using gear in violation of the provisions of this section is a rebuttable presumption that the fish or shellfish were taken with such gear. Possession of such fish or shellfish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree——Penalty, unless the fish or shellfish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree——Penalty.

AMENDATORY SECTION (Amending WSR 13-20-021, filed 9/23/13, effective 10/24/13)

WAC 220-56-128 Food fish fishing—Closed areas. It is unlawful to fish for or possess food fish taken from the following areas during the times indicated.

(1) It is unlawful at all times to fish for or possess food fish taken for personal use in waters lying within 400 feet below any fish rack, fishway, dam or other artificial or natural obstruction, either temporary or permanent, unless otherwise provided.

(2) Waters of Budd Inlet at Olympia south of the Fourth Avenue Bridge are closed at all times, and all contiguous waters lying between the Fourth Avenue Bridge and a line from the northwesterly corner of the Thriftway Market Building to a point 100 yards north of the railroad bridge located on the western side of the inlet opposite the Thriftway Market Building are closed during the period July 16 through October 31.

(3) The waters of Percival Cove are closed at all times.

(4) Those waters of Hood Canal inshore from yellow marker buoys to the mouth of Finch Creek and waters within the channel created when tidelands are exposed are closed the entire year.

(5) Waters within a radius of 100 yards from the Enetai Hatchery Outfall Creek where it enters saltwater are closed at all times.

(6) Those waters of Sinclair Inlet inside a line fifty yards from the pierhead line of the Puget Sound Naval Shipyard at Bremerton are closed at all times.

(7) Those waters of Hood Canal within 100 feet of the Seabeck Highway Bridge over Big Beef Creek are closed August 1 through November 30.

(8) In Shilshole Bay waters east of a line 175 feet west of the Burlington Northern Railroad Bridge are closed to fishing.

(9) Those waters of the Chinook River upstream from tide gate at the Highway 101 Bridge are closed at all times.

(10) Those waters of the Columbia River between the Vernita Bridge and the Hanford power line crossing (wooden towers at S24, T13N, R27E) are closed October 23 through June 15.

(11) Those waters of the Columbia River between the upstream line of Bonneville Dam to a point 600 feet below the fish ladder at the new Bonneville Dam Powerhouse are closed at all times.

(12) Waters of the Lake Washington Ship Canal west of a north-south line 400 feet east of the eastern end of the north wing wall of Chittenden Locks to the mouth of the Lake Washington Ship Canal are closed to food fish angling at all times.

(13) Waters of Catch Record Card Area 10 west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point are closed to food fish angling from January 1 through March 31 except it is lawful to fish with gear meeting the fly fishing only requirements of WAC ((~~220-56-210~~)) 220-310-150 except it is unlawful to use lead core fly line. Use of gear other than fly fishing gear or use of a lead core line in violation of this subsection is an infraction, punishable under RCW 77.15.160. It is unlawful to retain any fish taken during the period January 1 through March 31.

(14) Chief Joseph Dam - Closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to fishing

from a floating device downstream of Chief Joseph Dam to the Corps of Engineers Safety Zone Marker.

(15) Wells Dam - Waters between the upstream line of Wells Dam to boundary markers 400 feet below the spawning channel discharge on the Chelan County side and the fish ladder on the Douglas County side.

(16) Rocky Reach, Rock Island and Wanapum Dams - Waters between the upstream lines of these dams and boundary markers 400 feet downstream of the fish ladders at Rocky Reach and Rock Island Dams and boundary markers at Wanapum Dam 750 feet below the east fish ladder and 500 feet below the west fish ladder.

(17) Priest Rapids Dam - Waters between the upstream line of Priest Rapids Dam and boundary markers 650 feet below the fish ladders.

(18) Jackson (Moran) Creek - All waters of the Priest Rapids hatchery system including Columbia River waters out to midstream between markers located 100 feet upstream and 400 feet downstream of the mouth of the hatchery outlet.

(19) McNary Dam - Waters between the upstream line of McNary Dam and a line across the river from the red and white marker on the Oregon shore to the downstream end of the wingwall of the boat lock near the Washington shore.

(20) John Day Dam - Waters between the upstream line of John Day Dam and markers approximately 3,000 feet downstream, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(21) The Dalles Dam - Waters between the upstream line of the Dalles Dam and the upstream side of the Interstate 197 Bridge, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

(22) Spring Creek - Waters within 1/4 mile of the U.S. Fish and Wildlife Service Hatchery grounds between posted boundary markers located 1/4 mile on either side of the fish ladder entrance.

(23) The waters of Catch Area 12 are closed at all times to the taking of food fish other than salmon. However, persons with disabilities who permanently use a wheelchair and who have a designated harvester card under WAC ((~~220-55-065~~)) 220-220-240 may fish from the ADA-access site at the Hoodsport Salmon Hatchery, as long as such persons follow all department rules that apply to the adjoining waters of Marine Area 12.

(24) Freshwater Bay - Waters south of a line from Angeles Point to Observatory Point (Bachelor Rock) are closed July 1 through October 31.

(25) Tulalip Bay - Waters east of line from Mission Point to Hermosa Point are closed at all times.

(26) Waters of Catch Record Card Area 13 within 500 yards of the Toliva Shoal buoy are closed to fishing for food fish June 16 through April 30 and closed to rockfish year-round.

AMENDATORY SECTION (Amending WSR 12-11-089, filed 5/18/12, effective 6/18/12)

WAC 220-56-129 Unclassified freshwater invertebrates and fish. (1) Definitions. For purposes of this section, "freshwater clams and mussels" means all freshwater bivalves existing in Washington in a

wild state, except prohibited aquatic animal species classified under WAC ((~~232-12-090~~)) 220-640-040.

(2) It is unlawful for any person to take or possess freshwater clams and mussels taken for personal use. Freshwater clams and mussels include all bodily parts but does not include five pounds or less of relic shells of freshwater clams and mussels. A relic (dead) shell is defined as one which apparently died of natural causes and contains no meat or soft parts: It readily exhibits noticeable sediment, vegetation, algal or mineral stains, discolorations, soiling, weathering or other visual evidence on its interior surface which clearly and unambiguously shows the shell has not been cooked-out or freshly cleaned. No license or permit is required to take or possess up to five pounds of relic shells per day. It is unlawful to take or possess more than five pounds of relic shells without first obtaining a scientific collection permit.

(3) It is unlawful to retain any freshwater fish not classified as a food fish or game fish, with the exception of northern pike when taken in accordance with WAC ((~~220-12-090~~)) 220-640-040.

(4) It is unlawful for any person to take, fish for or possess Pacific lamprey, western brook lamprey, or river lamprey taken for personal use.

(5) Violation of this rule is punishable under RCW ((~~77.15.140~~)) 77.15.260.

AMENDATORY SECTION (Amending WSR 04-07-009, filed 3/4/04, effective 5/1/04)

WAC 220-56-150 Unlawful to take another's limit. It is unlawful for any person to catch, dig or possess fish or shellfish for another person except designated harvesters as provided in WAC ((~~220-55-065~~)) 220-220-240.

AMENDATORY SECTION (Amending WSR 15-11-042, filed 5/14/15, effective 6/14/15)

WAC 220-56-175 Catch record cards. It is unlawful for any person to fail to comply with the catch record requirements as provided for in this section:

(1) An angler must obtain and have in his or her personal possession a valid and appropriate Puget Sound Dungeness crab catch record card as described in WAC ((~~220-69-236~~)) 220-310-010 to fish for or possess for personal use any Dungeness crab in Catch Record Card Area 4 east of the Bonilla-Tatoosh Line, and in Catch Record Card Areas 5-13.

(2) An angler must obtain and have in his or her personal possession a valid and appropriate catch record card as described in WAC ((~~220-69-236~~)) 220-310-010 to fish for or possess for personal use any anadromous salmon, sturgeon, halibut, or steelhead except a catch record card is not required for:

(a) Commercially caught salmon retained for personal use, as provided in WAC ((~~220-20-016~~)) 220-354-030, and commercially caught stur-

geon retained for personal use, as provided in WAC ((~~220-20-021~~)) 220-353-110; and

(b) Landlocked steelhead or for salmon in waters designated as "landlocked salmon rules apply" in WAC ((~~220-310-175~~)) 220-312-010 through ((~~220-310-200~~)) 220-312-060.

(3) Anglers must completely, accurately, and legibly complete all personal identification information in ink on the catch record card before detaching the card from its underlying copy or, for automated licenses, affixing the appropriate validation sticker to the catch record card to validate a catch record card. A catch record card remains valid as long as there is one or more unfilled spaces available for the species being fished for, except:

(a) A catch record card remains valid for catch-and-release sturgeon fishing when the sturgeon portion of the card is full in the mainstem Columbia River downstream from where the river forms the common boundary between Oregon and Washington.

(b) It is unlawful to use a second or subsequent catch record card to retain sturgeon or wild steelhead after the first card is full.

(4) Immediately upon catching and possessing a salmon, steelhead, sturgeon or halibut, anglers must enter, in ink, in the appropriate space on the card, the place, date of catch, and species (catch type). For sturgeon, anglers also must record the length of the fish; for halibut, anglers also must record the vessel type; and for salmon, anglers also must indicate whether or not the fish was marked by having clipped adipose fins.

(5) Immediately upon retaining a Puget Sound Dungeness crab aboard a vessel or on the shore, fishers must enter, in ink, in the appropriate space on the Puget Sound Dungeness crab catch record card, the place and date of catch, the fishery type, and a tally mark for each Dungeness crab retained from each catch record card area fished. At the end of the fishing day, the fisher must enter the total number of crab tally marks for each fishery type.

(6)(a) Every person issued a catch record card must, by April 30 of the year after they used the card, return the card to the department of fish and wildlife. People issued a Puget Sound Dungeness crab catch record card must return the card to the Washington department of fish and wildlife or report the card information at the designated internet site by the dates indicated on the card.

(b) Failure to return a Dungeness crab catch record card or to report the Dungeness crab catch record card information at the designated internet site by the dates indicated on the card will result in a ten-dollar administrative fee. The administrative fee will be collected from anglers when they acquire a subsequent Puget Sound Dungeness crab endorsement.

(7) Any person possessing a catch record card must show the card to any law enforcement officer or authorized department employee who asks to inspect the card.

(8) A catch record card must not be transferred, borrowed, altered, or loaned to another person, except as authorized under RCW 77.32.565.

AMENDATORY SECTION (Amending WSR 12-08-033, filed 3/29/12, effective 4/29/12)

WAC 220-56-255 Halibut—Seasons—Daily and possession limits. (1) It is unlawful to fish for or possess halibut taken for personal use except from the areas or in excess of the amounts provided for in this section:

(a) Catch Record Card Area 1: Open on the first Thursday in May or May 1, if May 1 is a Friday or Saturday, through the third Saturday in July, from 12:01 a.m. each Thursday through 11:59 p.m. each Saturday. The fishery will reopen on the first Friday in August through September 30, from 12:01 a.m. each Friday through 11:59 p.m. each Sunday. By-catch restriction: It is unlawful during any vessel trip to bring into port or land bottomfish, except sablefish or Pacific cod, if the vessel has brought halibut into port or landed halibut.

(b) Catch Record Card Area 2:

(i) The northern near shore fishery takes place in those waters from 47°31.70'N. lat. south to 46°58.00'N. lat. and east of a boundary line approximating the 30 fathom depth contour as defined by the following coordinates:

47°31.70'N. lat., 124°37.03'W. long.
47°25.67'N. lat., 124°34.79'W. long.
47°12.82'N. lat., 124°29.12'W. long.
46°58.00'N. lat., 124°24.24'W. long.

Open on the first Sunday in May through September 30 on days that all other waters in Area 2 are open, as specified in (b)(ii) of this subsection, and from 12:01 a.m. each Thursday through 11:59 p.m. each Sunday.

(ii) All other waters in Area 2 - Open on the first Sunday in May through the third Sunday in May from 12:01 a.m. through 11:59 p.m. each Sunday, and from 12:01 a.m. through 11:59 p.m. each Tuesday. Beginning on the third Sunday in May through September 30, the halibut fishery will be open from 12:01 a.m. through 11:59 p.m. each Sunday.

(iii) From March 15 through June 15, it is unlawful to fish for or possess bottomfish, except rockfish, seaward of line approximating the 30-fathom depth contour as defined by the coordinates below. However, a person may fish for and retain sablefish and Pacific cod from May 1 through June 15 and retain lingcod on days open during the primary halibut season as described in (b)(ii) of this subsection, seaward of a line approximating the 30-fathom depth contour as defined by the coordinates below:

47°31.70'N. lat., 124°37.03'W. long.
47°25.67'N. lat., 124°34.79'W. long.
47°12.82'N. lat., 124°29.12'W. long.
46°52.94'N. lat., 124°22.58'W. long.
46°44.18'N. lat., 124°18.00'W. long.
46°38.17'N. lat., 124°15.88'W. long.

(c) Catch Record Card Areas 3 and 4 - Open the first Thursday between May 9 and May 15 of each year through September 30, from 12:01 a.m. through 11:59 p.m. each Thursday, and from 12:01 a.m. through 11:59 p.m. each Saturday. The following area southwest of Cape Flattery is closed to halibut fishing at all times:

Those waters within an eastward-facing C-shaped closed area defined as: Beginning at 48°18'N. lat., 125°18'W. long.; thence to 48°18'N. lat., 124°59'W. long.; thence to 48°11'N. lat., 124°59'W. long.; thence to 48°11'N. lat., 125°11'W. long.; thence to 48°04'N. lat., 125°11'W. long.; thence to 48°04'N. lat., 124°59'W. long.; thence to 48°00'N. lat., 124°59'W. long.; thence to 48°00'N. lat., 125°18'W. long.; thence to the point of origin.

It is unlawful to fish for or possess bottomfish seaward of a line approximating the 20-fathom depth contour as defined by the following coordinates, from June 1 through September 30, on days and times closed to halibut fishing:

48°23.9'N. lat., 124°44.2'W. long.
48°23.6'N. lat., 124°44.9'W. long.
48°18.6'N. lat., 124°43.6'W. long.
48°18.6'N. lat., 124°48.2'W. long.
48°10.0'N. lat., 124°48.8'W. long.
48°02.4'N. lat., 124°49.3'W. long.
47°37.6'N. lat., 124°34.3'W. long.
47°31.7'N. lat., 124°32.4'W. long.

(d) Catch Record Card Area 5 - Open the Thursday before Memorial Day through September 30, except closed to fishing for halibut beginning at 12:01 a.m. each Tuesday through 11:59 p.m. each Wednesday.

(e) Catch Record Card Areas 6 through 13 - Open May 1 through September 30, except closed to fishing for halibut beginning at 12:01 a.m. each Tuesday through 11:59 p.m. each Wednesday.

(2) Daily limit is one halibut taken from state or offshore waters. This does not include Canadian waters; see WAC ((~~220-56-156~~)) 220-310-210 for limits on Canadian-origin halibut.

(3) The possession limit is two daily limits of halibut in any form, except the possession limit aboard the fishing vessel is one daily limit. See WAC ((~~220-56-156~~)) 220-310-210 for rules on Canadian-origin halibut possession.

(4) A violation of this section is punishable under RCW 77.15.370 or 77.15.380, depending on the violation.

AMENDATORY SECTION (Amending WSR 16-06-073, filed 2/26/16, effective 7/1/16)

WAC 220-56-282 Sturgeon—Areas, seasons, limits and unlawful acts. (1) It is unlawful to retain green sturgeon.

(2) The following limits and requirements apply in areas where it is permissible to catch sturgeon for release or retention:

(a) It is unlawful to fish for sturgeon with terminal gear other than bait and one single-point barbless hook.

(b) It is unlawful to fail to release undersize or oversize sturgeon immediately.

(c) It is permissible to use artificial scent with bait when fishing for white sturgeon.

(d) It is unlawful to use a gaff or other body-penetrating device while restraining, handling, or landing a sturgeon.

(e) It is unlawful to fish for or possess sturgeon from freshwater, except the Chehalis River, from one hour after official sunset to one hour before official sunrise.

(3) It is permissible to catch and release white sturgeon in saltwater waterways year-round. However, for freshwater waterways, including freshwater Puget Sound tributaries, it is permissible to catch and release white sturgeon only when the season is open for salmon or game fish, except in the Snohomish River from mouth to Highway 9 Bridge it is permissible to catch and release sturgeon year-round.

(4) It is permissible to catch and release, but unlawful to retain, white sturgeon in the following areas:

(a) Coastal waters and tributaries of coastal waters;

(b) Puget Sound waters and tributaries of Puget Sound;

(c) Vancouver Lake and all other waters west of Burlington Northern Railroad from the Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County);

(d) Columbia River and tributaries from a true north-south line through Buoy 10 (the mouth) upstream to Chief Joseph Dam, unless otherwise provided; and

(e) Snake River and tributaries from the mouth upstream to the border with Oregon, unless otherwise provided.

(5) White sturgeon retention is allowed in the areas open to fishing and following rules as specified in WAC ((~~220-310-200~~)) 220-312-060:

(a) Columbia River:

(i) Columbia River and tributaries from Bonneville Dam upstream to McNary Dam: January 1 through July 31.

(ii) Columbia River and tributaries from McNary Dam upstream to Priest Rapids Dam: February 1 through July 31.

(b) Snake River: From the Snake River mouth (also called the Snake River Confluence Protection Area) upstream to Ice Harbor Dam: February 1 through July 31.

(6) The following waters are closed to fishing for sturgeon:

(a) Columbia River:

(i) Mouth to Bonneville Dam:

(A) Year-round from Bonneville Dam downstream to a boundary marker on the Washington shore approximately 4,000 feet below the fish ladder at the powerhouse, south to the downstream end of Cascade Island, and across to the Oregon angling boundary on Bradford Island (the Cascade Island-Bradford Island line).

(B) May 1 through August 31 from Bonneville Dam downstream 9 miles to a line crossing the Columbia River from navigation marker 82 on the Oregon shore, westerly to the boundary marker on the Washington shore upstream of Fir Point (navigational marker 82 line).

(ii) Bonneville Dam to McNary Dam:

(A) May 1 through July 31 from The Dalles Dam downstream 1.8 miles to a line from the east (upstream) dock at the Port of The Dalles boat ramp straight across to a marker on the Washington shore.

(B) May 1 through July 31 from John Day Dam downstream 2.4 miles to a line crossing the Columbia at a right angle to the thread of the river from the west end of the grain silo at Rufus, Oregon.

(C) May 1 through July 31 from McNary Dam downstream to the Highway 82 (395) Bridge.

(iii) McNary Dam to Priest Rapids Dam:

(A) May 1 through July 31 from Priest Rapids Dam downstream 2.5 miles to the boundary marker on the river bank 400 feet downstream from Priest Rapids Hatchery outlet channel (Jackson Creek).

(B) October 23 through January 31 from the Old Hanford townsite wooden power line towers to Vernita Bridge.

(iv) Chief Joseph Dam upstream:

(A) Columbia River and its tributaries.

(B) Roosevelt Lake and its tributaries.

(b) Snake River Mouth to Ice Harbor Dam: May 1 through July 31 from the downstream end of Goose Island upstream 1.5 miles to Ice Harbor Dam.

(7) The following limits and requirements apply in areas where it is permissible to retain sturgeon:

(a) The daily limit is one white sturgeon.

(b) The possession limit is two daily limits of fresh, frozen, or processed white sturgeon.

(c) The annual personal-use limit for white sturgeon from April 1 through March 31 is two fish, regardless of where the angler takes the sturgeon.

(d) The maximum fork-length is 54 inches.

(e) The minimum fork-length is 38 inches, except the minimum fork-length is 43 inches in:

(i) The mainstem Columbia and its tributaries from The Dalles Dam to Priest Rapids Dam; and

(ii) The Snake River from the Snake River Confluence Protection Area to Ice Harbor Dam.

(f) Once an angler reaches his or her annual limit of white sturgeon, he or she may continue to fish for white sturgeon in the mainstem Columbia River downstream from where the river forms the common boundary between Oregon and Washington, unless otherwise provided by department rule, so long as the angler releases all subsequent sturgeon immediately.

(g) It is unlawful to possess sturgeon eggs in the field without retaining the intact carcass of the fish from which the eggs have been removed.

(8) A violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested sturgeon. If the person has harvested sturgeon, the violation is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the sturgeon are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

(9) It is unlawful to possess sturgeon taken with gear in violation of the provisions of this section. Possession of sturgeon while using gear in violation of the provisions of this section is a rebuttable presumption that the sturgeon were taken with such gear. Possession of such sturgeon is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the sturgeon are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

AMENDATORY SECTION (Amending WSR 13-02-043, filed 12/21/12, effective 1/21/13)

WAC 220-56-360 Razor clams—Areas and seasons. (1) The following areas are defined as razor clam areas:

(a) "Razor Clam Area 1" includes the tidelands and waters of the Pacific Ocean and Willapa Bay between Cape Disappointment and Toke Point, not including the beaches within the Shoalwater Bay Indian Reservation or those tidelands and waters within the boundaries of Razor Clam Area 2;

(b) "Razor Clam Area 2" includes the tidelands and waters of the detached sand spits at the entrance to Willapa Bay west of Ellen Sands, north of the tip of Leadbetter Point and south of the Willapa Bay Ship Channel;

(c) "Razor Clam Area 3" includes the tidelands and waters of the Pacific Ocean, Willapa Bay, and Grays Harbor from Toke Point west and north to the westernmost point of the jetty at the end of Point Brown, not including the beaches within the Shoalwater Bay Indian Reservation;

(d) "Razor Clam Area 4" includes the tidelands and waters of the Pacific Ocean from the westernmost point of the jetty at the end of Point Brown north to the Copalis River;

(e) "Razor Clam Area 5" includes the tidelands and waters of the Pacific Ocean from the Copalis River north to the southern boundary of the Quinault Indian Reservation;

(f) "Razor Clam Area 6" includes the tidelands and waters of the Pacific Ocean from the northern boundary of the Quinault Indian Reservation north to Brown's Point (in the Kalaloch area of Jefferson County);

(g) "Razor Clam Area 7" includes the tidelands and waters of the Pacific Ocean from Brown's Point (in the Kalaloch area of Jefferson County) north to the Bonilla-Tatoosh line at Cape Flattery, not including those beaches that fall within the boundaries of an Indian reservation.

(2) It is unlawful to take, dig for or possess razor clams taken for personal use from any beaches in any razor clam area except as provided by emergency rule.

(3) It is unlawful to dig for razor clams at any time in the Long Beach, Twin Harbors, or Copalis Beach Razor Clam Sanctuaries as defined in WAC ((~~220-56-372~~)) 220-320-130.

(4) Violation of this section is an infraction under RCW 77.15.160, a misdemeanor punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree——Penalty, or a gross misdemeanor under RCW 77.15.370, Unlawful recreational fishing in the first degree——Penalty, depending on whether any razor clams were harvested and the amount harvested.

AMENDATORY SECTION (Amending WSR 12-23-016, filed 11/9/12, effective 12/10/12)

WAC 220-56-365 Razor clams——Unlawful acts. (1) It is unlawful to return any razor clams to the beach or water regardless of size or condition, and all razor clams taken for personal use must be retained by the digger as a part of his or her daily limit.

(2) It is unlawful to drive or operate any motor-propelled vehicle, land any airplane, or ride or lead any horse on the razor clam beds of the state of Washington, as defined in WAC ((~~220-16-257~~)) 220-320-030.

(3) A violation of this section is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending WSR 94-14-069, filed 7/1/94, effective 8/1/94)

WAC 220-56-382 Oysters and clams on private tidelands—Personal use. (1) WAC ((~~220-56-340 through 220-56-355, 220-56-375 through 220-56-380 and 220-56-385~~)) 220-330-120 through 220-330-140 shall not apply to private tideland owners or lessees of state tidelands or immediate family members taking or possessing oysters, clams, cockles, borers and mussels for personal use from their own tidelands or leased state tidelands.

(2) This section shall not apply to razor clams.

AMENDATORY SECTION (Amending WSR 15-11-042, filed 5/14/15, effective 6/14/15)

WAC 220-56-500 Game fish seasons—General rules. It is unlawful to fish for game fish except during the seasons and times below.

(1) Freshwater lakes, ponds and reservoirs: Open year-round except as provided for in WAC ((~~220-310-175~~)) 220-312-010 through ((~~220-310-200~~)) 220-312-060.

(2) Freshwater rivers, streams, and beaver ponds:

(a) Rivers, streams, and beaver ponds that drain into Puget Sound, the Strait of Juan de Fuca, Pacific Ocean (excluding the Columbia River), Grays Harbor, and Willapa Bay are closed to fishing for game fish unless otherwise provided in department rule.

(b) All rivers, streams, and beaver ponds listed in WAC ((~~220-310-175~~)) 220-312-010 through ((~~220-310-200~~)) 220-312-060: Open the first Saturday in June through October 31 except as otherwise provided for in WAC ((~~220-310-175~~)) 220-312-010 through ((~~220-310-200~~)) 220-312-060.

(3) Saltwater (all waters downstream and seaward of the mouths of rivers and streams generally defined in WAC ((~~220-16-245~~)) 220-200-060 and specifically defined in WAC ((~~220-56-105~~)) 220-300-220): Open year-round, except:

(a) Lake Washington Ship Canal - Those waters of Area 10 west of the Lake Washington Ship Canal to a north-south line 175 feet west of the Burlington-Northern Railroad Bridge are closed waters.

(b) Toliva Shoal - Waters within 500 yards of the Toliva Shoal buoy are closed waters from June 16 through April 30.

(c) Freshwater Bay - Waters south of a line from Angeles Point westerly to Observatory Point are closed July 1 through October 31.

(d) Tulalip Bay - Waters of Tulalip Bay east of a line from Hermosa Point to Mission Point are closed waters.

(e) Agate Pass - Waters of Catch Record Card Area 10 west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point are closed to game fish angling from January 1 through March 31; however, a person can fish with gear meeting the

fly-fishing-only requirements of WAC ((~~220-56-210~~)) 220-310-150 as long as he or she does not use lead-core fly line. It is unlawful to retain any fish taken during the period January 1 through March 31.

(f) Those waters of Hood Canal inshore from yellow marker buoys to the mouth of Finch Creek, and waters within the channel created when tidelands are exposed, are closed the entire year.

However, persons with disabilities who permanently use a wheelchair and who have a designated harvester card under WAC ((~~220-55-065~~)) 220-220-240 may fish from the ADA-access site at the Hoodsport Salmon Hatchery, as long as such persons follow all department rules that apply to the adjoining waters of Marine Area 12.

(4) A violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested game fish. If the person has harvested game fish, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the game fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty.

AMENDATORY SECTION (Amending WSR 16-06-073, filed 2/26/16, effective 7/1/16)

WAC 220-56-510 Game fish possession limits and size limits. It is unlawful to retain or possess game fish taken in excess of the daily, possession, or license year possession limits, or game fish that do not conform to the size limits provided for in this section, unless otherwise provided for in WAC ((~~220-310-175~~)) 220-312-010 through ((~~220-310-200~~)) 220-312-060.

(1) Daily game fish possession and size limits:

Species	Daily limit	Size limits
Largemouth Bass	5	Release bass 12 to 17 inches in length. Not more than 1 largemouth bass 17 inches in length or greater may be retained.
Smallmouth Bass	10	No minimum size. Not more than one smallmouth bass over 14 inches in length or greater may be retained.
Burbot	5	No size restriction.
Channel catfish	5	No size restriction.
Eastern brook trout	Count as part of the 5 trout daily limit in lakes, ponds and reservoirs.	No size restriction.

Species	Daily limit	Size limits
	Bonus limit in rivers, streams and beaver ponds. Up to 5 trout including Eastern brook trout may be retained, but not more than 2 of which may be trout other than Eastern brook trout.	No size restriction.
	No daily limit for streams listed in WAC ((~~220-310-180 and 220-310-190~~)) 220-312-020 and 220-312-040, unless otherwise provided in those rules.	
Grass carp	Unlawful to retain unless otherwise provided in WAC ((~~220-310-180 and 220-310-190~~)) 220-312-020 and 220-312-040.	Not applicable.
Tiger Muskellunge	1	Minimum size 50 inches in length.
Trout (except Eastern brook trout)	5 from lakes, ponds and reservoirs.	No size restriction.
	2 from rivers, streams, and beaver ponds.	8-inch minimum size.
	The daily trout limit is 5 trout, regardless of origin, of which not more than 2 may be steelhead.	
Walleye	8	12-inch minimum size. Not more than 1 walleye greater than 22 inches in length may be retained.
Whitefish	15	No size restriction.
All other game fish	No limit.	No size restriction.

(2) Possession limit: The game fish possession limit in the field is two daily limits in fresh, frozen or processed form.

(3) Wild steelhead, Dolly Varden, and bull trout: Except as provided for in this section and WAC ((~~220-310-175~~)) 220-312-010 through ((~~220-310-200~~)) 220-312-060, it is unlawful to retain wild steelhead, Dolly Varden, or bull trout.

(4) Saltwater game fish retention: Game fish taken in saltwater may not be retained, except that up to two hatchery steelhead per day may be retained.

NEW SECTION

The following sections of the Washington Administrative Code are decodified and recodified as follows:

Old WAC Number	New WAC Number
220-56-100	220-300-160
220-56-105	220-300-220
220-56-107	220-300-120
220-56-110	220-305-110
220-56-112	220-305-070
220-56-115	220-310-110
220-56-116	220-311-030
220-56-118	220-310-100
220-56-122	220-310-070
220-56-123	220-312-070
220-56-128	220-310-030
220-56-129	220-312-080
220-56-130	220-311-040
220-56-136	220-311-020
220-56-140	220-310-060
220-56-145	220-310-170
220-56-150	220-310-050
220-56-155	220-310-040
220-56-156	220-310-210
220-56-160	220-310-130
220-56-165	220-310-140
220-56-175	220-310-020
220-56-180	220-313-010
220-56-185	220-311-010
220-56-193	220-610-020
220-56-194	220-610-030
220-56-195	220-313-020
220-56-196	220-313-030
220-56-197	220-313-040
220-56-199	220-313-050
220-56-200	220-353-140

220-56-210	220-310-150
220-56-215	220-312-090
220-56-220	220-313-090
220-56-230	220-314-010
220-56-235	220-314-020
220-56-240	220-310-160
220-56-250	220-314-040
220-56-255	220-314-030
220-56-262	220-313-080
220-56-265	220-315-010
220-56-267	220-315-020
220-56-270	220-315-030
220-56-275	220-315-040
220-56-280	220-312-110
220-56-282	220-316-010
220-56-285	220-311-050
220-56-310	220-330-010
220-56-315	220-330-100
220-56-317	220-330-060
220-56-318	220-330-030
220-56-320	220-330-020
220-56-325	220-330-070
220-56-326	220-330-080
220-56-330	220-330-040
220-56-335	220-330-050
220-56-336	220-330-090
220-56-350	220-330-110
220-56-355	220-330-120
220-56-360	220-330-160
220-56-365	220-330-170
220-56-372	220-320-130
220-56-375	220-330-130
220-56-380	220-330-140
220-56-382	220-330-150
220-56-390	220-330-180
220-56-500	220-310-080
220-56-510	220-310-090

AMENDATORY SECTION (Amending WSR 16-06-073, filed 2/26/16, effective 7/1/16)

WAC 220-310-175 Freshwater exceptions to statewide rules—General rules. The following provisions and definitions apply to this section through WAC ((~~220-310-200~~)) 220-312-060.

(1) It is unlawful to fish for, take, or possess salmon from freshwater streams and lakes that are not specifically listed as open for salmon fishing.

(2) Waters listed as open during a specific date range that do not reference a particular species are open during the date range for game fish only.

(3) Rivers, streams, and beaver ponds are closed to fishing unless specifically listed as open.

(4) All limits are daily limits, unless otherwise provided.

(5) Within Puget Sound, beaver ponds located within or adjoining streams that are listed as open to trout and other game fish follow the same rules as the stream, except as otherwise provided.

(6) It is permissible to retain up to two hatchery steelhead in waters where the season is open for game fish or salmon in WAC ((~~220-310-180 and 220-310-190~~)) 220-312-020 and 220-312-040, unless explicitly listed as closed to hatchery steelhead in WAC ((~~220-310-180 and 220-310-190~~)) 220-312-020 and 220-312-040.

(7) A "float" or "bobber" means a hookless, floating device that is attached to or slides along the mainline or leader above the hook(s) for the purpose of suspending hook(s) (which are not part of the bait, lure, or fly) off the bottom of the stream or lake and visually signal (from the surface of the water) a fish's strike at the hook(s).

(8) "Lead jig" means a lure consisting of a hook permanently or temporarily attached directly to a lead weight by any method.

(9) "Lead weight" means material constructed of lead and applied to a fishing line or lure and designed to help keep the hook, bait, or lure underwater.

(10) "Unmarked salmon" means salmon without either a clipped ventral fin or a clipped adipose fin as evidenced by a healed scar.

(11) Kokanee/sockeye definition for Lake Washington and the Lake Washington Ship Canal in King County: Kokanee and sockeye less than fifteen inches in length are considered kokanee and kokanee and sockeye fifteen inches and over in length are considered sockeye salmon.

(12)(a) A violation of this section through WAC ((~~220-310-200~~)) 220-312-060 is an infraction, punishable under RCW 77.15.160, unless the person has harvested fish. If the person has harvested fish, the violation is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree—Penalty.

(b) Freshwater terminal gear restrictions:

(i) Terminal gear restrictions apply to all species, including salmon, unless otherwise provided.

(ii) In all waters with freshwater terminal gear restrictions including, but not limited to, night closures, selective gear rules, whitefish gear rules, single-point barbless hooks required, fly-fishing only, and anti-snagging rules, violation of the gear rules is an infraction, punishable under RCW 77.15.160.

(iii) It is unlawful to possess fish taken with gear in violation of the freshwater terminal gear restrictions. Possession of fish while using gear in violation of the freshwater terminal gear restrictions is a rebuttable presumption that the fish were taken with such gear. Possession of such fish is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree——Penalty, unless the fish are taken in the amounts or manner to constitute a violation of RCW 77.15.370 Unlawful recreational fishing in the first degree——Penalty.

(13) For sturgeon fishing rules, see WAC ((~~220-56-282~~)) 220-316-010 Sturgeon——Areas, seasons, limits and unlawful acts.

AMENDATORY SECTION (Amending WSR 16-14-045, filed 6/28/16, effective 7/29/16)

WAC 220-310-180 Freshwater exceptions to statewide rules——Coast. (1) **Aberdeen Lake (Grays Harbor County):**

(a) Open the fourth Saturday in April through October 31.

(b) Trout: No more than 2 trout over 15 inches in length may be retained.

(2) **Alder Creek (Pacific County) (Naselle River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(3) **Anderson Lake (Jefferson County):**

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) Open September 1 through October 31:

(i) Selective gear rules apply.

(ii) Trout: Catch and release only.

(4) **Bear Creek (Clallam County) (Bogachiel River tributary):**

(a) Open the first Saturday in June through August 31.

(b) It is unlawful to use anything other than one barbless hook.

(c) It is unlawful to use bait.

(d) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release wild (unclipped) rainbow trout.

(5) **Bear Creek (Clallam County) (Sol Duc River tributary):**

(a) Open the first Saturday in June through August 31.

(b) It is unlawful to use anything other than one barbless hook.

(c) It is unlawful to use bait.

(d) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release wild (unclipped) rainbow trout.

(6) **Bear River (Pacific County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Open the first Saturday in June through March 31.

(c) August 16 through November 30: Night closure in effect.

(i) From the mouth (Highway 101 Bridge) to Lime Quarry Road (approximately two river miles):

(A) August 16 through November 30:
(I) Barbless hooks required.
(II) Anti-snagging rule applies.
(B) Release all fish, except anglers may retain up to 2 hatchery steelhead.
(C) Salmon:
(I) Open September 1 through January 31.
(II) Limit 6 fish; only 4 may be adults.
(III) Release wild Chinook.
(ii) From the Lime Quarry Road upstream to the Longview Fiber Bridge:
(A) Selective gear rules apply.
(B) Release all fish, except anglers may retain up to 2 hatchery steelhead.
(7) **Beaver Creek (Clallam County) (Sol Duc River tributary):**
(a) From the mouth upstream to Beaver Falls:
(i) Open the first Saturday in June through August 31.
(ii) It is unlawful to use anything other than one barbless hook.
(iii) It is unlawful to use bait.
(iv) Trout:
(A) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(B) Release wild (unclipped) rainbow trout.
(b) From Beaver Falls upstream to Beaver Lake: Open the first Saturday in June through October 31.
(8) **Beaver Lake (Clallam County):**
(a) Selective gear rules apply.
(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(c) Trout: Maximum length 12 inches.
(9) **Big Creek (Grays Harbor County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(10) **Big River (Clallam County), outside of Olympic National Park:**
(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
(b) Open the first Saturday in June through October 15, and January 1 through the last day of February.
(c) Selective gear rules apply.
(d) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(e) Trout:
(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(ii) Release kokanee.
(11) **Black Creek (Grays Harbor County) (Wynoochee River tributary):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(12) **Black Lake (Pacific County):** Open the fourth Saturday in April through October 31.
(13) **Black River (Grays Harbor/Thurston counties):**
(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to State Highway 12:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) From Highway 12 to bridge on 128th Ave. S.W.:

(i) Anti-snagging rule applies.

(ii) Night closure in effect.

(iii) Barbless hooks are required.

(iv) Open for game fish the first Saturday in June through October 31; trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(d) From bridge on 128th Avenue S.W. (west of Littlerock) to Black Lake:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(14) **Bogachiel River (Clallam County):**

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) Release wild (unclipped) rainbow trout.

(c) It is unlawful to use anything other than one barbless hook.

(d) From the mouth to mouth of Mill Creek:

(i) Open the first Saturday in June through August 31 and November 16 through April 30.

(ii) It is unlawful to use bait the first Saturday in June through September 30 and February 16 through April 30.

(iii) Trout:

(A) From the first Saturday in June through August 31 and November 16 through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(B) From April 1 through April 30: Trout minimum length 14 inches.

(C) November 16 through last day in February: The limit may include one additional hatchery steelhead.

(iv) Salmon open July 1 through August 31 and November 16 through 30:

(A) From July 1 through August 31:

(I) Limit 6; no more than 2 adults may be retained.

(II) Release wild adult Chinook and wild adult coho.

(B) From November 16 through November 30: Limit one; release wild coho.

(e) From the mouth of Mill Creek to the Highway 101 Bridge:

(i) Open the first Saturday in June through August 31 and December 1 through April 30.

(ii) It is unlawful to use bait the first Saturday in June through September 30 and February 16 through April 30.

(iii) Trout:

(A) From the first Saturday in June through August 31 and December 1 through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(B) From April 1 through April 30: Trout minimum length 14 inches.

(C) December 1 through last day in February: The limit may include one additional hatchery steelhead.

(iv) Salmon open July 1 through August 31.

(I) Limit 6; no more than 2 adults may be retained.

(II) Release wild adult Chinook and wild adult coho.

(f) From Highway 101 Bridge to Olympic National Park boundary:

(i) Open the first Saturday in June through August 31 and December 1 through April 30.

(ii) It is unlawful to use bait.

(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

(15) **Bone River (Pacific County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(16) **Bunker Creek (Lewis County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(17) **Butte Creek (Pacific County) (Smith River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(18) **Calawah River (Clallam County):**

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) Release wild (unclipped) rainbow trout.

(c) It is unlawful to use anything other than one barbless hook.

(d) From the mouth to the Highway 101 Bridge:

(i) Open the first Saturday in June through August 31 and November 16 through April 30.

(ii) It is unlawful to use bait the first Saturday in June through September 30 and February 16 through April 30.

(iii) Trout:

(A) From the first Saturday in June through August 31 and November 16 through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(B) From April 1 through April 30: Trout minimum length 14 inches.

(C) From November 16 through the last day in February: The limit may include one additional hatchery steelhead.

(iv) Salmon open July 1 through August 31 and November 16 through November 30:

(A) From July 1 through August 31:

(I) Limit 6; only 2 adults may be retained.

(II) Release wild adult Chinook and wild adult coho.

(B) From November 16 through November 30: Limit one; release wild coho.

(e) From the Highway 101 Bridge to the forks:

(i) Open the first Saturday in June through August 31 and December 1 through April 30.

(ii) It is unlawful to use bait.

(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

(19) **Calawah River, North Fork (Clallam County):**

(a) Open the first Saturday in June through August 31.

(b) It is unlawful to use anything other than one barbless hook.

(c) It is unlawful to use bait.

(d) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release wild (unclipped) rainbow trout.

(20) **Calawah River, South Fork (Clallam County):**

(a) Open the first Saturday in June through August 31 and December 1 through the last day in February from the mouth to the Olympic National Park boundary.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) It is unlawful to use anything other than one barbless hook.

(d) It is unlawful to use bait.

(e) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release wild (unclipped) rainbow trout.

(21) **Cases Pond (Pacific County):**

(a) Open the fourth Saturday in April through November 30 to juvenile anglers only.

(b) Landlocked salmon rules apply.

(22) **Cedar Creek (Clallam County), outside of Olympic National Park:**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Open the first Saturday in June through October 31.

(c) Selective gear rules apply.

(d) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(23) **Cedar Creek (Grays Harbor/Thurston counties) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(24) **Cedar Creek (Jefferson County), outside Olympic National Park:**

(a) Open the first Saturday in June through the last day in February.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(25) **Cedar River (Pacific County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(26) **Chehalis River (Grays Harbor County), including all channels, sloughs, and interconnected waterways:**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (Highway 101 Bridge in Aberdeen) to South Elma Bridge (Wakefield Road) including all channels, sloughs, and interconnected waterways:

(i) All species August 1 through November 30:

(A) Single-point barbless hooks are required.

(B) Anglers may fish with two poles from the mouth to the South Elma Bridge (Wakefield Road), provided they possess a valid two-pole endorsement.

(ii) Game fish:

(A) Open the first Saturday in June through April 15:

(B) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(iii) Salmon:

(A) Open April 16 through June 30: Limit one salmon.

(B) Open August 1 through September 15:

(I) Limit 6.

(II) Release adult salmon.

(C) September 16 through January 31:

(I) Limit 6; only one adult may be retained.

(II) Release wild Chinook and wild coho.

(c) From South Elma Bridge (Wakefield Road) to the Porter Boat Launch:

(i) All species: Single-point barbless hooks are required August 1 through November 30.

(ii) Game fish:

(A) Open the first Saturday in June through April 15.

(B) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(iii) Salmon:

(A) Open April 16 through June 30: Limit one salmon.

(B) Open August 1 through September 15:

(I) Limit 6.

(II) Release adult salmon.

(C) Open September 16 through January 31:

(I) Limit 6; only one adult may be retained.

(II) Release wild Chinook and wild coho.

(d) From Porter Boat Launch to the Highway 6 Bridge in the town of Adna:

(i) All species August 16 through November 30: Single-point barb–less hooks are required.

(ii) Game fish:

(A) Open the first Saturday in June through April 15:

(B) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(iii) Salmon:

(A) Open April 16 through June 30: Limit one salmon.

(B) Open September 16 through January 31:

(I) Limit 6; only one adult may be retained.

(II) Release wild Chinook, wild coho, and chum.

(e) From the Highway 6 Bridge in the town of Adna to the high bridge on Weyerhaeuser 1000 line approximately 400 yards downstream of Roger Creek (south of Pe Ell):

(i) All species August 16 through November 30: Single-point barb–less hooks are required.

(ii) Game fish:

(A) Open the first Saturday in June through April 15.

(B) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(iii) Salmon:
(A) Open September 16 through January 31:
(I) Limit 6; only one adult may be retained.
(II) Release Chinook, wild coho, and chum.
(f) From high bridge on Weyerhaeuser 1000 line (approximately 400 yards downstream from Roger Creek, south of Pe Ell, including all forks) upstream:
(i) Open the first Saturday in June through April 15.
(ii) Selective gear rules apply.
(iii) Release all fish, except anglers may retain up to 2 hatchery steelhead.
(27) **Chehalis River, South Fork (Lewis County):**
(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
(b) From the mouth to County Highway Bridge near Boistfort School:
(i) Open the first Saturday in June through April 15.
(ii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(c) From the County Highway Bridge near Boistfort School, upstream:
(i) Open the first Saturday in June through October 31.
(ii) Selective gear rules apply.
(28) **Chenois Creek (Grays Harbor County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(29) **Chester Creek (Grays Harbor County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(30) **Chimacum Creek (Jefferson County):**
(a) From the mouth to Ness's Corner Road:
(i) Open the first Saturday in June through August 31.
(ii) Selective gear rules apply.
(iii) Catch and release only.
(b) From Ness's Corner Road to headwaters:
(i) Open the first Saturday in June through October 31.
(ii) Selective gear rules apply.
(iii) Catch and release only.
(31) **Clallam River (Clallam County):**
(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
(b) Open the first Saturday in June through January 31.
(c) Selective gear rules apply from the first Saturday in June through October 31.
(d) From the first Saturday in June through October 31: Catch and release only.
(e) Trout: Minimum length 14 inches.
(32) **Clearwater River (Jefferson County):**
(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(b) It is unlawful to use anything other than one barbless hook.
(c) Release wild (unclipped) rainbow trout.
(d) From the mouth to Snahapish River:
(i) Open the first Saturday in June through August 31 and December 1 through April 15:

(ii) It is unlawful to use bait the first Saturday in June through September 30 and February 16 through April 15.

(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(e) From Snahapish River upstream:

(i) Open the first Saturday in June through August 31.

(ii) It is unlawful to use bait.

(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

(33) **Cloquallum Creek (Grays Harbor County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the outlet at Stump Lake:

(i) Open the first Saturday in June through the last day in February.

(ii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

(c) From the outlet at Stump Lake upstream:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(34) **Coal Creek (Clallam County) tributary to Ozette River, outside the Olympic National Park boundary:**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

(ii) Release kokanee.

(35) **Connor Creek (Grays Harbor County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(36) **Cook Creek (Grays Harbor County), from the Quinault Indian Reservation boundary upstream:**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(37) **Copalis River (Grays Harbor County):**

(a) General river rules:

(i) From the first Saturday in June through last day in February: Open for game fish.

(ii) It is permissible to retain hatchery steelhead with a dorsal fin height of less than 2 1/8 inches or with an adipose or ventral fin clip.

(b) Rules by river section:

(i) From the mouth to Carlisle Bridge:

(A) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(B) Salmon:
(I) Open October 1 through January 31.
(II) Limit 6; only one adult salmon may be retained.
(III) Release adult Chinook and chum.
(ii) From Carlisle Bridge upstream: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(38) **Crim Creek (Lewis County) (Chehalis River tributary):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(39) **Crocker Lake (Jefferson County):** Closed.
(40) **Crooked Creek (Clallam County) and tributaries that are outside of Olympic National Park:**
(a) Open the first Saturday in June through October 15.
(b) Selective gear rules apply.
(c) Trout:
(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(ii) Release kokanee.
(41) **Damon Lake (Grays Harbor County):** Open the first Saturday in June through October 31.
(42) **Deep Creek (Clallam County) (Humptulips River tributary):**
(a) Open December 1 through January 31.
(b) Selective gear rules apply.
(c) Release all fish, except mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
(43) **Deep Creek (Grays Harbor County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(44) **Delezene Creek (Grays Harbor County) (Chehalis River tributary):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(45) **Dickey River (Clallam County):**
(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(b) Release wild (unclipped) rainbow trout.
(c) It is unlawful to use anything other than one barbless hook.
(d) From Olympic National Park boundary upstream to the confluence of the East and West forks:
(i) Open the first Saturday in June through August 31 and December 1 through April 30.
(ii) It is unlawful to use bait the first Saturday in June through September 30 and February 16 through April 30.
(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(iv) Salmon open July 1 through August 31:
(I) Limit 6; only 2 adult salmon may be retained.
(II) Release wild adult Chinook and wild adult coho.
(e) From the confluence of the East and West forks upstream (for both forks):
(i) Open the first Saturday in June through August 31 and December 1 through April 30.
(ii) It is unlawful to use bait.

(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(46) **Donkey Creek (Grays Harbor County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(47) **Duck Lake (Grays Harbor County):**

(a) Crappie: No limit and no minimum length.

(b) Grass carp: No limit for anglers and bow and arrow fishing.

(48) **Dungeness River (Clallam County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the forks at Dungeness Forks Campground:

(i) Open October 6 through January 31.

(ii) Trout: Minimum length 14 inches.

(iii) Salmon:

(A) Open only from the mouth to the hatchery intake pipe at river mile 11.3 from October 16 through December 31.

(B) Limit 4 coho only.

(c) From Gold Creek upstream: Open the Saturday before Memorial Day through October 31.

(49) **East Twin River (Clallam County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(50) **Eight Creek (Lewis County) (tributary to Elk Creek, which is a Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(51) **Elk Creek (Clallam County), outside of Olympic National Park:**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(c) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release kokanee.

(52) **Elk Creek (Lewis County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(53) **Elk Lake (Clallam County):**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(c) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release kokanee.

(54) **Elk River (Grays Harbor County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (Highway 105 Bridge) to the confluence of the middle branch:

(i) Open the first Saturday in June through the last day in February.

(ii) From August 16 through November 30: Single-point barbless hooks are required.

(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) From confluence of the middle branch upstream:

(i) Open the first Saturday in June through the last day in February.

(ii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(55) **Elkhorn Creek (Pacific County) (Smith Creek tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(56) **Ellis Creek (Pacific County) (Willapa River tributary):**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(57) **Ellsworth Creek (Pacific County) (Naselle River tributary):**

(a) Open the first Saturday in June through September 30.

(b) Selective gear rules apply.

(58) **Failor Lake (Grays Harbor County):**

(a) Open the fourth Saturday in April through October 31.

(b) Trout: It is unlawful to retain more than two trout over 15 inches in length per day.

(59) **Fairchild Creek (Pacific County) (Wilson Creek tributary, which is a Willapa River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(60) **Fall River (Pacific County) (North River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(61) **Falls Creek (Pacific County) (Willapa River tributary):**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(62) **Fern Creek (Pacific County) (Willapa River tributary):**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(63) **Finn Creek (Pacific County) (North Nemah River tributary):** Open the first Saturday in June through October 31.

(64) **Fork Creek (Pacific County) (Willapa River tributary):**

(a) From Forks Creek Hatchery rack upstream 500 feet at fishing boundary sign:

(i) Open only for anglers with lower extremity disabilities who must permanently use a medically prescribed assistive device every time for mobility as defined in WAC ((~~232-12-825(1)~~)) 220-413-150 and possess a designated harvester companion card.

(ii) Night closure in effect.

(iii) From October 1 through November 30:

(A) Single-point barbless hooks are required.

(B) Stationary gear restriction applies.

(iv) Open the first Saturday in June through July 15 and October 1 through March 31: Release all fish, except anglers may retain up to 2 hatchery steelhead.

(v) Salmon open October 1 through January 31.

(A) From October 1 through November 30:

(I) Limit 6; only 3 adults may be retained, and only 2 may be wild adult coho.

(II) Release wild Chinook.

(B) From December 1 through January 31:

(I) Limit 6; only 2 adults may be retained, and only one may be a wild adult coho.

(II) Release wild Chinook.

(b) From the fishing boundary sign 500 feet above Forks Creek Hatchery rack upstream to the source:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(65) **Garrard Creek (Grays Harbor County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(66) **Gibbs Lake (Jefferson County):**

(a) Selective gear rules apply.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Trout: Catch and release only.

(67) **Goodman Creek (Jefferson County), outside Olympic National Park:**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Open the first Saturday in June through the last day in February.

(c) Selective gear rules apply.

(d) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(68) **Grass Creek (Grays Harbor County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(69) **Gray Wolf River (Clallam County):** From the bridge at river mile 1.0, upstream:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(70) **Halfmoon Creek (Pacific County) (Willapa River tributary):**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(71) **Halfway Creek (Lewis County) (tributary of Stillman Creek, which is a Chehalis River tributary):**

(a) Open the first Saturday in June through October 31 from the mouth to the second bridge crossing on Pe Ell McDonald Road.

(b) Selective gear rules apply.

(72) **Hanaford Creek (Lewis County) (Skookumchuck River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(73) **Harris Creek (Grays Harbor County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Trout: Selective gear rules apply.

(74) **Hoh River (Jefferson County):**

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) Release wild (unclipped) rainbow trout.

(c) It is unlawful to use anything other than one barbless hook.

(d) From the Olympic National Park boundary upstream to the DNR Oxbow Campground Boat Launch:

(i) Open August 1 through October 10 and November 21 through April 15.

(A) From August 1 through October 10 and November 21 through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(B) From April 1 through April 15: Trout minimum length 14 inches.

(C) From November 21 through February 15: The trout limit may include one additional hatchery steelhead.

(ii) It is unlawful to use bait the first Saturday in June through September 30 and February 16 through April 15.

(iii) Salmon open September 1 through October 10 and November 21 through November 30: Limit 6; only one adult may be retained. Release wild coho.

(e) From the DNR Oxbow Campground Boat Launch to Morgans Crossing Boat Launch site:

(i) Open August 1 through October 10 and November 21 through April 15.

(ii) It is unlawful to use bait.

(iii) From August 1 through April 15: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(iv) Salmon open November 21 through November 30: Limit 6; only one adult may be retained. Release wild coho.

(f) From Morgan's Crossing Boat Launch upstream to the Olympic National Park boundary below mouth of South Fork Hoh River:

(i) Open August 1 through October 10 and November 21 through April 15.

(ii) It is unlawful to use bait.

(iii) It is unlawful to fish from a floating device.

(iv) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(75) **Hoh River, South Fork (Jefferson County), outside the Olympic National Park boundary:**

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) Open August 1 through October 10 and November 21 through April 15.

(c) It is unlawful to use anything other than one barbless hook.

(d) It is unlawful to use bait.

(e) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release wild (unclipped) rainbow trout.

(76) **Hoko River (Clallam County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the upper Hoko Bridge:

(i) Closed to fishing from the hatchery ladder downstream 100 feet.

(ii) Open the first Saturday in June through March 15. Open to fly fishing only September 1 through October 31, except mandatory retention of hatchery steelhead.

(iii) Trout: Minimum length fourteen inches.

(c) From the upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5):

(i) Open the first Saturday in June through March 31 to fly fishing only, except mandatory retention of hatchery steelhead.

(ii) Release all fish except anglers may retain up to two hatchery steelhead, except mandatory retention of hatchery steelhead.

(77) **Hoquiam River, including West Fork (Grays Harbor County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (Highway 101 Bridge on Simpson) to Dekay Road Bridge (West Fork):

(i) August 16 through November 30: Single-point barbless hooks are required.

(ii) Open the first Saturday in June through the last day of February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) From Dekay Road Bridge upstream:

(i) Open the first Saturday in June through the last day of February.

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(78) **Hoquiam River, East Fork (Grays Harbor County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the confluence of Berryman Creek:

(i) August 16 through November 30: Single-point barbless hooks are required.

(ii) Open the first Saturday in June through the last day of February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) From the confluence of Berryman Creek upstream to Youman's Road Bridge:

(i) Open the first Saturday in June through the last day of February.

(ii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(79) **Hoquiam River, Middle Fork (Grays Harbor County):** From the mouth upstream:

(a) Open the first Saturday in June through last day of October.

(b) Selective gear rules apply.

(80) **Horseshoe Lake (Jefferson County):**

(a) Open the fourth Saturday in April through October 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Trout: Limit one.

(81) **Howe Creek (Jefferson County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.
(c) Catch and release only.
(82) **Humptulips River (Grays Harbor County):**
(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
(b) From the mouth (Jessie Slough) to the Highway 101 Bridge, including all channels, sloughs, and interconnected waterways:
(i) From August 16 through November 30:
(A) Night closure in effect.
(B) Single-point barbless hooks are required.
(ii) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(iii) Salmon open September 1 through January 31:
(A) From September 1 through September 30:
(I) Limit 6; only 2 adults may be retained, and only one may be a wild adult Chinook.
(II) Release wild coho.
(B) From October 1 through November 15:
(I) Limit 6; only 2 adults may be retained, and only one may be an adult Chinook.
(II) Release wild coho.
(C) From November 16 through January 31:
(I) Limit 6: Only one adult may be retained.
(II) Release Chinook and wild coho.
(c) From the Highway 101 Bridge to the confluence of the East and West forks:
(i) From December 1 through March 31: It is unlawful to fish from a floating device equipped with an internal combustion motor.
(ii) From August 16 through November 30:
(A) Night closure in effect.
(B) Single-point barbless hooks are required.
(iii) Open the first Saturday in June through March 31:
(A) From the first Saturday in June through the last day in February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(B) From March 1 through March 31:
(I) Release all fish, except anglers may retain up to 2 hatchery steelhead.
(II) Selective gear rules apply.
(iv) Salmon open September 1 through January 31:
(A) From September 1 through September 30:
(I) Limit 6; only 2 adults may be retained, and only one may be a wild adult Chinook.
(II) Release wild coho.
(B) From October 1 through November 15:
(I) Limit 6; only 2 adults may be retained, and only one may be an adult Chinook.
(II) Release wild coho.
(C) From November 16 through January 31:
(I) Limit 6; only one adult may be retained.
(II) Release Chinook and wild coho.
(83) **Humptulips River, East Fork (Grays Harbor County):**
(a) From the mouth to the concrete bridge on Forest Service Road 220:

(i) August 16 through October 31: Anti-snagging rule applies and night closure in effect.

(ii) Open the first Saturday in June through October 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(b) From the concrete bridge on Forest Service Road 220 upstream:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(84) **Humptulips River, West Fork (Grays Harbor County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to Donkey Creek:

(i) August 16 through November 30: Anti-snagging rule applies and night closure in effect.

(ii) Open the first Saturday in June through March 31:

(A) From the first Saturday in June through the last day in February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(B) From March 1 through March 31:

(I) Selective gear rules apply.

(II) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(III) Release all fish, except anglers may retain up to 2 hatchery steelhead.

(c) From Donkey Creek upstream:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(85) **Independence Creek (Grays Harbor County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(86) **Jimmy-Come-Lately Creek (Clallam County):**

(a) From the mouth to confluence with East Fork:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) Catch and release only.

(b) From confluence with East Fork upstream, including East Fork: Open the first Saturday in June through October 31.

(87) **Joe Creek (Grays Harbor County):**

(a) From the mouth to Ocean Beach Road Bridge:

(i) August 16 through November 30: Single-point barbless hooks are required.

(ii) Open the first Saturday in June through November 30: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(iii) Salmon open October 1 through November 30:

(A) Limit 6; only one adult may be retained.

(B) Release adult Chinook and chum.

(b) From Ocean Beach Road Bridge upstream:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(88) **Johns River (Grays Harbor County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (Highway 105 Bridge) to Ballon Creek:

(i) August 16 through November 30: Single-point barbless hooks are required.

(ii) Open the first Saturday in June through the last day in February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(c) From Ballon Creek upstream, including North and South Forks:

(i) Open the first Saturday in June through September 30 and December 1 through the last day in February.

(ii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(89) **Jones Creek (Lewis County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(90) **Kalaloch Creek (Jefferson County), outside Olympic National Park:**

(a) Closed within the section posted as the Olympic National Park water supply.

(b) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(c) Open the first Saturday in June through the last day in February:

(i) Selective gear rules apply.

(ii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(91) **Leland Creek (Jefferson County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(92) **Lena Lake, Lower (Jefferson County):** The inlet stream is closed from the mouth upstream to the footbridge (about 100 feet).

(93) **Lincoln Creek, including South Fork (Lewis County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(94) **Lincoln Pond (Clallam County):** Open to juvenile anglers only.

(95) **Little Hoko River (Clallam County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(96) **Little Hoquiam River (Grays Harbor County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(97) **Little North River (Grays Harbor County) (North River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(98) **Little Quilcene River (Jefferson County):**

(a) From the mouth to the Little Quilcene River Bridge on Penny Creek Road:

(i) Open the first Saturday in June through October 31.

(ii) From the mouth to Highway 101 Bridge: Open first Saturday in June through August 31.

(iii) Selective gear rules apply.

(iv) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(v) Catch and release only.

(b) From Little Quilcene River Bridge on Penny Creek Road upstream: Open the first Saturday before Memorial Day through October 31.

(99) **Long Beach Peninsula waterways and lakes (Pacific County):** Open the fourth Saturday in April through October 31.

(100) **Loomis Lake (Pacific County):** Open the fourth Saturday in April through October 31.

(101) **Loomis Pond (Grays Harbor County):** Closed.

(102) **Lower Salmon Creek (Grays Harbor/Pacific counties) (North River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(103) **Lucas Creek (Lewis County) (tributary to the Newaukum River North Fork):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(104) **Ludlow Creek (Jefferson County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(105) **Ludlow Lake (Jefferson County):** Open the fourth Saturday in April through October 31.

(106) **Lyre River (Clallam County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to falls near river mile 3:

(i) Open the first Saturday in June through January 31.

(ii) Trout: Minimum length 14 inches.

(c) From the falls to the Olympic National Park boundary:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) Catch and release only, except mandatory hatchery steelhead retention applies.

(107) **Matheny Creek (Jefferson County) (Queets River tributary), outside Olympic National Park:**

(a) Open the first Saturday in June through August 31.

(b) It is unlawful to use anything other than one barbless hook.

(c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(d) Release wild (unmarked) rainbow trout.

(108) **McDonald Creek (Clallam County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(109) **Middle Nemah River (Pacific County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth upstream to the department of natural resources bridge on the Middle Nemah A-Line Road:

(i) Open the first Saturday in June through March 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(ii) August 1 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(iii) Salmon:

(A) Open September 1 through January 31.

(B) Limit 6; no more than 4 adults may be retained.

(C) Release wild Chinook.

(c) From the department of natural resources bridge on the Middle Nemah A-Line Road upstream:

(i) Open the first Saturday in June through March 31:

(A) Selective gear rules apply.

(B) Release all fish, except mandatory retention of hatchery steelhead.

(ii) August 16 through November 30: Anti-snagging rule applies and night closure in effect.

(110) **Mill Creek (Pacific County) (Willapa River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(111) **Mill Creek Pond (Grays Harbor County):** Open to juvenile anglers only.

(112) **Mitchell Creek (Lewis County) (tributary to the Newaukum River North Fork):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(113) **Moclips River (Grays Harbor County):**

(a) Open from the mouth to the Quinault Indian Reservation boundary from the first Saturday in June through the last day in February.

(b) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) It is permissible to retain steelhead with a dorsal fin height of less than 2 1/8 inches or with an adipose or ventral fin clip.

(114) **Morse Creek (Clallam County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to Port Angeles Dam:

(i) Open from December 1 through January 31.

(ii) Trout: Minimum length 14 inches.

(c) From Port Angeles Dam upstream: Open the first Saturday in June through October 31.

(115) **Mosquito Creek (Jefferson County):**

(a) Open outside Olympic National Park upstream to the Goodman 3000 Mainline Bridge from the first Saturday in June through the last day in February.

(b) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(c) Selective gear rules apply.

(d) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length, as part of the limit.

(116) **Mox Chehalis Creek (Grays Harbor County) (Chehalis River tributary):** Open the first Saturday in June through October 31: Selective gear rules apply.

(117) **Naselle River (Pacific/Wahkiakum counties):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Selective gear rules apply February 1 through April 15.

(c) From the Highway 101 Bridge to the Highway 4 Bridge:

(i) From August 1 through November 15:

(A) Night closure in effect.

(B) Anti-snagging rule applies.

(C) Barbless hooks are required.

(D) From the South Fork upstream to the Highway 4 Bridge: Stationary gear restriction applies.

(ii) From Highway 101 Bridge upstream to Highway 401: Anglers may fish with two poles August 1 through January 31, provided they possess a valid two-pole endorsement.

(iii) Open the first Saturday in June through April 15: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iv) Salmon open August 1 through January 31:

(A) From August 1 through October 31:

(I) Limit 6; only 4 adults may be retained.

(II) Release wild Chinook.

(B) From November 1 through January 31:

(I) Limit 6; only 4 adults may be retained and only two adults may be wild coho.

(II) Release wild Chinook.

(d) From the Highway 4 Bridge to the upstream entrance of the Naselle Hatchery Attraction Channel:

(i) Closed waters from the upstream entrance of the hatchery attraction channel downstream 300 feet.

(ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iii) From August 16 through November 15:

(A) Night closure in effect.

(B) Anti-snagging rule applies.

(C) Barbless hooks are required.

(D) Stationary gear rules in effect.

(iv) Open the first Saturday in June through July 31 and September 16 through April 15: Release all fish, except mandatory retention of hatchery steelhead.

(v) Salmon open August 16 through January 31:

(A) From August 16 through September 15:

(I) Limit 6; only 2 adults may be retained.

(II) Release wild Chinook.

(B) From September 16 through October 31:

(I) Limit 6; only 4 adults may be retained.

(II) Release wild Chinook.

(C) From November 1 through January 31:

(I) Limit 6; only 4 adults may be retained and only two may be wild adult coho.

(II) Release wild Chinook.

(e) From the upstream entrance of the Naselle Hatchery Attraction Channel to the Crown Mainline (Salme) Bridge:

(i) The following areas are closed:

(A) From the falls in Sec. 6, T10N, R8W (Wahkiakum Co.) downstream 400 feet.

(B) Downstream of the full spanning concrete diversion structure at the Naselle Hatchery: Closed August 1 through October 15.

(ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iii) From August 1 through November 15:

(A) Night closure in effect.

(B) Anti-snagging rule applies.

(C) Barbless hooks are required.

(D) Stationary gear rules in effect.

(iv) Open the first Saturday in June through April 15: Release all fish, except mandatory retention of hatchery steelhead.

(v) Salmon open October 16 through January 31:

(A) From October 16 through October 31:

(I) Limit 6; only 4 adults may be retained.

(II) Release wild Chinook.

(B) From November 1 through January 31:

(I) Limit 6; only 4 adults may be retained and only two may be wild adult coho.

(II) Release wild Chinook.

(f) From the Crown Mainline (Salme) Bridge to the mouth of the North Fork:

(i) Open the first Saturday in June through April 15: Release all fish except anglers may retain up to 2 hatchery steelhead.

(ii) From August 16 through November 30:

(A) Night closure in effect.

(B) Anti-snagging rule applies.

(g) Upstream from the mouth of the North Fork:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) Release all fish, except mandatory retention of hatchery steelhead.

(118) **North Naselle River (Pacific County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(119) **South Naselle River (Pacific County):**

(a) From the mouth to Bean Creek: Open the first Saturday in June through the last day in February.

(b) From the first Saturday in June through August 15: Selective gear rules apply.

(c) August 16 through November 30: Anti-snagging rule applies and night closure in effect.

(d) Release all fish except anglers may retain up to 2 hatchery steelhead.

(120) **Neil Creek (Grays Harbor County) (Wynoochee River tributary):**

(a) Open from the mouth to USFS 22 Road from the first Saturday in June through October 31.

(b) Selective gear rules apply.

(121) **Newaukum River, including South Fork (Lewis County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to Leonard Road near Onalaska:

(i) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) August 16 through November 30:

(A) Night closure in effect.
(B) Single-point barbless hooks are required.
(iii) Salmon open October 1 through December 31:
(A) Limit 6; only one adult may be retained.
(B) Release Chinook, wild coho, and chum.
(c) From Leonard Road near Onalaska to Highway 508 Bridge near Kearny Creek:
(i) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(ii) August 16 through November 30:
(A) Night closure in effect.
(B) Single-point barbless hooks are required.
(d) From Highway 508 Bridge upstream:
(i) Open the first Saturday in June through October 31.
(ii) Selective gear rules apply.
(iii) Trout: Catch and release only.
(iv) August 16 through October 31: Night closure in effect.
(122) **Newaukum River, Middle Fork (Lewis County), from the mouth to Tauscher Road Bridge:**
(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
(b) Open the first Saturday in June to March 31.
(c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length.
(123) **Newaukum River, North Fork (Lewis County), from the mouth to 400 feet below the Chehalis city water intake:**
(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
(b) Open the first Saturday in June through March 31.
(c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length.
(124) **Newman Creek (Grays Harbor County) (Chehalis River tributary):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(125) **Newskah Creek (Grays Harbor County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(126) **Niawiakum River (Pacific County):** From Highway 101 Bridge to the South Bend/Palix Road Bridge:
(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
(b) August 16 through November 30:
(i) Night closure in effect.
(ii) Single-point barbless hooks are required.
(c) Open the first Saturday in June through November 30.
(d) Salmon open September 1 through November 30.
(i) Limit 6; only 2 adults may be retained.
(ii) Release wild Chinook.
(127) **North Nemah River (Pacific County):**
(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
(b) From Highway 101 Bridge upstream to the bridge on Nemah Valley Road:
(i) Open the first Saturday in June through March 31.

(ii) Release all fish, except mandatory retention of hatchery steelhead and may retain one 15 inch or longer cutthroat trout.
(iii) From August 1 through November 30:
(A) Night closure in effect.
(B) Stationary gear restriction applies.
(C) Single-point barbless hooks are required.
(iv) Salmon open August 1 through January 31.
(A) Limit 6; only 4 adults may be retained.
(B) Release wild Chinook.
(c) From the bridge on Nemah Valley Road upstream to approximately 1.66 miles to the Hancock property line:
(i) Open the first Saturday in June through July 31 and November 16 through March 31.
(ii) Release all fish, except mandatory retention of hatchery steelhead and may retain one 15 inch or longer cutthroat trout.
(iii) From August 16 through November 30:
(A) Anti-snagging rule applies.
(B) Night closure in effect.
(iv) Selective gear rules apply December 1 through March 31.
(d) From the Hancock property line upstream approximately 900 feet to Nemah Hatchery barrier dam:
(i) Closed from bridge at Nemah Hatchery upstream to Nemah Hatchery barrier dam, except open only for salmon for anglers that possess a senior's license (70 years old or older) from August 16 through November 15.
(ii) Open the first Saturday in June through July 31 and November 16 through March 31.
(iii) Release all fish, except mandatory retention of hatchery steelhead and may retain one 15 inch or longer cutthroat trout.
(iv) From August 16 through November 30:
(A) Anti-snagging rule applies.
(B) Night closure in effect.
(v) Selective gear rules apply December 1 through March 31.
(vi) Salmon open only for anglers that possess a senior's license (70 years old or older) from August 16 through November 15.
(A) Limit 6; only 4 adults may be retained.
(B) Release wild Chinook.
(e) From the Nemah Hatchery barrier dam upstream to N-700 Road:
(i) Open the first Saturday in June through March 31.
(ii) Release all game fish, except mandatory retention of hatchery steelhead and may retain one 15 inch or longer cutthroat trout.
(iii) From August 16 through November 30:
(A) Night closure in effect.
(B) Anti-snagging rule applies.
(iv) Selective gear rules apply from December 1 through March 31:
(v) Salmon open October 1 through January 31:
(A) Limit 6; only 4 adults may be retained.
(B) Release wild Chinook.
(f) From the N-700 Road upstream to Cruiser Creek:
(i) Open the first Saturday in June through March 31.
(ii) Release all fish, except mandatory retention of hatchery steelhead and may retain one 15 inch or longer cutthroat trout.
(iii) From August 16 through November 30:
(A) Night closure in effect.
(B) Anti-snagging rule applies.
(iv) Selective gear rules apply from December 1 through March 31.
(128) **North River (Grays Harbor/Pacific counties):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the Highway 105 Bridge to Salmon Creek (located approximately 2 miles upstream from Highway 101):

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through the last day in February: Release all fish, except mandatory retention of hatchery steelhead.

(iii) Salmon open October 1 through January 31:

(A) Limit 6; only 4 adults may be retained.

(B) Release wild Chinook.

(c) From Salmon Creek (located approximately 2 miles upstream from Highway 101) to Fall River:

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Anti-snagging rule applies.

(C) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through the last day in February: Release all fish, except mandatory retention of hatchery steelhead.

(iii) Salmon open October 1 through January 31:

(A) Limit 6; only 4 adults may be retained.

(B) Release wild Chinook.

(d) From Fall River to Raimie Creek:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) Release all fish, except mandatory retention of hatchery steelhead.

(129) **Owens Pond (Pacific County):** The first Saturday in June through October 31 season.

(130) **Palix River, including all forks (Pacific County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the Highway 101 Bridge to the mouth of the Middle Fork:

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through March 31: Release all fish, except mandatory retention of hatchery steelhead.

(iii) Salmon:

(A) Open September 1 through January 31.

(B) Limit 6; only 4 adults may be retained.

(C) Release wild Chinook.

(c) From the confluence with the Middle Fork upstream and all forks, including South Fork Palix and Canon rivers:

(i) August 16 through October 15:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(ii) From the first Saturday in June through August 15, and from December 16 through March 31: Selective gear rules apply.

(iii) Open the first Saturday in June through October 15, and from December 16 through March 31.

(iv) Release all fish, except mandatory retention of hatchery steelhead.

(131) **Palmquist Creek (Clallam County), outside of Olympic National Park:**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(c) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release kokanee.

(132) **Peabody Creek (Clallam County):** Open the first Saturday in June through October 31 to juvenile anglers only.

(133) **Penny Creek (Jefferson County):** Open the first Saturday in June through October 31.

(134) **Petroleum Creek (Clallam County):** From the Olympic National Park boundary upstream:

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(135) **Pheasant Lake (Jefferson County):** Open the fourth Saturday in April through October 31.

(136) **Pilchuck Creek (Clallam County) (Sooes River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(137) **Pioneer Creek (Grays Harbor County) (North River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(138) **Pleasant Lake (Clallam County):** Trout: Kokanee minimum length 6 inches, maximum length 18 inches.

(139) **Porter Creek (Grays Harbor County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(140) **Promised Land Pond (Grays Harbor County):** Open the first Saturday in June through October 31.

(141) **Pysht River (Clallam County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Open the first Saturday in June through January 31.

(c) Selective gear rules apply.

(d) From the first Saturday in June through October 31: Catch and release only.

(e) From November 1 through January 31: Trout minimum length 14 inches.

(142) **Rock Creek (Lewis County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(143) **Stearns Creek (Lewis County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(144) **Stillman Creek (Lewis County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31 from the mouth to water supply pipeline at Mill Creek.

(b) Selective gear rules apply.

(145) **Stowe Creek (Lewis County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(146) **Quigg Lake (Grays Harbor County):**

(a) Open the first Saturday in June through April 15.

(b) Trout: Minimum length 14 inches.

(c) Salmon:

(i) Open October 1 through January 31.

(ii) Limit 6 hatchery coho salmon; only 4 may be adult hatchery coho.

(147) **Quillayute River (Clallam County), outside of Olympic National Park:**

(a) Open January 1 through September 30 and November 16 through December 31.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Release wild (unclipped) rainbow trout.

(d) It is unlawful to use anything other than one barbless hook.

(e) From May 1 through the Friday before the first Saturday in June: Release all fish except anglers may retain up to 2 hatchery steelhead.

(f) From the first Saturday in June through September 30 and November 16 through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(g) From April 1 through April 30: Trout minimum length 14 inches.

(h) From November 16 through the last day in February: Anglers may retain one additional hatchery steelhead as part of the limit.

(i) Salmon: Open February 1 through September 30 and November 16 through November 30:

(i) From February 1 through August 31:

(A) Limit 6; only 2 adults may be retained.

(B) Release wild adult Chinook and wild adult coho.

(ii) From September 1 through September 30 and November 16 through November 30:

(A) Limit 2; only one may be a Chinook.

(B) Release wild coho.

(148) **Quinault River (Grays Harbor County):** From the mouth at the upper end of Quinault Lake upstream to the Olympic National Park boundary:

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) Open the first Saturday in June through April 15.

(c) Release wild (unclipped) rainbow trout.

(d) It is unlawful to use anything other than one barbless hook.

(e) It is unlawful to use bait the first Saturday in June through September 30 and February 16 through April 15.

(f) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(g) Salmon open July 1 through November 30:

(i) From July 1 through September 30 limit 6 jack salmon only.

(ii) From October 1 through November 30:

(A) Limit 6; only 2 adults may be retained.

(B) Release sockeye and chum.

(149) **Quinn Creek (Clallam County), outside of Olympic National Park:**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(c) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release kokanee.

(150) **Radar Ponds (Pacific County):** Salmon: Landlocked salmon rules apply.

(151) **Raimie Creek and all forks (Pacific County) (North River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(152) **Ripley Creek (Jefferson County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(153) **Rock Creek (Grays Harbor County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(154) **Rocky Brook (Jefferson County) (Dosewallips River tributary):** From the falls 1000 feet upstream of the mouth: Open the first Saturday in June through October 31.

(155) **Rue Creek, including West Fork (Pacific County) (South Fork Willapa tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(156) **Salmon Creek (Grays Harbor County) (North River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(157) **Salmon Creek (Pacific County) (tributary of Naselle River):**

(a) Open the first Saturday in June through the last day in February.

(b) Selective gear rules apply.

(c) Release all fish except anglers may retain up to 2 hatchery steelhead.

(158) **Salmon River (Jefferson County), outside Olympic National Park and the Quinault Indian Reservation:**

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) It is unlawful to use anything other than one barbless hook.

(c) Open the first Saturday in June through September 30 and December 1 ((~~though~~)) through the last day in February:

(i) It is unlawful to use bait the first Saturday in June through August 31.

(ii) Release wild (unclipped) rainbow trout.

(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(iv) It is permissible to retain steelhead with a dorsal fin height of less than 2 1/8 inches or with an adipose or ventral fin clip.

(d) Salmon season open September 1 through September 30:

(i) Limit 2; only one may be Chinook.

(ii) Release wild coho.

(159) **Salt Creek (Clallam County):** From the mouth to the bridge on Highway 112:

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Open the first Saturday in June through January 31.

(c) Selective gear rules apply.

(d) First Saturday in June through October 31: Catch and release only, except mandatory retention of hatchery steelhead.

(e) November 1 through January 31: Anglers may retain up to 2 hatchery steelhead.

(160) **Sand Creek (Grays Harbor County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(161) **Sandyshore Lake (Jefferson County):** Open the fourth Saturday in April through October 31.

(162) **Satsop Lakes (Grays Harbor County):** Open the fourth Saturday in April through October 31.

(163) **Satsop River and East Fork (Grays Harbor County):**

(a) From the mouth to the bridge at Schafer State Park:

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(iii) Salmon open September 16 through December 31:

(A) Limit 6; only one adult may be retained.

(B) Release wild adult Chinook, and wild coho.

(b) From the bridge at Schafer State Park upstream to 400 feet below Bingham Creek Hatchery barrier dam:

(i) Open the first Saturday in June through October 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Open August 16 through October 31:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(c) From 400 feet downstream of the Bingham Creek Hatchery barrier dam upstream to the dam:

(i) Open within posted markers to anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card.

(ii) Night closure in effect.

(iii) From August 16 through October 31: Single-point barbless hooks are required.

(iv) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(v) Salmon open September 16 through December 31:
(A) Limit 6; only one adult may be retained.
(B) Release wild adult Chinook and wild coho.
(d) From the Bingham Creek Hatchery dam upstream:
(i) Open the first Saturday in June through October 31.
(ii) Selective gear rules apply.
(iii) August 16 through October 31: Night closure in effect.
(164) **Satsop River, Middle Fork (Turnow Branch):**
(a) From the mouth to Cougar Smith Road:
(i) From August 16 through November 30:
(A) Anti-snagging rule applies.
(B) Night closure in effect.
(ii) Open the first Saturday in June through the last day in February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(b) From Cougar Smith Road upstream:
(i) Open the first Saturday in June through October 31.
(ii) Selective gear rules apply.
(iii) August 16 through October 31:
(A) Night closure in effect.
(B) Anti-snagging rule applies.
(165) **Satsop River, West Fork:**
(a) From the mouth to Cougar Smith Road:
(i) August 16 through November 30:
(A) Anti-snagging rule applies.
(B) Night closure in effect.
(ii) Open the first Saturday in June through the last day in February: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(b) From Cougar Smith Road to USFS 2260 Road Bridge at Spoon Creek:
(i) Open the first Saturday in June through October 31.
(ii) Selective gear rules apply.
(iii) August 16 through October 31: Night closure in effect.
(c) From USFS 2260 Road Bridge at Spoon Creek upstream:
(i) Open the first Saturday in June through October 31.
(ii) Selective gear rules apply.
(iii) Eastern brook trout: No limit; no minimum size. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing.
(166) **Schafer Creek (Grays Harbor County) (Wynoochee River tributary):**
(a) From the mouth to USFS 22 Road:
(b) Open the first Saturday in June through October 31.
(c) Selective gear rules apply.
(167) **Sekiu River (Clallam County):**
(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
(b) From the mouth to the forks:
(i) Open the first Saturday in June through January 31.
(ii) From the first Saturday in June through October 31: Selective gear rules apply.
(iii) November 1 through January 31: Catch and release only, except mandatory retention of hatchery steelhead.

(iv) Trout: Minimum length 14 inches.

(c) From the forks upstream:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) Catch and release only, except mandatory hatchery steelhead retention applies.

(168) **Shine Creek (Jefferson County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(169) **Shye Lake (Grays Harbor County):** Open the first Saturday in June through October 31.

(170) **Siebert Creek (Clallam County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(171) **Silent Lake (Jefferson County):**

(a) Open the fourth Saturday in April through October 31.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(172) **Sitkum River (Clallam County) (Calawah River tributary):**

(a) Open the first Saturday in June through August 31.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) It is unlawful to use anything other than one barbless hook.

(d) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release wild (unclipped) rainbow trout.

(173) **Siwash Creek (Clallam County), outside of Olympic National Park:**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(c) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release kokanee.

(174) **Skookumchuck River (Thurston County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to 100 feet below the outlet of the TransAlta/WDFW steelhead rearing pond located at the base of the Skookumchuck Dam:

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through April 30:

(A) From the first Saturday in June through March 31, trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(B) From April 1 through April 30: Trout minimum length 14 inches.

(iii) Salmon open October 1 through December 31:

(A) Limit 6; only one adult may be retained.

(B) Release Chinook, wild coho, and chum.

(c) From Skookumchuck Reservoir upstream, selective gear rules apply.

(175) **Smith Creek (near North River) (Pacific County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the Highway 101 Bridge:

(i) August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through the last day in February: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) Salmon open October 1 through December 31:

(A) Limit 6; only 3 adults may be retained.

(B) Release wild Chinook.

(c) From the Highway 101 Bridge upstream:

(i) Selective gear rules apply.

(ii) Open the first Saturday in June through the last day in February: Release all fish except anglers may retain up to 2 hatchery steelhead.

(176) **Smith Creek (Pacific County) (Chehalis River tributary):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Open the first Saturday in June through October 31.

(c) Selective gear rules apply.

(177) **Snahapish River (Jefferson County) (Clearwater River tributary):**

(a) Open the first Saturday in June through August 31.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) It is unlawful to use anything other than one barbless hook.

(d) It is unlawful to use bait.

(e) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release wild (unclipped) rainbow trout.

(178) **Sol Duc River (Clallam County):**

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) It is unlawful to use anything other than one barbless hook.

(c) Release wild (unclipped) rainbow trout.

(d) From the mouth to the concrete pump station at the Sol Duc Hatchery: Open July 1 through September 30 and November 16 through June 30.

(i) It is unlawful to use bait July 1 through September 30 and February 16 through April 30.

(ii) May 1 through the Friday before the first Saturday in June: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) From the first Saturday in June through September 30 and November 16 through April 30:

(A) The first Saturday in June through September 30 and November 16 through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(B) April 1 through April 30: Trout minimum length 14 inches.

(C) November 16 through the last day in February: Anglers may retain one additional hatchery steelhead as part of the trout limit.

(iv) Salmon open February 1 through September 30 and November 16 through November 30:

(A) From February 1 through August 31:

(I) Limit 6; only 2 adults may be retained.

(II) Release wild adult Chinook and wild adult coho.

(B) From September 1 through September 30 and November 16 through November 30: Limit 2; only one may be a wild adult. Release wild coho.

(e) From the concrete pump station at Sol Duc Hatchery to the Highway 101 Bridge upstream of Klahowya Campground:

(i) Open the first Saturday in June through August 31 and December 1 through April 30.

(ii) It is unlawful to use bait.

(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(f) From the Highway 101 Bridge upstream of Klahowya Campground to the Olympic National Park boundary:

(i) Open the first Saturday in June through August 31.

(ii) Release all fish, except anglers may retain up to 2 hatchery steelhead.

(iii) It is unlawful to use bait.

(179) **Solberg Creek (Clallam County) (Big River tributary):**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(c) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release kokanee.

(180) **Solleks River (Jefferson County) (Clearwater River tributary):**

(a) Open the first Saturday in June through August 31.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) It is unlawful to use anything other than one barbless hook.

(d) It is unlawful to use bait.

(e) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release wild (unclipped) rainbow trout.

(181) **Sooes River (Tsoo-Yess River) (Clallam County), outside of Makah Indian Reservation:**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Open the first Saturday in June through the last day in February.

(c) From the first Saturday in June through October 31:

(i) Selective gear rules apply.

(ii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(d) Open November 1 through the last day in February: Trout minimum length 14 inches, except it is permissible to retain hatchery

(adipose clipped) trout less than 14 inches in length as part of the limit.

(182) **South Bend Mill Pond (Pacific County):** Open to juvenile anglers only.

(183) **South Creek (Clallam County), outside of Olympic National Park:**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(c) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release kokanee.

(184) **South Nemah River (Pacific County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (Lynn Point, 117 degrees true to opposite shore) to the confluence with Middle Nemah River:

(i) September 1 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through March 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) Salmon:

(A) Open September 1 through January 31.

(B) Limit 6; only 4 adults may be retained.

(C) Release wild Chinook.

(c) From the confluence with the Middle Nemah River upstream to the second Highway 101 Bridge crossing:

(i) Open the first Saturday in June through March 31.

(ii) Selective gear rules apply.

(iii) Release all fish except anglers may retain up to 2 hatchery steelhead.

(185) **Stevens Creek (Grays Harbor County):**

(a) From the mouth to the Highway 101 Bridge:

(i) Closed from the WDFW hatchery outlet downstream 400 feet.

(ii) Open the first Saturday in June through September 30 and December 1 through the last day in February.

(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(b) From the Highway 101 Bridge upstream to the Newbury Creek Road Bridge:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(186) **Sutherland Lake (Clallam County):**

(a) Open the fourth Saturday in April through October 31.

(b) Trout: Minimum length 6 inches and maximum length 18 inches.

(187) **Sylvia Creek (Grays Harbor County) (Wynoochee River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(188) **Sylvia Lake (Grays Harbor County):** It is unlawful to retain more than 2 trout over 15 inches in length.

(189) **Tarboo Creek (Jefferson County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(190) **Tarboo Lake (Jefferson County):**

(a) Open the fourth Saturday in April through October 31.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(191) **Teal Lake (Jefferson County):**

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) Selective gear rules apply.

(c) Trout: Limit one.

(192) **Thorndyke Creek (Jefferson County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(193) **Thunder Creek (Clallam County) (Tributary to East Fork Dickey River):**

(a) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(b) It is unlawful to use anything other than one barbless hook.

(c) It is unlawful to use bait.

(d) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release wild (unclipped) rainbow trout.

(e) From mouth to D2400 Road: Game fish season open the first Saturday in June through August 31 and December 1 through April 30.

(f) From D2400 Road upstream: Open the first Saturday in June through August 31.

(194) **Trap Creek (Pacific County) (Willapa River tributary):**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(195) **Trout Creek (Clallam County) (Big River tributary):**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(c) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release kokanee.

(196) **Twin Lake (Jefferson County):** Open the fourth Saturday in April through October 31.

(197) **Umbrella Creek (Clallam County), outside Olympic National Park, including tributaries:**

(a) Open the first Saturday in June through October 15.

(b) Selective gear rules apply.

(c) Trout:

(i) Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Release kokanee.

(198) **Valley Creek (Clallam County):** Open the first Saturday in June through October 31 to juvenile anglers only.

(199) **Vance Creek (Grays Harbor County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(200) **Vance Creek/Elma Ponds (Grays Harbor County), Pond One (Bowers Lake) and Pond Two (Lake Ines):**

(a) Pond One/Bowers Lake is open only to juvenile anglers, seniors, and anglers with a disability who possess a designated harvester companion card.

(b) Open the fourth Saturday in April through November 30:

(i) Anglers may not retain more than 2 trout over 15 inches in length.

(ii) Landlocked salmon rules apply.

(201) **Van Winkle Creek (Grays Harbor County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) August 16 through November 30:

(i) Night closure in effect.

(ii) Anti-snagging rule applies.

(c) From the mouth to 400 feet below the outlet of Lake Aberdeen Hatchery:

(i) Open the first Saturday in June through January 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(ii) Salmon open September 16 through January 31:

(A) Limit 6; only one adult may be retained.

(B) Release Chinook and wild coho.

(d) From Lake Aberdeen upstream:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(202) **Vesta Creek and all forks (Grays Harbor County) (North River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(203) **Ward Creek (Pacific County) (Willapa River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(204) **Wentworth Lake (Clallam County):** It is unlawful to fish from a floating device equipped with an internal combustion motor.

(205) **West Twin River (Clallam County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(206) **Wildcat Creek (Grays Harbor County) (Cloquallum Creek tributary):**

(a) Open from the mouth to the confluence of the Middle and East Forks from the first Saturday in June through October 31.

(b) Selective gear rules apply.

(207) **Wildcat Creek, East Fork (Grays Harbor County) (Cloquallum Creek tributary):**

(a) Open from the mouth to the Highway 108 Bridge (Simpson Avenue, in the town of McCleary) from the first Saturday in June through October 31.

(b) Selective gear rules apply.

(208) **Willapa River (Pacific County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth (city of South Bend boat launch) to the Highway 6 Bridge approximately 2 miles below the mouth of Trap Creek:

(i) From August 1 through November 30:

(A) It is unlawful to fish from a floating device from the second bridge on Camp One Road upstream to the mouth of Mill Creek (approximately 0.5 miles).

(B) Night closure in effect.

(C) Single-point barbless hooks are required.

(D) Stationary gear restriction applies, except from the mouth of the Willapa River to the WDFW access site at the mouth of Ward/Wilson creeks.

(ii) From the City of South Bend boat launch upstream to the second bridge on Camp One Road: Anglers may fish with two poles August 1 through January 31, provided they possess a valid two-pole endorsement.

(iii) Open the first Saturday in June through March 31; release all fish except anglers may retain up to 2 hatchery steelhead.

(iv) Salmon open August 1 through January 31:

(A) Limit 6; only 4 adults may be retained.

(B) Release wild Chinook.

(c) From Highway 6 Bridge to Fork Creek:

(i) From August 16 through November 30:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(C) Stationary gear restriction applies.

(ii) Open the first Saturday in June through July 15 and from August 16 through March 31: Release all fish, except anglers may retain up to 2 hatchery steelhead.

(iii) Salmon open August 16 through September 15:

(A) Limit 6; only 2 adults may be retained.

(B) Release wild Chinook.

(iv) Salmon open September 16 through January 31:

(A) Limit 6; only 4 adults may be retained.

(B) Release wild Chinook.

(d) From Fork Creek upstream to the Highway 6 Bridge near the town of Lebam:

(i) From August 16 through October 31:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through October 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) Salmon open October 1 through January 31:

(A) Limit 6; only 4 adults may be retained and only two may be wild adult coho.

(B) Release wild Chinook.

(e) From the Highway 6 Bridge near the town of Lebam upstream:

(i) From August 16 through October 31:

(A) Night closure in effect.

(B) Single-point barbless hooks are required.

(ii) Open the first Saturday in June through October 31: Release all fish except anglers may retain up to 2 hatchery steelhead.

(209) **Willapa River, South Fork (Pacific County):** From the mouth to the bridge on Pehl Road:

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the falls/fish ladder downstream 400 feet in Section 6, Township 13 North, and Range 8 West: Closed.

(c) Selective gear rules apply from the first Saturday in June through July 31.

(d) From August 1 through November 30:

(i) Night closure in effect.
(ii) Anti-snagging rule applies.
(iii) Barbless hooks are required.
(e) Open the first Saturday in June through the last day in February: Release all fish except anglers may retain up to 2 hatchery steelhead.
(f) Salmon open August 1 through January 31:
(i) Limit 6; only 3 adults may be retained.
(ii) Release wild Chinook.
(g) From Pehl Road upstream:
(i) Open the first Saturday in June through the last day in February.
(ii) Release all fish except anglers may retain up to 2 hatchery steelhead.
(210) **Williams Creek (Pacific County) (North Nemah River tributary):**
(a) Open the first Saturday in June through October 15.
(b) Release all fish except anglers may retain up to two hatchery steelhead.
(211) **Wilson Creek (Pacific County) (Willapa River tributary):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(212) **Wilson Creek, North Fork (Pacific County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(213) **Wishkah River (Grays Harbor County):**
(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.
(b) From August 16 through November 30: Single-point barbless hooks are required.
(c) From the mouth to West Fork:
(i) Open the first Saturday in June through the last day in February.
(ii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(iii) Salmon open October 1 through December 31:
(A) Limit 6; only one adult may be retained.
(B) Release Chinook and wild coho.
(d) From the mouth of West Fork to 200 feet below the weir at the Wishkah Rearing Ponds:
(i) From 150 feet upstream to 150 feet downstream of the Wishkah adult attraction channel/outfall structure (within the posted fishing boundary): Open only to anglers with disabilities who permanently use a wheelchair and have a designated harvester companion card.
(ii) Open the first Saturday in June through the last day in February.
(iii) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(iv) Salmon open October 1 through December 31:
(A) Limit 6; only one adult may be retained.
(B) Release Chinook and wild coho.
(e) From the weir upstream:
(i) Open the first Saturday in June through October 31.
(ii) Selective gear rules apply.
(214) **Wishkah River, East and West forks (Grays Harbor County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(215) **Wynoochee River (Grays Harbor County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the WDFW White Bridge Access Site:

(i) From August 16 through November 30: Single-point barbless hooks are required.

(ii) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(iii) Salmon open October 1 through November 30.

(A) Limit 6; only one adult may be retained.

(B) Release Chinook and wild coho.

(c) From the WDFW White Bridge Access Site to the 7400 line bridge:

(i) From August 16 through November 30: Single-point barbless hooks are required.

(ii) From September 16 through November 30: It is unlawful to use bait.

(iii) Open the first Saturday in June through March 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(d) From the 7400 line bridge to 400 feet below Wynoochee Dam, including the confluence of the reservoir upstream to Wynoochee Falls:

(i) Closed from 400 feet downstream of Wynoochee Dam and from the barrier dam near Grisdale.

(ii) Open the first Saturday in June through October 31 and from December 1 through March 31:

(A) From the first Saturday in June through October 31: Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(B) From December 1 through March 31:

(I) Selective gear rules apply.

(II) Release all fish, except anglers may retain up to 2 hatchery steelhead.

(e) From Wynoochee Falls upstream:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) Eastern brook trout: No limit. Eastern brook trout do not count toward the trout limit. However, once the limit of trout other than eastern brook trout is reached, the limit for all species of trout is reached and the angler must cease fishing.

(216) **Wynoochee Reservoir (Grays Harbor County):**

(a) Open the first Saturday in June through October 31.

(b) Trout: Minimum length 12 inches.

(c) Landlocked salmon rules apply.

AMENDATORY SECTION (Amending WSR 16-17-008, filed 8/4/16, effective 9/4/16)

WAC 220-310-190 Freshwater exceptions to statewide rules——Puget Sound. (1) Beaver ponds located within or adjacent to streams that drain into Puget Sound listed as open to trout and other game fish follow the same rules as the adjacent stream.

(2) **County-wide freshwater exceptions to statewide rules:**

(a) Beaver ponds in Kitsap County and Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3):

(i) Open the fourth Saturday in April through October 31.

(ii) Trout: No minimum length.

(b) Beaver ponds in Kitsap County and Mason County east of Belfair-Bremerton Highway (S.R. 3):

(i) Open the first Saturday in June through October 31.

(ii) Trout: No minimum length.

(3) **Alder Lake (Thurston County):** Kokanee limit 10; kokanee do not count toward the trout daily limit. See also Nisqually River.

(4) **Aldrich Lake (Mason County):** Open the fourth Saturday in April through October 31.

(5) **Alexander Lake (Kitsap County):** Closed.

(6) **All Creek (Skagit County) (Suiattle River tributary):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(7) **Alma Creek (Skagit County):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(c) Release all fish except anglers may retain up to two hatchery steelhead.

(8) **American Lake (Pierce County):** Chumming is permissible.

(9) **Anderson Creek (Kitsap County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(10) **Anderson Creek (Whatcom County) (Nooksack River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(11) **Armstrong Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(12) **Bacon Creek (Skagit County):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(c) Release all fish except anglers may retain up to 2 hatchery steelhead.

(13) **Bacus Creek (Skagit County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(14) **Bainbridge Island - All streams (Kitsap County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(15) **Baker Lake (Whatcom County):**

(a) Chumming is permissible.

(b) Closed waters within a two hundred foot radius around the pump discharge at the south end of the lake.

(c) Open the fourth Saturday in April through October 31:

(d) Kokanee: Minimum length 8 inches and maximum length 18 inches.

(e) Salmon: Open July 10 through September 7.

(i) Sockeye: Limit 4; minimum length 18 inches.

(ii) Each angler aboard a vessel may deploy salmon angling gear until the limit for all licensed and juvenile anglers aboard is reached.

(16) **Baker River (Skagit County):** From the Baker River fish barrier dam to the headwaters to Shannon and Baker lakes, including tributaries and their tributaries, except Channel Creek: Open the first Saturday in June through October 31.

(17) **Barnaby Slough (Skagit County):** Closed.

(18) **Beaver Creek (Pierce County) (South Prairie Creek tributary):** Open the first Saturday in June through October 31.

(19) **Beaver Creek (Thurston County) from the mouth to I-5:**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Night closure in effect.

(d) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(20) **Beaver Lake (King County):** Trout: No more than 2 over 15 inches in length.

(21) **Benson Lake (Mason County):** Open the fourth Saturday in April through October 31.

(22) **Bertrand Creek (Whatcom County) (Nooksack River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(23) **Big Bear Creek (tributary of Sammamish River) (Snohomish/King counties):** Open the first Saturday in June through August 31 to juvenile anglers only.

(24) **Big Beaver Creek (Whatcom County), from 1/4 mile upstream of the closed water markers on Ross Lake upstream, including tributary streams and beaver ponds:**

(a) Open July 1 through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(25) **Big Beef Creek (Kitsap County):**

(a) From Seabeck Highway Bridge to Lake Symington:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iv) Catch and release only.

(v) August 1 through August 31: Closed within 100 feet of the Seabeck Highway N.W. Bridge.

(b) From Lake Symington upstream:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) Trout: Catch and release only.

(26) **Big Creek (Skagit County) (Suiattle River tributary):**

(a) From TeePee Falls to the source: Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(27) **Big Mission Creek (Mason County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.
(c) Catch and release only.
(28) **Big Quilcene River (Jefferson County):**
(a) From the mouth to Rodgers Street:
(i) Open the first Saturday in June through August 15.
(ii) Selective gear rules apply.
(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(iv) Catch and release only.
(b) From Rodgers Street to the Highway 101 Bridge:
(i) Open the first Saturday in June through October 31.
(ii) Catch and release only.
(iii) From the first Saturday in June through August 15:
(A) Selective gear rules apply.
(B) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(iv) August 16 through October 31:
(A) Night closure in effect.
(B) Single-point barbless hooks are required.
(v) Salmon:
(A) Open August 16 through October 31.
(B) Limit 4 coho only; only coho hooked inside the mouth may be retained.
(vi) Closed waters from the Highway 101 Bridge to the electric weir at Quilcene National Fish Hatchery.
(c) From the electric weir at Quilcene National Fish Hatchery to the upper boundary of Falls View campground:
(i) Open the first Saturday in June through October 31.
(ii) Selective gear rules apply.
(iii) Catch and release only.
(d) From the upper boundary of Falls View campground upstream: Open the Saturday before Memorial Day through October 31.
(29) **Big Scandia Creek (Kitsap County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Trout: Minimum size 14 inches.
(30) **Big Soos Creek (King County):** From the mouth to the hatchery rack:
(a) Open the first Saturday in June through August 31.
(b) Trout: Minimum length 14 inches.
(31) **Bingham Creek (Mason County) (Satsop River tributary):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(32) **Black Creek (Snohomish County) (South Fork Stillaguamish River tributary):** Open the Saturday before Memorial Day through October 31 from the Bear Creek confluence upstream.
(33) **Black Lake (Thurston County):** Crappie: Limit 10; minimum length 9 inches.
(34) **Black Lake Ditch (Thurston County):** From the confluence with Percival Creek upstream to Black Lake.
(a) Selective gear rules apply.
(b) Open the first Saturday in June through October 31.
(c) Trout: Minimum size 14 inches.
(d) Open November 1 through the Friday before the first Saturday in June: Catch and release only.
(35) **Blackjack Creek (Kitsap County):**
(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.
(c) Trout: Minimum size 14 inches.
(36) **Blackman's Lake (Snohomish County):** Trout limit 5; no more than 2 over 15 inches in length.
(37) **Blooms Ditch (Thurston County) (Black River tributary):** From the mouth to I-5:
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Night closure in effect.
(d) Trout minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.
(38) **Boise Creek (King County) (White River tributary):** Open the first Saturday in June through October 31 upstream of the Highway 410 crossing.
(39) **Bosworth Lake (Snohomish County):** Open the fourth Saturday in April through October 31.
(40) **Boulder Creek (Skagit County) (Cascade River tributary):**
(a) Open the first Saturday in June through September 15.
(b) Selective gear rules apply.
(c) Catch and release only.
(41) **Boulder River (Snohomish County) (N.F. Stillaguamish River tributary):**
(a) From the mouth to Boulder Falls:
(i) Open the first Saturday in June through August 31.
(ii) Selective gear rules apply.
(iii) Release all fish except anglers may retain up to 2 hatchery steelhead.
(b) From Boulder Falls upstream: Open the Saturday before Memorial Day through October 31.
(42) **Boxley Creek (North Bend, King County) (Tributary to the South Fork Snoqualmie River):** Open the Saturday before Memorial Day through October 31 upstream from the falls located approximately at river mile 0.9.
(43) **Boyle Lake (King County):**
(a) Open the fourth Saturday in April through October 31.
(b) The inlet and outlet streams to Boyle Lake are closed.
(44) **Bradley Lake (Pierce County):**
(a) Open May 15 through the last day of free fishing weekend, as defined in WAC ((~~220-55-160~~)) 220-220-230, to juvenile anglers only.
(b) Salmon: Landlocked salmon rules apply.
(45) **Bridges Lake (King County):**
(a) Open the fourth Saturday in April through October 31.
(b) The inlet and outlet streams to Bridges Lake are closed.
(46) **Buck Creek (Skagit County) (Suiattle River tributary):**
(a) Open the first Saturday in June through September 15 from the upstream boundary of Buck Creek campground.
(b) Selective gear rules apply.
(47) **Buck Lake (Kitsap County):** Open the fourth Saturday in April through October 31.
(48) **Burley Creek (Kitsap County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Trout: Minimum length 14 inches.
(49) **Cady Lake (Mason County):**
(a) Open to fly fishing only.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Catch and release only.

(50) **Cain Lake (Whatcom County):** Open the fourth Saturday in April through October 31.

(51) **California Creek (Whatcom County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(52) **Calligan Lake (King County):**

(a) Open June 1 through October 31.

(b) All tributary streams and the upper third of the outlet are closed.

(c) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(53) **Camp Creek (Snohomish County) (Whitechuck River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(54) **Campbell Creek (Mason County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(55) **Campbell Lake (Skagit County):**

Grass carp: No limit for anglers and bow and arrow fishing.

(56) **Canyon Creek (Snohomish County) (Suiattle River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(57) **Canyon Creek (Snohomish County) (S.F. Stillaguamish River):**

(a) Open the first Saturday in June through August 31 and November 1 through January 31 from the mouth to the forks.

(b) Selective gear rules apply.

(c) Release all fish except anglers may retain up to 2 hatchery steelhead.

(58) **Canyon Creek (Whatcom County) (North Fork Nooksack River):**

(a) Open the Saturday before Memorial Day through October 31 from Canyon Creek Road Bridge upstream, including tributaries.

(b) Selective gear rules apply.

(59) **Capitol Lake (Thurston County):** Closed.

(60) **Carbon River (Pierce County):**

(a) From the mouth to Voight Creek:

(i) Open September 1 through September 30 and December 1 through January 15.

(ii) From September 1 through November 30: Night closure in effect and anti-snagging rule applies.

(iii) Trout:

(A) September 1 through September 30: Minimum length 14 inches.

(B) From December 1 through January 15:

(I) Selective gear rules apply.

(II) Release all fish except anglers may retain up to 2 hatchery steelhead.

(iv) Salmon:

(A) Open September 10 through September 24.

(B) Limit 6 fish of which no more than 2 may be adult hatchery Chinook.

(C) Release coho, chum, and wild adult Chinook salmon.

(b) From Voight Creek to the Highway 162 Bridge:

(i) Open from December 1 through January 15.

(ii) Selective gear rules apply.

(iii) Release all fish except anglers may retain up to 2 hatchery steelhead.

(61) **Carney Lake (Pierce County):**

(a) Open the fourth Saturday in April through June 30 and September 1 through November 30.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Salmon: Landlocked salmon rules apply.

(62) **Carson Lake (Mason County):** Open the fourth Saturday in April through October 31.

(63) **Cascade Creek (San Juan County):**

(a) Open the first Saturday in June through October 31 from the mouth to Cascade Lake.

(b) Selective gear rules apply.

(c) Release all fish except anglers may retain eastern brook trout.

(64) **Cascade Lake (San Juan County):** Open the fourth Saturday in April through October 31.

(65) **Cascade River (Skagit County):**

(a) From the mouth to the Rockport-Cascade Road Bridge:

(i) Open June 1 through July 15 and December 1 through January 31:

(A) Anti-snagging rule applies and night closure in effect June 1 through July 15.

(B) Trout: Limit 2; minimum length 14 inches. Anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(ii) Salmon:

(A) Open June 1 through July 15:

(B) Up to 4 hatchery Chinook may be retained; only 2 hatchery Chinook may be adults.

(C) Release all other salmon.

(b) From the Rockport-Cascade Road Bridge upstream:

(i) Open the first Saturday in June through September 15 and December 1 through January 31.

(ii) Selective gear rules apply.

(iii) Release all fish except anglers may retain up to 2 hatchery steelhead.

(66) **Cavanaugh Creek (Whatcom County) and all tributaries:** Open the Saturday before Memorial Day through October 31 upstream from where Cavanaugh Creek first flows into Whatcom County, 0.4 lineal miles from its confluence with the South Fork Nooksack River.

(67) **Cavanaugh Lake (Skagit County):** Chumming is permissible.

(68) **Cayada Creek (Pierce County) (Carbon River tributary):** Open the first Saturday in June through September 30.

(69) **Cedar Creek (Mason County):** Open the Saturday before Memorial Day through October 31.

(70) **Cedar River (King County):**

(a) Open the first Saturday in June through August 31 from the mouth to Landsburg Road.

(b) Selective gear rules apply and night closure.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Trout: Catch and release only.

(71) **Chain Lake (Snohomish County):**

(a) Selective gear rules apply.

(b) Trout: Limit 2; minimum length 14 inches.

(72) **Chambers Creek (Pierce County):**

(a) From the mouth (Burlington Northern Bridge) to the markers 400 feet below the Boise-Cascade Dam (Pierce County):

(i) Selective gear rules apply, except bait is permissible September 1 through October 15.

(ii) Open July 1 through November 15 for game fish and salmon.

(iii) Night closure in effect and anti-snagging rule applies.

(iv) Trout: Catch and release.

(v) Salmon:

(A) Limit 6 fish of which no more than 4 may be adult salmon.

(B) Release wild coho.

(b) From Boise-Cascade Dam to Steilacoom Lake:

(i) Open July 1 through October 31.

(ii) Night closure in effect and selective gear rules apply.

(iii) Trout: Minimum size 14 inches.

(73) **Chambers Lake (within Ft. Lewis Military Reservation) (Pierce County):**

(a) Selective gear rules apply.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Trout: Catch and release only.

(74) **Channel Creek (Skagit County) (Baker River tributary):** Open the first Saturday in June through August 31.

(75) **Chaplain Creek (Snohomish County) (Sultan River tributary):**

(a) Above the falls near the mouth to the inlet to the beaver pond (Grass Lake) below the water filtration plant gate, including tributaries and beaver ponds: Open the Saturday before Memorial Day through October 31.

(b) Waters adjacent to the water filtration plant, from the inlet to the beaver pond (Grass Lake) below the water filtration plant gate to the waterfall approximately .4 miles upstream: Closed.

(c) Above the waterfall located approximately .4 miles upstream of the water filtration plant gate, including tributaries and beaver ponds: Open the Saturday before Memorial Day through October 31.

(76) **Chaplain Lake (Snohomish County):** Closed.

(77) **Cherry Creek (King/Snohomish County) (tributary to the Snoqualmie River):** Open the Saturday before Memorial Day through October 31 above Cherry Creek Falls (located at river mile 9.3, approximately 1 mile upstream of Stossel/Kelly Rd), including all tributaries and beaver ponds.

(78) **Chilliwack River (Whatcom County):** Open the first Saturday in June through October 31, including all tributaries and their tributaries.

(79) **Church Creek (Mason County):** Open the Saturday before Memorial Day through October 31 upstream of the bridge on U.S. Forest Service Road #2361.

(80) **Clara Lake (also known as "Don Lake") (Mason County):** Open the fourth Saturday in April through October 31.

(81) **Clarks Creek (Pierce County):**

(a) Open the first Saturday in June through August 31 from the mouth to 12th Avenue S.W.

(b) Selective gear rules apply.

(c) Trout: Limit 2; minimum length 14 inches.

(82) **Clear Creek (Snohomish County) (Sauk River tributary):** Open the Saturday before Memorial Day through October 31 above Asbestos Creek Falls.

(83) **Clear Lake (Pierce County):**

(a) Open the fourth Saturday in April through October 31.
(b) Chumming is permissible.
(c) Kokanee: Limit 10; no size restrictions.
(d) Salmon: Landlocked salmon rules apply.
(84) **Clear Lake (Thurston County):** Open the fourth Saturday in April through October 31.
(85) **Clearwater River (Pierce County):**
(a) Open July 1 through October 31.
(b) Selective gear rules apply.
(c) Trout: Minimum length 14 inches.
(86) **Clover Creek (Pierce County):**
(a) Open July 1 through October 31 upstream of Steilacoom Lake, including all tributaries.
(b) Selective gear rules apply.
(c) Trout: Minimum length 14 inches.
(87) **Coal Creek (tributary of Lake Washington) (King County):** Open the first Saturday in June through August 31 to juvenile anglers only.
(88) **Coal Creek (near Snoqualmie) (King County):**
(a) From the mouth to Highway I-90:
(i) Open the fourth Saturday in April through October 31 to juvenile anglers only.
(ii) Trout: No minimum length.
(b) From Highway I-90 upstream: Open the Saturday before Memorial Day through October 31.
(89) **Copper Creek (Snohomish County) (Clear Creek tributary, a tributary of Sauk River):** Open the Saturday before Memorial Day through October 31.
(90) **Cottage Lake (King County):** Open the fourth Saturday in April through October 31.
(91) **Coulter Creek (Kitsap/Mason counties):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Trout: Catch and release only.
(92) **County Line Ponds (Skagit County):** Closed.
(93) **Crabapple Lake (Snohomish County):** Open the fourth Saturday in April through October 31.
(94) **Cranberry Creek (Mason County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Trout: Catch and release only.
(95) **Crescent Creek (Kitsap County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Trout: Minimum size 14 inches.
(96) **Crescent Lake (Pierce County):** Open the fourth Saturday in April through October 31.
(97) **Cumberland Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 upstream from the USFS 17 Road Bridge located 0.7 lineal miles from its confluence with the Skagit River, including all tributaries.
(98) **Dakota Creek (Whatcom County):**
(a) Open the first Saturday in June through December 31 from the mouth to Giles Road Bridge.
(b) Selective gear rules apply.
(c) Salmon:
(i) Open October 1 through December 31.

(ii) Limit 2 salmon.
(iii) Release wild Chinook and wild coho.
(99) **De Coursey Pond (Pierce County):**
(a) Open the fourth Saturday in April through November 30 to juvenile anglers only.
(b) Salmon: Landlocked salmon rules apply.
(100) **Decker Creek (Mason County) (Satsop River tributary):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(101) **Deer Creek (Mason County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Trout: Catch and release only.
(102) **Deer Lake (Island County):** Open the fourth Saturday in April through October 31.
(103) **Deer Lake (Mason County):** Open the fourth Saturday in April through October 31.
(104) **Dempsey Creek (Thurston County) (Black River tributary):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(105) **Deschutes River (Thurston County):**
(a) From Old Highway 99 Bridge near Tumwater to Henderson Boulevard Bridge near Pioneer Park:
(i) Selective gear rules apply, except bait is allowed September 1 through October 15.
(ii) Trout: Open year-round; catch and release only.
(iii) All other game fish: Open the first Saturday in June through October 15.
(iv) Salmon:
(A) Open July 1 through October 15.
(B) Limit 6; no more than 2 adult salmon may be retained.
(C) Release coho.
(b) From Henderson Boulevard Bridge upstream:
(i) Open year-round.
(ii) Selective gear rules apply.
(iii) Trout: Catch and release only.
(iv) Salmon:
(A) Open July 1 through October 15.
(B) Limit 6; no more than 2 adult salmon may be retained.
(C) Release coho.
(106) **Devereaux Lake (Mason County):** Open the fourth Saturday in April through October 31.
(107) **Dewatto River (Mason County):**
(a) From the mouth to Dewatto-Holly Road Bridge:
(i) Open the first Saturday in June through August 15 and October 1 through October 31.
(ii) Selective gear rules apply.
(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(iv) October 1 through October 31: Night closure in effect.
(v) Game fish: Catch and release only.
(vi) Salmon:
(A) Open October 1 through October 31.
(B) Limit 2 coho only.
(b) From Dewatto-Holly Road Bridge upstream:
(i) Open the first Saturday in June through October 31.
(ii) Selective gear rules apply.

(iii) Catch and release only.

(108) **Diobsud Creek (Skagit County):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(c) Release all fish except anglers may retain up to 2 hatchery steelhead.

(109) **Dogfish Creek (Kitsap County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(110) **Dosewallips River (Jefferson County):**

(a) From the mouth to Highway 101 Bridge:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iv) Release all gamefish.

(v) Salmon:

(A) Open November 1 through December 15.

(B) Limit 2 chum only.

(b) From Highway 101 Bridge to Olympic National Park boundary about three-quarters of a mile downstream of the falls:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iv) Release all gamefish.

(111) **Downey Creek (Snohomish County) (Suiattle River tributary):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(112) **Duckabush River (Jefferson County):**

(a) From the mouth to Mason County PUD #1 overhead distribution line:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iv) Release all game fish.

(v) Salmon:

(A) Open November 1 through December 15.

(B) Limit 2 chum only.

(b) From Mason County PUD #1 overhead distribution line to the Olympic National Park boundary:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iv) Catch and release only.

(113) **Dyes Inlet (Kitsap County):**

(a) Open the first Saturday in June through October 31 for all streams.

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(114) **Eaton Creek (Thurston County) (Lake St. Clair tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(115) **Echo Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(116) **Eglon Creek (Kitsap County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(117) **Erie Lake (Skagit County):** Open the fourth Saturday in April through October 31.

(118) **Evans Creek (Pierce County) (Carbon River tributary):** Open the first Saturday in June through September 30 from Carbon River Fairfax Road upstream.

(119) **Falls Creek (Snohomish County) (Sauk River tributary):** From the falls located 0.4 mile upstream from the mouth to the headwaters: Open the Saturday before Memorial Day through October 31.

(120) **Fazon Lake (Whatcom County):**

(a) It is unlawful to fish from any floating device from the first Friday in October through January 27.

(b) Channel catfish: Limit 2.

(121) **Finch Creek (Mason County):** Anglers with disabilities who permanently use a wheelchair and possess a designated harvester companion card may fish from the ADA accessible site at the Hoodsport Salmon Hatchery, so long as those anglers follow all applicable rules of the adjoining waters of Marine Area 12.

(122) **Finney Creek (Skagit County) including all tributaries from upstream of the USFS 17 road bridge:** Open the Saturday before Memorial Day through October 31.

(123) **Fisher Slough (Snohomish County):**

(a) Open the first Saturday in June through September 15 from the mouth to the I-5 Bridge.

(b) Trout: Minimum length 14 inches.

(124) **Fishtrap Creek (Whatcom County):** Open from Kok Road to Bender Road from the first Saturday in June through October 31 for juvenile anglers only.

(125) **Fiske Creek (Pierce County) (Puyallup River tributary):** Open upstream from Fiske Road from the first Saturday in June through August 31 and October 16 through October 31.

(126) **Fortson Mill Pond #2 (Snohomish County):** Open the fourth Saturday in April through October 31 for juvenile anglers only.

(127) **Found Creek (Skagit County) (Cascade River tributary):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(c) Catch and release only.

(128) **Fox Creek (Pierce County) (Puyallup River tributary):** Open upstream from Fiske Road East from the first Saturday in June through August 31 and October 16 through October 31.

(129) **Friday Creek (Whatcom County) (Samish River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(130) **Fulton Creek (Mason County):**

(a) From the mouth to falls at river mile 0.8:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) Catch and release only.

(b) From the falls at river mile 0.8 upstream: Open the Saturday before Memorial Day through October 31.

(131) **Gale Creek (Pierce County) (South Prairie Creek tributary):** Open upstream of the confluence with Wilkeson Creek from the first Saturday in June through October 31.

(132) **Gamble Creek (Kitsap County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(133) **Geneva Lake (King County):** Open the fourth Saturday in April through October 31.

(134) **Gissberg Pond, North (Snohomish County):** Open for juvenile anglers only.

(135) **Gissberg Ponds (Snohomish County):** Channel catfish limit 2; no minimum size.

(136) **Goldsborough Creek (Mason County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(137) **Goodell Creek (Skagit County):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(c) Release all fish except anglers may retain up to 2 hatchery steelhead.

(138) **Goodman Creek (Skagit County) above the Mountain Loop Highway:** Open Saturday before Memorial Day through October 31.

(139) **Goodwin Lake (Snohomish County):** Chumming is permissible.

(140) **Goss Lake (Island County):** Open the fourth Saturday in April through October 31.

(141) **Grade Creek (Snohomish County) (Suiattle River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(142) **Granite Lakes (near Marblemount) (Skagit County):** Grayling: Catch and release only.

(143) **Grass Lake (Mason County):** Open the fourth Saturday in April through October 31.

(144) **Green (Duwamish) River (King County):**

(a) From the First Avenue South Bridge to South 277th Bridge in Auburn:

(i) November 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(ii) November 1 through January 15: It is unlawful to fish from any floating device.

(iii) Open the first Saturday in June through July 31 and November 1 through January 15: Trout minimum length 14 inches.

(iv) In years ending in odd numbers, open for game fish and salmon August 20 through August 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) It is unlawful to use bait.

(D) It is unlawful to use anything other than one single-point hook measuring 1/2 inch or less from point to shank.

(E) Trout: Minimum length 14 inches.

(v) Salmon:

(A) In years ending in odd numbers:

(I) Open August 20 through December 31.

(II) Limit 6 salmon of which no more than 3 may be any combination of adult coho and adult chum.

(III) Release Chinook.
(B) In years ending in even numbers:
(I) Open November 1 through December 31.
(II) Daily limit 3 chum only.
(b) From South 277th Bridge to Auburn-Black Diamond Road Bridge:
(i) November 1 through November 30:
(A) Anti-snagging rule applies.
(B) Night closure in effect.
(ii) In years ending in odd numbers: Open for salmon and gamefish August 20 through August 31:
(A) Anti-snagging rule applies.
(B) Night closure in effect.
(C) It is unlawful to use bait.
(D) It is unlawful to use anything other than one single-point hook measuring 1/2 inch or less from point to shank.
(E) Trout: Minimum length 14 inches.
(iii) November 1 through January 31: It is unlawful to fish from any floating device.
(iv) Open the first Saturday in June through August 15 and November 1 through January 31; trout minimum length 14 inches.
(v) In years ending in odd numbers, open for gamefish and salmon August 20 through December 31.
(vi) Salmon:
(A) In years ending in odd numbers:
(I) Open August 20 through December 31.
(II) Limit 6 salmon; no more than 3 may be any combination of adult coho and adult chum.
(III) Release Chinook.
(B) In years ending in even numbers:
(I) Open November 1 through December 31.
(II) Limit 3 chum only.
(c) From the Auburn-Black Diamond Road Bridge to the water pipeline walk bridge (1/2 mile downstream of Tacoma Headworks Dam):
(i) Closed waters within 150 feet of the Palmer Pond outlet rack.
(ii) Closed waters within 150 feet of the mouth of Keta (Crisp) Creek.
(iii) August 1 through August 31 and November 1 through November 30:
(A) Anti-snagging rule applies.
(B) Night closure in effect.
(iv) Open the first Saturday in June through August 31 and November 1 through January 31: Trout minimum length 14 inches.
(v) Salmon open November 1 through December 31:
(A) In years ending in odd numbers:
(I) Limit 6; no more than 3 may be any combination of adult coho and adult chum.
(II) Release Chinook.
(B) In years ending in even numbers, limit 3 chum only.
(d) From Friday Creek upstream, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.
(145) **Greenwater River (King County):**
(a) From the mouth to Greenwater Lakes:
(i) Open November 1 through January 31.
(ii) Release all fish except whitefish.
(iii) Whitefish gear rules apply.

(b) From Greenwater Lakes upstream: Open the first Saturday in June through August 31 and October 16 through October 31.

(146) **Grovers Creek (Kitsap County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(147) **Hamma Hamma River (Mason County):**

(a) From the mouth to 400 feet below the falls:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iv) Catch and release only.

(b) From the falls upstream: Open the Saturday before Memorial Day through October 31.

(148) **Hancock Lake (King County):**

(a) Open the fourth Saturday in April through October 31.

(b) All tributary streams and the upper third of the outlet are closed.

(c) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(149) **Hansen Creek (Skagit County):** Including all tributaries and their tributaries:

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(150) **Harrison Slough (Skagit County):** Open the first Saturday in June through September 15.

(151) **Hatchery Lake (Mason County):** Open the fourth Saturday in April through October 31.

(152) **Haven Lake (Mason County):** Open the fourth Saturday in April through October 31.

(153) **Heart Lake (near Anacortes) (Skagit County):** Open the fourth Saturday in April through October 31.

(154) **Heins Lake (Kitsap County):** Closed.

(155) **Hicks Lake (Thurston County):** Open the fourth Saturday in April through October 31.

(156) **Hilt Creek (Skagit County) (Sauk River tributary) and all connected tributaries and beaver ponds above the falls (located 0.2 miles above the Highway 530 crossing):** Open the Saturday before Memorial Day through October 31.

(157) **Horseshoe Lake (Kitsap County):**

(a) Open the fourth Saturday in April through October 31.

(b) Salmon: Landlocked salmon rules apply.

(158) **Howard Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 upstream from where Howard Creek flows into Section 13 of Township 36N, Range 6E, 0.3 lineal miles upstream from the South Fork Nooksack River, including all tributaries.

(159) **Howard Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(160) **Howell Lake (Mason County):** Open the fourth Saturday in April through October 31.

(161) **Hozomeen Lake (Whatcom County):**

(a) Open July 1 through October 31.

(b) It is unlawful to use lead weights or lead jigs that measure 1 1/2 inch or less along the longest axis.

(162) **Hylebos Creek (Pierce County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.
(c) Trout: Minimum length 14 inches.
(163) **Illabot Creek (Skagit County):**
(a) Open the first Saturday in June through September 15.
(b) Selective gear rules apply.
(164) **Illahee Creek (Kitsap County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Trout: Minimum size 14 inches.
(165) **Issaquah Creek (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.
(166) **Jackman Creek (Skagit County):** Open the Saturday before Memorial Day through October 31 from the falls located 0.7 miles above Highway 20 upstream.
(167) **Jackson Lake (Pierce County):** Open the fourth Saturday in April through October 31.
(168) **Jefferson Creek (Mason County):** Open the Saturday before Memorial Day through October 31.
(169) **Jennings Park Pond (Snohomish County):** Open the fourth Saturday in April through October 31 for juvenile anglers only.
(170) **Johns Creek (Mason County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Trout: Catch and release only.
(171) **Johnson Creek (Thurston County) (Skookumchuck River tributary):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(172) **Johnson Creek (Whatcom County):** Open the first Saturday in June through October 31 from the Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas for juvenile anglers only.
(173) **Jones Creek (Skagit County):** Open the Saturday before Memorial Day through October 31 above the falls located 0.6 miles above Highway 20 upstream.
(174) **Jordan Creek (Skagit County) (Cascade River tributary):**
(a) Open the first Saturday in June through September 15.
(b) Selective gear rules apply.
(175) **Jorsted Creek (Mason County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Catch and release only.
(176) **Kelsey Creek (tributary of Lake Washington) (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.
(177) **Kendall Creek (Whatcom County) (N.F. Nooksack tributary):** Open the Saturday before Memorial Day through October 31 above the hatchery grounds.
(178) **Kennedy Creek (Mason County):**
(a) From the mouth to Highway 101 Bridge:
(i) Open the first Saturday in June through the last day in February.
(ii) October 1 through December 31:
(A) Anti-snagging rule applies.
(B) Night closure in effect.
(iii) Trout minimum length 14 inches.
(iv) Salmon:
(A) Open October 1 through November 30.

(B) Limit 6; no more than 2 adults may be retained.
(C) Release wild coho.
(b) From Highway 101 Bridge to 400 feet below the falls:
(i) Open the first Saturday in June through October 31.
(ii) Selective gear rules apply.
(iii) Trout: Catch and release only.
(iv) October 1 through October 31:
(A) Anti-snagging rule applies.
(B) Night closure in effect.
(c) From the falls upstream, including all tributaries:
(i) Open the Saturday before Memorial Day through October 31.
(ii) Selective gear rules apply within the mainstem of Kennedy Creek.
(179) **Kennedy Creek Pond (Thurston County):** Open the fourth Saturday in April through October 31.
(180) **Ki Lake (Snohomish County):** Open the fourth Saturday in April through October 31.
(181) **Kimball Creek (near Snoqualmie) (King County):**
(a) Open the fourth Saturday in April through October 31 for juvenile anglers only.
(b) Trout: No minimum length.
(182) **Kindy Creek (Skagit County) (Cascade River tributary):**
(a) Open the first Saturday in June through September 15.
(b) Selective gear rules apply.
(c) Catch and release only.
(183) **King's Creek (Pierce County) (Puyallup River tributary):** Open the first Saturday in June through August 31 and October 16 through October 31.
(184) **Kings Lake Bog (King County):** Closed.
(185) **Klaus Lake (King County):**
(a) Open the fourth Saturday in April through October 31.
(b) The inlet and outlet to first Weyerhaeuser spur are closed.
(186) **Koeneman Lake (Fern Lake) (Kitsap County):**
(a) Open the fourth Saturday in April through October 31.
(b) Selective gear rules apply.
(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(d) Catch and release only.
(187) **Ladder Creek (Skagit County):**
(a) Open the first Saturday in June through September 15.
(b) Selective gear rules apply.
(c) Release all fish except anglers may retain up to 2 hatchery steelhead.
(188) **Langlois Lake (King County):** Open the fourth Saturday in April through October 31.
(189) **LeBar Creek (Mason County):** Open the Saturday before Memorial Day through October 31 from the falls at river mile one upstream.
(190) **Lena Creek (Mason County):** Open the Saturday before Memorial Day through October 31.
(191) **Lilliwaup River (Mason County):**
(a) From the mouth to 200 feet below the falls:
(i) Open the first Saturday in June through August 31.
(ii) Selective gear rules apply.
(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(iv) Catch and release only.

(b) From the falls upstream: Open the Saturday before Memorial Day through October 31.

(192) **Lime Creek (Snohomish County) (Suiattle River tributary):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(193) **Limerick Lake (Mason County):** Open the fourth Saturday in April through October 31.

(194) **Little Bear Creek (tributary of Sammamish River) (Snohomish/King counties):** Open the first Saturday in June through August 31 for juvenile anglers only.

(195) **Little Mission Creek (Mason County) from falls upstream:**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(196) **Little Scandia Creek (Kitsap County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(197) **Lone Lake (Island County):**

(a) Selective gear rules apply.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Trout: Limit 1; minimum length 18 inches.

(d) Grass carp: No limit for anglers and bow and arrow fishing.

(198) **Long's Pond (Thurston County):** Open for juvenile anglers only.

(199) **Lyle Creek (King County) (White River tributary):** Open the first Saturday in June through August 31 and October 16 through October 31.

(200) **Maggie Lake (Mason County):** Open the fourth Saturday in April through November 30.

(201) **Malaney Creek (Mason County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(202) **Maple Creek (Whatcom County) (N.F. Nooksack tributary) above Maple Falls:** Open the Saturday before Memorial Day through October 31.

(203) **Marble Creek (Skagit County) (Cascade River tributary):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(c) Catch and release only.

(204) **Margaret Lake (King County):** Open the fourth Saturday in April through October 31.

(205) **Marsh Creek (Snohomish County) (Sultan River tributary):** Open the Saturday before Memorial Day through October 31 above the falls, including tributaries and beaver ponds.

(206) **Martha Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(207) **Martha Lake (Warm Beach) (Snohomish County):**

(a) Selective gear rules apply.

(b) Trout: Limit 2; minimum length 14 inches.

(208) **May Creek (tributary of Lake Washington) (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.

(209) **McAllister Creek (Thurston County):**

(a) Open the first Saturday in June through September 30 and November 16 through November 30.
(b) Selective gear rules apply.
(c) Trout: Minimum length 14 inches.
(d) Salmon:
(i) Open July 1 through September 30 and November 16 through November 30.
(ii) Limit 6; of which no more than 2 may be adults.
(iii) Release coho.
(210) **McLane Creek (Thurston County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Catch and release.
(d) Night closure in effect.
(211) **McLane Creek Ponds (Thurston County):** Open the fourth Saturday in April through October 31.
(212) **McMurray Lake (Skagit County):**
(a) Open the fourth Saturday in April through October 31.
(b) Landlocked salmon rules apply.
(213) **Melbourne Lake (Mason County):** Open the fourth Saturday in April through October 31.
(214) **Mercer Slough (tributary of Lake Washington) (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.
(215) **Milk Creek (Snohomish County) (Suiattle River tributary):**
(a) Open the first Saturday in June through September 15.
(b) Selective gear rules apply.
(216) **Mill Creek (Mason County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Trout: Minimum length 14 inches.
(217) **Mill Pond (Auburn) (King County):** Open the fourth Saturday in April through October 31 for juvenile anglers only, except open for all anglers during free fishing weekend, as defined by department rule.
(218) **Mima Creek (Thurston County) (Black River tributary):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(219) **Minter Creek (Pierce/Kitsap counties):** From the mouth to the fishing boundary markers approximately 50 feet downstream of the hatchery rack:
(a) Open for salmon November 1 through December 31.
(b) Night closure in effect.
(c) Limit 4 chum; release all other salmon.
(220) **Mission Lake (Kitsap County):** Open the fourth Saturday in April through October 31.
(221) **Monte Cristo Lake (Snohomish County):**
(a) Open the first Saturday in June through August 31.
(b) Selective gear rules apply.
(c) Release all fish except anglers may retain up to 2 hatchery steelhead.
(222) **Mountain Lake (San Juan County):** It is unlawful to retain more than one trout over 18 inches in length.
(223) **Mud Lake (Mason County):** Open the fourth Saturday in April through October 31.
(224) **Munn Lake (Thurston County):**
(a) Selective gear rules apply.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Catch and release only.

(225) **New Pond Creek (Pierce County) (South Prairie Creek tributary):** Open the first Saturday in June through October 31.

(226) **Newhalem Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 above the power facility.

(227) **Newhalem Ponds (Whatcom County):** Closed.

(228) **Nisqually River (Pierce County):**

(a) From the mouth to Military Tank Crossing Bridge:

(i) Anti-snagging rule applies.

(ii) Night closure in effect.

(iii) Barbless hooks are required.

(iv) Open July 1 through September 30 and November 16 through November 30: Trout minimum length 14 inches.

(v) Open December 1 through January 31: Catch and release.

(vi) Salmon:

(A) In years ending in even numbers, from July 1 through August 31:

(I) Limit 6; no more than 3 adults may be retained.

(II) Release coho and wild Chinook.

(B) In years ending in odd numbers, from July 1 through October 31:

(I) Limit 6; no more than 3 adults may be retained plus one pink salmon; no more than 2 adults may be any combination of chum and coho.

(II) Release wild Chinook.

(C) From November 16 through January 31:

(I) Limit 6; only 2 adults may be retained.

(II) Release coho and wild Chinook.

(b) From Military Tank Crossing Bridge to 400 feet below La Grande Powerhouse:

(i) Open July 1 through September 30.

(ii) Selective gear rules apply.

(iii) Release all fish except anglers may retain up to 2 hatchery steelhead.

(c) From Alder Reservoir upstream including all tributaries to mainstem and reservoir:

(i) Open the Saturday before Memorial Day through October 31.

(ii) Selective gear rules apply.

(iii) Trout minimum length 14 inches.

(229) **Nookachamps Creek (Skagit County):**

(a) Open the first Saturday in June through September 15, including all tributaries and their tributaries.

(b) Selective gear rules apply.

(230) **Nooksack River (Whatcom County):**

(a) From the Lummi Indian Reservation boundary to the yellow marker at the FFA High School barn at Deming:

(i) Open the first Saturday in June through January 31.

(ii) From the first Saturday in June through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(iv) Salmon:

(A) Open September 1 through December 31:

(I) Limit 2, plus 2 additional hatchery coho; release wild coho.

(II) Release wild Chinook September 1 through September 30.

(B) In odd-numbered years, open July 16 through August 31 from Lummi Indian Reservation boundary to Highway 544 Bridge at Everson:

(I) Limit 4 pink salmon.

(II) It is unlawful to use bait.

(III) It is unlawful to use anything other than single-point hooks measuring 1/2 inch or less from point to shank.

(b) From the yellow marker at the FFA High School barn in Deming to the confluence of the forks:

(i) Open from October 1 through January 31.

(ii) October 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(iv) Salmon open October 1 through December 31:

(A) Limit 2, plus anglers may retain 2 additional hatchery coho.

(B) Release wild coho and wild Chinook.

(231) **Nooksack River, North Fork (Whatcom County):**

(a) From the mouth to Maple Creek:

(i) Open the first Saturday in June through February 15.

(ii) From the first Saturday in June through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) November 1 through February 15: It is unlawful to fish from a floating device equipped with a motor.

(iv) Trout minimum length 14 inches.

(v) Salmon open October 1 through November 30: Limit 2 salmon, plus anglers may retain 2 additional hatchery coho; release wild coho.

(b) From Maple Creek to Nooksack Falls:

(i) Open the first Saturday in June through January 31.

(ii) Selective gear rules apply.

(iii) November 1 through January 31: It is unlawful to fish from a floating device equipped with a motor.

(iv) Trout: Minimum length 14 inches.

(c) The waters above Nooksack Falls, including all tributaries and their tributaries are open the Saturday before Memorial Day through October 31.

(232) **Nooksack River, Middle Fork (Whatcom County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the city of Bellingham diversion dam:

(i) November 1 through January 31: It is unlawful to use motors.

(ii) Open the first Saturday in June through January 31.

(iii) Selective gear rules apply.

(iv) Trout: Minimum size 14 inches.

(c) The waters above the diversion dam, including all tributaries and their tributaries are open the Saturday before Memorial Day through October 31.

(233) **Nooksack River, South Fork (Skagit/Whatcom counties):**

(a) Release all fish except mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to Skookum Creek:

(i) Open the first Saturday in June through January 31.

(ii) Selective gear rules apply.

(iii) From the first Saturday in June through November 30: Night closure in effect.

(iv) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(v) Salmon open October 1 through December 31:
(A) Limit 2; plus anglers may retain 2 additional hatchery coho.
(B) Release chum and wild coho.
(C) In years ending in odd numbers, release pink salmon.
(c) Upstream from and including Wanlick Creek, including all tributaries:
(i) Open the Saturday before Memorial Day through October 31 for fly fishing only.
(ii) Catch and release only except mandatory hatchery steelhead retention.
(234) **North Creek (Snohomish/King counties) (tributary of Sammamish River):** Open the first Saturday in June through August 31 for juvenile anglers only.
(235) **North Lake (King County):** Open the fourth Saturday in April through October 31.
(236) **Northern State Hospital Pond (Skagit County):** Open the fourth Saturday in April through October 31 for juvenile anglers only.
(237) **Ohop Creek (Pierce County):**
(a) Open July 1 through September 30.
(b) Selective gear rules apply.
(c) Catch and release only.
(238) **Ohop Lake (Pierce County):** There are no size restrictions for kokanee.
(239) **Olalla Creek (Kitsap County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Trout: Minimum size 14 inches.
(240) **Old Fishing Hole Pond (Kent, King County):** Open the fourth Saturday in April through October 31 for juvenile anglers only.
(241) **Olney Creek (Snohomish County) (Wallace River tributary):** The waters upstream of Olney Falls, including tributaries and beaver ponds are open the Saturday before Memorial Day through October 31.
(242) **Olson Creek (Skagit County):**
(a) Open the first Saturday in June through September 15.
(b) Selective gear rules apply.
(243) **Osborne Lake (Mason County):** Open the fourth Saturday in April through October 31.
(244) **O'Toole (Marietta) Creek (Whatcom County):** The waters upstream from Marietta Falls, located 0.3 lineal miles from the Skagit River, are open the Saturday before Memorial Day through October 31.
(245) **Outlet Creek (Mason County) (Satsop River tributary):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(246) **Owl Creek (Snohomish County) (Whitechuck River tributary):**
(a) Open the first Saturday in June through September 15.
(b) Selective gear rules apply.
(247) **Padden Lake (Whatcom County):**
(a) Open the fourth Saturday in April through October 31.
(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(248) **Panhandle Lake (Mason County):** Open the fourth Saturday in April through October 31.
(249) **Panther Lake (Kitsap/Mason counties):** Open the fourth Saturday in April through October 31.
(250) **Pass Lake (Skagit County):**
(a) Open to fly fishing only.

(b) It is unlawful to fish from a floating device equipped with a motor.

(c) Catch and release only.

(251) **Percival Creek (Thurston County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(252) **Perry Creek (Thurston County):**

(a) Open the first Saturday in June through October 31 from the mouth to the falls.

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(253) **Phillips Lake (Mason County):** Open the fourth Saturday in April through October 31.

(254) **Pilchuck Creek (Snohomish County):**

(a) From the mouth to the Highway 9 Bridge:

(i) Open the first Saturday in June through August 31 and November 1 through January 31.

(ii) From the first Saturday in June through August 31 and November 1 through November 30: Selective gear rules apply.

(iii) Trout: Minimum length 14 inches.

(b) From the Highway 9 Bridge to Pilchuck Falls:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 14 inches.

(c) From Pilchuck Falls upstream, including all tributaries and their tributaries, and all tributaries to Lake Cavanaugh: Open the Saturday before Memorial Day through October 31.

(255) **Pilchuck River (Snohomish County):**

(a) Open from December 1 through January 31 from the mouth to 500 feet downstream from the Snohomish City diversion dam.

(b) It is unlawful to fish from any floating device.

(c) Trout: Minimum length 14 inches.

(256) **Pine Creek (Mason County):** Open the Saturday before Memorial Day through October 31.

(257) **Pine Lake (King County):** Open the fourth Saturday in April through October 31.

(258) **Pine Lake (Mason County):** Open the fourth Saturday in April through October 31.

(259) **Pioneer Ponds (tributary to Stillaguamish River) (Snohomish County):** Closed.

(260) **Plumbago Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 upstream from the Sierra Pacific 140 road bridge located 0.5 lineal miles upstream from the South Fork Nooksack River, including all tributaries.

(261) **Pratt River (tributary to Middle Fork Snoqualmie River) (King County):**

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(262) **Pressentin Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 upstream from the waterfall located 0.3 miles from the Skagit River, including all tributaries.

(263) **Prices Lake (Mason County):**

(a) Selective gear rules apply.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Catch and release only.

(264) **Pugh Creek (Snohomish County) (Whitechuck River tributary):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(265) **Puyallup River (Pierce County):**

(a) From the 11th Street Bridge to Freeman Road:

(i) Open for game fish August 10 through August 31 and October 16 through December 31.

(ii) Closed within 400 feet of the mouth of Clarks Creek.

(iii) August 10 through August 31 and October 16 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Barbless hooks are required.

(iv) Trout: Minimum length 14 inches.

(v) Salmon:

(A) In years ending in odd numbers:

(I) Limit 6. No more than 2 adults may be retained. Two pink adults may be retained in addition to the 2 adult limit.

(II) Release wild adult Chinook.

(B) In years ending in even numbers:

(I) Open October 16 through December 31.

(II) Limit 2 chum only.

(b) From Freeman Road to the East Main Avenue Bridge:

(i) Open for game fish August 10 through August 30 and October 16 through December 31.

(ii) August 10 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(C) Barbless hooks are required.

(iii) Trout: Minimum length 14 inches.

(iv) Salmon:

(A) In years ending in odd numbers:

(I) Limit 6. No more than 2 adults may be retained. In addition to the 2 adults, 2 adult pinks may also be retained.

(II) Release wild adult Chinook.

(B) In years ending in even numbers:

(I) Open October 16 through December 31.

(II) Limit 2 chum only.

(c) From the East Main Avenue Bridge to Carbon River:

(i) Open for game fish August 1 through August 31 and October 16 through December 31.

(ii) August 1 through August 31 and October 16 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure is in effect.

(C) Barbless hooks are required.

(iii) Trout: Minimum length 14 inches.

(iv) Salmon:

(A) In years ending in odd numbers:

(I) Limit 6. No more than 2 adults may be retained. In addition to the 2 adults, 2 adult pinks may be retained.

(II) Release wild adult Chinook.

(B) In years ending in even numbers:

(I) Open October 16 through December 31.

(II) Limit 2 chum only.

(d) From Carbon River upstream:

(i) Open October 16 through January 15.
(ii) Selective gear rules apply.
(iii) Release all fish except anglers may retain up to 2 hatchery steelhead.
(266) **Pyramid Creek (King County) upstream of Forest Service Road 7000:** Open the first Saturday in June through October 31.
(267) **Racehorse Creek (Whatcom County) (N.F. Nooksack tributary) above the falls located 0.2 miles above the North Fork Road:** Open the Saturday before Memorial Day through October 31.
(268) **Raging River (King County):**
(a) From the mouth to the Highway 18 Bridge:
(i) Open the first Saturday in June through August 31 and November 1 through January 31.
(ii) Trout: Minimum length 14 inches.
(b) From Highway 18 Bridge upstream: Open the first Saturday in June through August 31.
(269) **Rapjohn Lake (Pierce County):** Open the fourth Saturday in April through October 31.
(270) **Rattlesnake Lake (King County):**
(a) Selective gear rules apply.
(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(c) Trout: Limit 2; minimum length 14 inches.
(271) **Ravensdale Lake (King County):**
(a) Open the fourth Saturday in April through October 31.
(b) Selective gear rules apply.
(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.
(d) Trout: Limit 2; minimum length 12 inches.
(272) **Red Creek (King County) (White River tributary):** Open the first Saturday in June through October 31.
(273) **Rendsland Creek (Mason County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Catch and release only.
(274) **Riley Lake (Snohomish County):** Open the fourth Saturday in April through October 31.
(275) **Roaring Creek (Whatcom County):** Open the Saturday before Memorial Day through October 31 upstream from the confluence with Deer Creek, including all tributaries.
(276) **Robbins Lake (Mason County):** Open the fourth Saturday in April through October 31.
(277) **Rocky Creek (Mason County):**
(a) Open the first Saturday in June through October 31.
(b) Selective gear rules apply.
(c) Trout: Catch and release only.
(278) **Roesiger Lake (Snohomish County):** Crappie limit 10; minimum length 9 inches.
(279) **Rose Lake (Mason County):** Open the fourth Saturday in April through October 31.
(280) **Ross Lake (Reservoir) (Whatcom County):**
(a) Open July 1 through October 31:
(b) Selective gear rules apply.
(c) Trout, except eastern brook trout: Limit 1; minimum length 16 inches.
(d) Eastern brook trout: Limit 5; no minimum length.

(281) **Ross Lake tributary streams, and their tributaries, except Big Beaver Creek and Ruby Creek (Whatcom County):**

(a) From one mile above the mouths to the headwaters: Open July 1 through October 31.

(b) Tributaries to Ruby Creek: Open July 1 through October 31.

(282) **Salmon Creek (Thurston County) (Black River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Night closure in effect.

(d) Trout: Minimum length 14 inches, except it is permissible to retain hatchery (adipose clipped) trout less than 14 inches in length as part of the limit.

(283) **Salmonberry Creek (Kitsap County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(284) **Samish Lake (Whatcom County):** Cutthroat trout limit 2; minimum length 14 inches.

(285) **Samish River (Skagit County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to the I-5 Bridge:

(i) Open the first Saturday in June through November 30.

(ii) From the first Saturday in June through November 30: Trout minimum length 14 inches.

(iii) From August 1 through November 30:

(A) Night closure in effect.

(B) It is unlawful to use anything other than one single-point hook.

(iv) From December 1 through December 31:

(A) Selective gear rules apply.

(B) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(v) Salmon:

(A) Open August 1 through November 30.

(B) Limit 2; anglers may only retain fish hooked inside the mouth.

(C) Release wild coho.

(c) From the I-5 Bridge to the Old Highway 99 Bridge:

(i) Closed from the Old Highway 99 Bridge to the WDFW salmon rack.

(ii) Open the first Saturday in June through August 30:

(iii) Selective gear rules apply.

(iv) Release all fish except mandatory hatchery steelhead retention.

(d) From the WDFW hatchery rack to Hickson Bridge upstream:

(i) Open the first Saturday in June through November 30.

(ii) Selective gear rules apply.

(iii) Release all fish except mandatory hatchery steelhead retention.

(e) From Hickson Bridge upstream:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) Mandatory hatchery steelhead retention.

(286) **Sammamish Lake (King County):**

(a) Closed to fishing within 100 yards of the mouth of Issaquah Creek August 16 through November 30.

(b) Kokanee: Catch and release only.

(c) December 1 through June 30: Release all steelhead and rainbow trout over 20 inches in length.

(287) **Sammamish River (Slough) (King County):** From the 68th Avenue N.E. Bridge to Lake Sammamish:

(a) Open from January 1 through August 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Trout: Catch and release only.

(288) **Sauk River (Skagit/Snohomish counties):**

(a) Selective gear rules apply.

(b) Release all fish except anglers may retain up to 2 hatchery steelhead.

(c) From the mouth to Darrington Bridge:

(i) Open the first Saturday in June through September 15 and December 1 through January 31.

(ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) From Darrington Bridge to the mouth of the White Chuck River, open the first Saturday in June through September 15 and December 1 through January 31.

(e) From the Whitechuck River to the headwaters, including the North Fork from mouth to North Forks Falls and the South Fork from mouth to Elliot Creek, open the first Saturday in June through September 15.

(f) In the South Fork upstream from Elliot Creek: Open the first Saturday in June through August 31.

(289) **Sauk, North Fork, (Snohomish County):** Open the Saturday before Memorial Day through October 31 above North Fork falls including all tributaries.

(290) **Sawyer Lake (King County):** Chumming is permissible.

(291) **Scatter Creek (King County) (White River tributary):** Open the first Saturday in June through October 31.

(292) **Scatter Creek (Thurston County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(293) **Schneider Creek (Thurston County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum size 14 inches.

(294) **Serene Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(295) **Shady Lake (King County):**

(a) Open the fourth Saturday in April through October 31.

(b) Trout: It is unlawful to retain more than one trout over 14 inches in length.

(296) **Shannon, Lake (Skagit County):**

(a) Open the fourth Saturday in April through October 31.

(b) Chumming is permissible.

(c) Trout: Minimum length 6 inches and maximum length 18 inches.

(297) **Shelton Creek (Mason County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(298) **Sherman Creek (Thurston County) (Chehalis River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(299) **Sherwood Creek (Mason County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(300) **Sherwood Creek Mill Pond (Mason County):**

(a) Open the first Saturday in June through October 31.

(b) Trout: Limit 2; minimum length 14 inches.

(301) **Shoe Lake (Mason County):** Open the fourth Saturday in April through October 31.

(302) **Silesia Creek (Chilliwack River tributary) (Whatcom County):** Open the first Saturday in June through October 31.

(303) **Silver Creek (Skagit County) (Samish River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(304) **Silver Creek (Whatcom County) (Nooksack River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(305) **Silver Lake (Pierce County):** Open the fourth Saturday in April through October 31.

(306) **Silver Lake (Whatcom County):** Open the fourth Saturday in April through October 31.

(307) **Sixteen Lake (Skagit County):** Open the fourth Saturday in April through October 31.

(308) **Skagit River (Skagit/Whatcom counties):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) From the mouth to Highway 530 Bridge at Rockport: Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull Trout with a minimum length of 20 inches as part of the trout limit.

(c) From the mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon):

(i) Open March 1 through September 15 and December 1 through January 31.

(ii) March 1 through September 15:

(A) Selective gear rules apply, except anglers fishing for sturgeon must use bait.

(B) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank, except anglers fishing for sturgeon may use single-point barbless hooks of any size.

(d) From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gilligan Creek:

(i) Open June 1 through September 15 and December 1 through January 31, except closed waters July 17 through July 20 and July 24 through July 27.

(A) Night closure in effect June 1 through September 15.

(B) June 1 through June 15 and July 16 through September 15:

(I) Selective gear rules apply, except for sturgeon.

(II) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank, except anglers fishing for sturgeon may use single-point barbless hooks of any size.

(ii) Salmon:

(A) Open June 16 through July 15; Limit 3 sockeye only.

(B) Open August 1 through December 31 in years ending in odd numbers.

(e) From Gilligan Creek to The Dalles Bridge at Concrete:

(i) Open June 1 through September 15 and December 1 through January 31, except closed waters July 17 through July 20 and July 24 through July 27.

(ii) From June 1 through September 15:

(I) Selective gear rules apply.

(II) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.

(III) Night closure in effect.

(iii) Salmon:

(A) In years ending in odd numbers, open August 16 through December 31.

(B) Limit 4 salmon; only 2 wild coho may be retained.

(C) Release Chinook and chum.

(f) From The Dalles Bridge at Concrete to the Highway 530 Bridge at Rockport:

(i) Open June 1 through September 15 and December 1 through January 31, except closed waters July 17 through July 20 and July 24 through July 27.

(ii) June 1 through August 31: Closed between a line projected across the thread of the river 200 feet above the east bank of the Baker River to a line projected across the thread of the river 200 feet below the west bank of the Baker River.

(iii) June 1 through September 15:

(A) Night closure in effect.

(B) Selective gear rules apply.

(C) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.

(g) From the Highway 530 Bridge at Rockport to the Cascade River Road (Marblemount Bridge):

(i) Open June 1 through September 15 and December 1 through January 31:

(A) Trout catch and release only, except mandatory hatchery steelhead retention.

(B) June 1 through July 15 anti-snagging rule applies.

(C) June 1 through September 15 night closure in effect.

(D) July 16 through September 15:

(I) Selective gear rules apply.

(II) It is unlawful to use hooks other than those measuring 1/2 inch or less from point to shank.

(ii) Salmon: Open June 1 through July 15:

(A) Limit 4 hatchery Chinook only.

(B) Only 2 adult hatchery Chinook may be retained as part of the limit.

(h) From Cascade River Road to the Gorge Powerhouse:

(i) Open June 1 through September 15 and December 1 through January 31.

(ii) Selective gear rules apply.

(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iv) Release all fish except anglers may retain up to 2 hatchery steelhead.

(i) Gorge and Diablo lakes' tributary streams and their tributaries, except Stetattle Creek: Open the first Saturday in June through October 31.

(309) **Skokomish River (Mason County):**

(a) From the mouth to the city of Tacoma PUD overhead distribution lines: Closed.

(b) From the city of Tacoma PUD overhead distribution lines to the forks:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) Catch and release only.

(310) **Skokomish River, North Fork (Mason County):**

(a) Selective gear rules apply.

(b) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(c) Catch and release only.

(d) From the mouth to the lower dam: Open the first Saturday in June through October 31.

(e) Above Lake Cushman, from the mouth to Olympic National Park boundary: Open the first Saturday in June through August 31.

(311) **Skokomish River, South Fork (Mason County):**

(a) From the mouth to the mouth of LeBar Creek:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iv) Catch and release only.

(b) From the mouth of Rule Creek to the headwaters:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iv) Trout: Minimum length 12 inches.

(312) **Skookum Creek (Mason County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(313) **Skookum Creek (Whatcom County):** From the mouth of Arlecho Creek upstream, including Arlecho Creek and all other tributaries: Open the Saturday before Memorial Day through October 31.

(314) **Skookumchuck Reservoir (Thurston County):**

(a) Open the first Saturday in June through October 31.

(b) Trout: Daily limit 2; minimum length 12 inches.

(315) **Skykomish River (Snohomish County):**

(a) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(b) From the mouth to the mouth of Wallace River:

(i) Open June 1 through August 31 and November 1 through January 31.

(ii) Anti-snagging rule applies and night closure in effect August 1 through August 31 and November 1 through November 30.

(iii) November 1 through January 31: It is unlawful to fish from any floating device from the boat ramp below Lewis Street Bridge at Monroe downstream 2,500 feet.

(iv) Salmon:

(A) Open June 1 through July 31: Limit 4 hatchery Chinook; no more than 2 of which may be adults.

(B) For years ending in odd numbers:

(I) Open August 16 through December 31 from the mouth to Lewis Street Bridge in Monroe.

(II) Open September 1 through December 31 from the Lewis Street Bridge to Wallace River.

(III) Limit 3 salmon plus 1 additional pink; release Chinook and chum.

(c) From the mouth of the Wallace River to the forks:

(i) Open June 1 through August 31 and November 1 through January 31.

(ii) From the Highway 2 Bridge at the Gold Bar/Big Eddy Access to the confluence of the North and South Forks: Also open February 1 through February 15.

(iii) August 1 through August 31 and November 1 through November 30: Anti-snagging rule applies and night closure in effect from Wallace River to Gold Bar/Big Eddy Access.

(iv) August 1 through November 30: Anti-snagging rule applies and night closure in effect from Gold Bar/Big Eddy Access to the forks.

(v) June 1 through February 15: It is unlawful to fish from any floating device in the area 1,500 feet upstream and 1,000 feet downstream of the outlet at Reiter Ponds.

(316) **Skykomish River, North Fork (Snohomish County):**

(a) From the mouth to 1,000 feet downstream of Bear Creek Falls:

(i) Open the first Saturday in June through August 31 and November 1 through January 31.

(ii) Selective gear rules apply.

(iii) Release all fish except anglers may retain up to 2 hatchery steelhead.

(b) From Deer Falls (about 1/4 mile upstream of Goblin Creek) upstream, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.

(317) **Skykomish River, South Fork (King/Snohomish counties):**

(a) From the mouth to 600 feet downstream from the Sunset Falls fishway:

(i) Open the first Saturday in June through August 31 and November 1 through January 31.

(ii) August 1 through August 31 and November 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(b) From Sunset Falls to the source, including all tributaries and their tributaries:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 14 inches.

(iv) December 1 through the last day in February:

(A) All tributaries of this river section are closed.

(B) Open for whitefish only; release all other fish.

(318) **Smith Creek (Whatcom County) (Nooksack River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(319) **Snohomish River (Snohomish County):**

(a) From the Burlington-Northern Railroad bridges to Highway 9 Bridge, including all channels, sloughs, and interconnected waterways, but excluding all tributaries:

(i) Sturgeon catch and release is permissible July 1 through August 31 and November 1 through June 30.

(ii) August 1 through August 31 and November 1 through November 30:

(A) Anti-snagging rule applies; except anglers fishing for sturgeon may use single-point barbless hooks of any size.

(B) Night closure in effect.

(iii) Gamefish:

(A) Open the first Saturday in June through August 31 and November 1 through January 31.

(B) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(iv) Salmon, for years ending in odd numbers:

(A) Open August 1 through December 31.

(B) Limit 3 salmon plus 1 additional pink; release Chinook and chum.

(b) From the Highway 9 Bridge to the confluence of the Skykomish and Snoqualmie rivers (all channels):

(i) Open the first Saturday in June through August 31 and November 1 through January 31.

(ii) August 1 through August 31 and November 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(iv) Salmon, for years ending in odd numbers:

(A) Open August 16 through December 31.

(B) Limit 3 plus 1 additional pink; release Chinook and chum.

(320) **Snoqualmie River (King County):**

(a) From the mouth to Snoqualmie Falls:

(i) Closed within the Puget Power tunnel at the falls and within 50 feet of any point on Puget Power's lower Plant #2 building (north bank).

(ii) From the first Saturday in June through August 31 and November 1 through November 30: Selective gear rules apply.

(iii) November 1 through November 30: Night closure in effect.

(iv) From the mouth to the boat ramp at the Plum access: Open the first Saturday in June through August 31 and November 1 through January 31.

(v) From the boat ramp at the Plum access to the falls: Open the first Saturday in June through August 31 and November 1 through February 15.

(vi) From November 1 through February 15: It is unlawful to fish from any floating device in the waters from the boat ramp at the Plum access to the mouth of Tokul Creek (about 1/4 mile).

(vii) Trout: Minimum length 14 inches.

(viii) Salmon, for years ending in odd numbers: Limit 3 salmon plus 1 additional pink; release Chinook and chum.

(b) From Snoqualmie Falls upstream, including the North and South Forks:

(i) Selective gear rules apply.

(ii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iii) Open the Saturday before Memorial Day through October 31: Trout minimum length 10 inches.

(iv) Open November 1 through the Friday before Memorial Day: Catch and release only.

(c) Snoqualmie River tributaries upstream of the falls, and the tributaries of the North and South Forks (except Tate, Sunday and Phillapa creeks): Open the Saturday before Memorial Day through Octo-

ber 31. From November 1 through the Friday before Memorial Day: Catch and release only.

(d) In the Snoqualmie River Middle Fork from the mouth to the source, including all tributaries except Pratt and Taylor rivers:

(i) Open year-round.

(ii) Selective gear rules apply.

(iii) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(iv) Catch and release only.

(321) **South Prairie Creek (Pierce County):** Open the Saturday before Memorial Day through August 31 and October 16 through October 31 from the city of Buckley diversion dam upstream.

(322) **Spada Lake (Reservoir) (Snohomish County):**

(a) Open the fourth Saturday in April through October 31.

(b) Selective gear rules apply.

(c) It is unlawful to fish from a floating device equipped with an internal combustion motor.

(d) Trout: Maximum length 12 inches.

(323) **Spada Lake (Reservoir) tributaries (Snohomish County):** Closed.

(324) **Spanaway Lake and Spanaway Lake outlet downstream to the dam (approximately 800 feet) (Pierce County):** Open year-round.

(325) **Squalicum Creek (Whatcom County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(326) **Squalicum Lake (Whatcom County):**

(a) Open for fly fishing only.

(b) It is unlawful to fish from a floating device equipped with a motor.

(c) Trout: Limit 2.

(327) **Squire Creek (Snohomish County) (N.F. Stillaguamish River tributary):**

(a) Open the first Saturday in June through August 31.

(b) Selective gear rules apply.

(c) Release all fish except anglers may retain up to 2 hatchery steelhead.

(328) **Steel Lake (King County):** Open the fourth Saturday in April through October 31.

(329) **Stetattle Creek (Whatcom County):** Open the first Saturday in June through October 31 above the mouth of Bucket Creek (approximately 1.5 miles upstream).

(330) **Stevens, Lake (Snohomish County):**

(a) Chumming is permissible.

(b) Kokanee: Limit 10; kokanee do not count toward the trout limit.

(331) **Steves Lake (Mason County):** Open the fourth Saturday in April through October 31.

(332) **Stickney Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(333) **Stillaguamish River (Snohomish County):**

(a) From the mouth to Marine Drive, including all sloughs:

(i) Open July 1 through August 31 and November 1 through June 30.

(ii) Night closure in effect.

(iii) August 1 through August 31 and November 1 through November 30: Anti-snagging rule applies, except anglers fishing for sturgeon may use single-point barbless hooks of any size.

(iv) Trout: Minimum length 14 inches.

(v) Salmon, for years ending in odd numbers: Limit 2; release Chinook and chum.

(b) From Marine Drive to the forks:

(i) From the barrier dam (downstream of I-5) downstream 200 feet: Closed.

(ii) Open the first Saturday in June through August 31 and November 1 through November 30.

(A) Selective gear rules apply.

(B) Night closure in effect from August 1 through August 31 and November 1 through November 30.

(C) Release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) Open December 1 through January 31: Trout: minimum length 14 inches.

(iv) Salmon, for years ending in odd numbers: Limit 2; release Chinook and chum.

(334) **Stillaguamish River, North Fork (Snohomish County):**

(a) From the North Fork mouth to the mouth of French Creek:

(i) August 1 through August 31 and November 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(ii) It is unlawful to fish from any floating device upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge).

(iii) It is unlawful to fish from any floating device equipped with a motor downstream from the Highway 530 Bridge.

(iv) Open the first Saturday in June through August 31 and November 1 through November 30:

(A) Fly fishing only.

(B) Release all fish except anglers may retain up to 2 hatchery steelhead.

(v) Open from December 1 through January 31: Trout minimum length 14 inches.

(b) From the mouth of French Creek to Swede Heaven Bridge:

(i) August 1 through August 31 and November 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(ii) Open the first Saturday in June through August 31 and November 1 through November 30:

(A) Fly fishing only.

(B) Release all fish except anglers may retain up to 2 hatchery steelhead.

(iii) Open December 1 through February 15: Trout minimum length 14 inches.

(c) From Swede Heaven Bridge to the falls approximately one mile upstream of Cascade Creek:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) Release all fish except anglers may retain up to 2 hatchery steelhead.

(d) Upstream of the falls, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.

(335) **Stillaguamish River, South Fork (Snohomish County):**

(a) From the mouth to 400 feet downstream of the outlet to Granite Falls fishway:

(i) Open the first Saturday in June through August 31 and November 1 through January 31.

(ii) August 1 through August 31 and November 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(b) From the Mountain Loop Highway Bridge above Granite Falls upstream to the source:

(i) Open the first Saturday in June through August 31 and November 1 through November 30.

(ii) Selective gear rules apply.

(iii) August 1 through August 31 and November 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(336) **Stimson Creek (Mason County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply

(c) Catch and release only.

(337) **Storm Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(338) **Straight Creek (Snohomish County) (Suiattle River tributary):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(339) **Suiattle River (Skagit County):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(c) Trout: It is permissible to retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of trout limit.

(340) **Sulphur Creek (Snohomish County) (Suiattle River tributary):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(341) **Sultan River (Snohomish County):**

(a) From the mouth to a point 400 feet downstream from the diversion dam at river mile 9.7:

(i) Open the first Saturday in June through August 31 and November 1 through January 31.

(ii) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(b) Upstream of the diversion dam to Culmback Dam: Open the first Saturday in June through October 31.

(342) **Sumas River (Whatcom County):** Open the first Saturday in June through October 31, including all tributaries except Johnson Creek.

(343) **Summit Lake (Thurston County):**

(a) Open the fourth Saturday in April through October 31.

(b) Trout: It is unlawful to retain more than 2 over 14 inches in length, except there are no size restrictions for kokanee.

(344) **Susan Lake (Thurston County):**

(a) Selective gear rules apply.

(b) Catch and release only.

(345) **Swamp Creek (tributary to Sammamish River) (Snohomish/King counties):** Open the first Saturday in June through August 31 for juvenile anglers only.

(346) **Swan's Mill Pond (Stossel Creek) (King County):** Open the first Saturday in June through October 31.

(347) **Symington Lake (Kitsap County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(348) **Tahuya River (Mason County):**

(a) From the mouth to the steel bridge approximately 1 mile upstream of North Shore Road Bridge:

(i) Open the first Saturday in June through August 15 and October 1 through October 31.

(ii) Selective gear rules apply.

(iii) October 1 through October 31: Night closure in effect.

(iv) Release all gamefish.

(b) From the steel bridge approximately one mile upstream of North Shore Road Bridge upstream:

(i) Open the first Saturday in June through August 15 and October 1 through October 31.

(ii) Selective gear rules apply.

(iii) October 1 through October 31: Night closure in effect.

(iv) Catch and release only.

(349) **Tanwax Creek (Thurston County):**

(a) Open the first Saturday in June through September 30.

(b) Selective gear rules apply.

(c) Catch and release only.

(350) **Tanwax Lake (Pierce County):** Crappie: Limit 10; minimum length 9 inches.

(351) **Tapps Lake (Reservoir) and Tapps Lake (Reservoir) intake canal (Pierce County), to within four hundred feet of the screen at Dingle Basin:** Open year-round.

(352) **Taylor River (tributary to the Middle Fork Snoqualmie) (King County):**

(a) Open the Saturday before Memorial Day through October 31.

(b) Selective gear rules apply.

(c) Catch and release only.

(353) **Tenmile Creek (Whatcom County) (Nooksack River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(354) **Tenas Creek (Skagit County) (Suiattle River tributary):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(355) **Tenas Lake (Mason County):** Open the fourth Saturday in April through October 31.

(356) **Tennant Lake (Whatcom County):** It is unlawful to fish from any floating device from the first Friday in October through January 27.

(357) **Terrell Creek (Whatcom County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(358) **Terrell, Lake (Whatcom County):** It is unlawful to fish from any floating device from the first Saturday after Labor Day through the following Friday and from October 1 through January 31, except fishing from a floating dock is permissible.

(359) **Texas Pond (Skagit County):** No limit for eastern brook trout.

(360) **Thomas Creek (Skagit County) (Samish River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(361) **Thompson Creek (Thurston County) (Skookumchuck River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(362) **Thornton Creek (tributary to Lake Washington) (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.

(363) **Thornton Creek (Whatcom County):**

(a) Open the first Saturday in June through September 15.

(b) Release all fish except anglers may retain up to 2 hatchery steelhead and there is no limit on cutthroat trout.

(364) **Thornton Lake, lower (Whatcom County):** Cutthroat trout: No limit.

(365) **Tibbetts Creek (tributary to Lake Sammamish) (King County):** Open the first Saturday in June through August 31 for juvenile anglers only.

(366) **Tiger Lake (Kitsap/Mason counties):** Open the fourth Saturday in April through October 31.

(367) **Toad Lake (Whatcom County):** Open the fourth Saturday in April through October 31.

(368) **Tokul Creek (King County) (Snoqualmie River tributary):**

(a) From the mouth to the Fish Hatchery Road Bridge:

(i) Open December 1 through February 15, except closed to fishing from 5:00 p.m. to 7:00 a.m.

(ii) Anti-snagging rule applies.

(iii) Trout: Minimum length 14 inches.

(b) From Fish Hatchery Road Bridge to the posted cable boundary marker located approximately 400 feet downstream of the hatchery intake:

(i) Open January 15 through February 15, except closed to fishing from 5:00 p.m. to 7:00 a.m.

(ii) Anti-snagging rule applies.

(iii) Trout: Minimum length 14 inches.

(c) From Tokul Road S.E. upstream, including all tributaries and beaver ponds: Open the Saturday before Memorial Day through October 31.

(369) **Tolt River (King County):**

(a) From the mouth to the USGS trolley cable near the confluence of the North and South Forks:

(i) Open the first Saturday in June through August 31 and November 1 through January 31: Selective gear rules apply.

(ii) Trout: Minimum length 14 inches.

(b) From the falls upstream, on the North Fork, including all tributaries:

(i) Open the Saturday before Memorial Day through October 31.

(ii) Selective gear rules apply.

(iii) Catch and release only.

(c) On the South Fork, from the dam upstream:

(i) Open the Saturday before Memorial Day through October 31.

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 10 inches.

(370) **Twenty-two Lake Creek (Snohomish County):** Open the Saturday before Memorial Day through October 31 upstream from the falls located approximately at river mile 0.25 upstream.

(371) **Tye River (King County):**

(a) From Foss River to Alpine Falls:

(i) Open the first Saturday in June through August 31.

(ii) Selective gear rules apply.

(iii) Trout: Minimum length 14 inches.

(iv) Open November 1 through the last day in February for white-fish only; release all other fish.

(b) From Alpine falls upstream, and all tributaries to the Tye River, including their tributaries: Open the first Saturday in June through October 31.

(372) **U Lake (Mason County):** Open the fourth Saturday in April through October 31.

(373) **Uncle John Creek (Mason County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Catch and release only.

(374) **Union River (Mason County):**

(a) From the mouth to the North Shore Road Bridge:

(i) Open the first Saturday in June through August 15.

(ii) Catch and release only.

(b) From the North Shore Road Bridge to the lower bridge on Old Belfair Highway:

(i) Open the first Saturday in June through August 15.

(ii) Selective gear rules apply.

(iii) Catch and release only.

(c) From the lower bridge on Old Belfair Highway upstream:

(i) Open the first Saturday in June through October 31.

(ii) Selective gear rules apply.

(iii) Catch and release only.

(375) **Vogler Lake (Skagit County):**

(a) Fly fishing only.

(b) Catch and release only.

(376) **Voight Creek (Pierce County):** Open the Saturday before Memorial Day through August 31 and October 16 through October 31 from the falls, approximately 4.0 river miles upstream of the mouth and under the power lines, upstream.

(377) **Waddell Creek (Thurston County) (Black River tributary):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(378) **Wagners Lake (Snohomish County):** Open the fourth Saturday in April through October 31.

(379) **Walker Lake (King County):** Open the fourth Saturday in April through October 31.

(380) **Wallace River (Snohomish County):**

(a) From the mouth to 363rd Ave. S.E./Reece Rd:

(i) Open from the first Saturday in June through August 31 and November 1 through February 15.

(ii) From first Saturday in June through August 31 and November 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) From November 1 through February 15: It is unlawful to fish from any floating device.

(iv) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(v) Salmon open September 16 through November 30 in years ending in odd numbers: Limit 3 salmon plus 1 additional pink; release Chinook and chum.

(b) From 363rd Avenue S.E./Reece Road to 200 feet upstream of the water intake of the salmon hatchery:

(i) Open November 1 through February 15.

(ii) November 1 through November 30:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) November 1 through February 15: It is unlawful to fish from any floating device.

(iv) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(v) Salmon open September 16 through November 30 in years ending in odd numbers: Limit 3 salmon plus 1 additional pink; release Chinook and chum.

(c) From 200 feet upstream of the water intake of the salmon hatchery to Wallace Falls:

(i) Open November 1 through January 31.

(ii) It is unlawful to fish from any floating device.

(iii) Trout: Minimum length 14 inches, except anglers may retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(d) From Wallace Falls upstream, including all tributaries and their tributaries: Open the Saturday before Memorial Day through October 31.

(381) **Wapato Lake (Pierce County):** Open to juvenile anglers only.

(382) **Washington Creek (Mason County):** Open the Saturday before Memorial Day through October 31.

(383) **Washington Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream (King County):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) Open year-round.

(c) It is unlawful to fish from a floating device within 100 yards of either side of the floating bridges.

(d) Chumming is permissible.

(e) Trout:

(i) December 1 through the last day in February: Release steelhead and rainbow trout over 20 inches in length.

(ii) March 1 through June 30:

(A) Minimum length 12 inches.

(B) Release steelhead and rainbow trout over 20 inches in length.

(f) Salmon:

(i) Open September 16 through October 31 north of Highway 520 Bridge and east of Montlake Bridge.

(ii) Limit 4 coho only.

(384) **Washington Lake, Ship Canal (King County) (waters east of a north-south line 400 feet west of the fish ladder at the Chittenden Locks and west of a north-south line at the eastern ends of the concrete abutments east of the Montlake Bridge):**

(a) Mandatory hatchery steelhead retention. No catch and release of hatchery steelhead.

(b) East of the Fremont Bridge: Chumming is permissible.

(c) From the west boundary to a north-south line 400 feet east of the eastern end of the northern wing wall of Chittenden Locks: Closed.

(d) From 400 feet east of the eastern end of the northern wing wall of Chittenden Locks to the east boundary:

(i) Open year-round for game fish.

(ii) Trout:

(A) Open December 1 through the last day in February: No minimum length.

(B) Open March 1 through June 30: Minimum length 12 inches.

(C) Open July 1 through November 30: No minimum length.

(D) Release steelhead and rainbow trout over 20 inches in length.

(385) **Waughop Lake (Pierce County):** Landlocked salmon rules apply.

(386) **Whatcom Creek (Whatcom County):**

(a) From the mouth to the markers below the footbridge below Dupont Street in Bellingham:

(i) Open the first Saturday in June through December 31.

(ii) August 1 through December 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(iv) Salmon: Open August 1 through December 31.

(A) Limit 6; anglers may retain up to 2 adult salmon.

(B) Release wild coho.

(C) Anglers fishing lawfully within 50 yards of the Bellingham Technical College Hatchery Collection Tube and on the hatchery side of the creek that hook and land chum salmon may remove those chum salmon from the water and immediately place them unharmed into the Hatchery Collection Tube.

(b) From the footbridge below Dupont Street in Bellingham to the stone bridge at Whatcom Falls Park:

(i) Open the first Saturday in June through October 31.

(ii) August 1 through October 31:

(A) Anti-snagging rule applies.

(B) Night closure in effect.

(iii) Trout: Minimum length 14 inches.

(c) From the stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Open the fourth Saturday in April through October 31 for juvenile anglers only. Trout: No minimum length.

(387) **Whatcom, Lake (Whatcom County):**

(a) Open the fourth Saturday in April through October 31, except the waters between the Electric Avenue Bridge and the outlet dam are closed.

(b) Cutthroat trout: Catch and release only.

(388) **Whatcom, Lake, tributaries (Whatcom County):** Closed.

(389) **White (Stuck) River (Pierce County):**

(a) From the mouth to R Street Bridge in Auburn, open November 1 through January 15:

(i) Night closure in effect.

(ii) Selective gear rules apply.

(iii) Trout minimum length 14 inches.

(b) From R Street Bridge to the Highway 410 Bridge at Buckley:

(i) Open October 1 through October 31, except closed in the Puget Power canal, including the screen bypass channel above the screen at Dingle Basin.

(ii) Selective gear rules apply.

(iii) Night closure in effect.

(iv) Trout: Minimum length 14 inches.

(c) From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) upstream to the source:

(i) Open July 1 through October 31.

(A) October 1 through October 31: Night closure in effect.

(B) Selective gear rules apply.

(C) Catch and release only.

(ii) Open for whitefish only November 1 through January 31; whitefish gear rules apply.

(390) **Whitechuck River (Snohomish County):**

(a) Open the first Saturday in June through September 15.

(b) Selective gear rules apply.

(c) It is permissible to retain Dolly Varden/Bull trout with a minimum length of 20 inches as part of the trout limit.

(391) **Wildberry Lake (Mason County):** Open the fourth Saturday in April through October 31.

(392) **Wildcat Lake (Kitsap County):** Open the fourth Saturday in April through October 31.

(393) **Wilderness Lake (King County):**

(a) Open the fourth Saturday in April through October 31.

(b) Landlocked salmon rules apply.

(394) **Wilkeson Creek (Pierce County) (South Prairie Creek tributary) upstream of confluence with Gale Creek:** Open the first Saturday in June through August 31 and October 16 through October 31.

(395) **Woodard Creek (Thurston County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(396) **Wood Lake (Mason County):** Open the fourth Saturday in April through October 31.

(397) **Woodland Creek (Thurston County):**

(a) Open the first Saturday in June through October 31.

(b) Selective gear rules apply.

(c) Trout: Minimum length 14 inches.

(398) **Woods Creek, East Fork (Snohomish County) (Skykomish River tributary):** Open the first Saturday before Memorial Day through October 31 upstream of Old Pipeline Road above Woods Creek Falls, including tributaries and beaver ponds.

(399) **Wooten Lake (Mason County):** Open the fourth Saturday in April through October 31.

(400) **Wye Lake (Kitsap County):** Open the fourth Saturday in April through October 31.

(401) **Youngs Creek (Snohomish County) (Skykomish River tributary) (Elwell Creek tributary, Skykomish River tributary near town of Sultan):** Open the Saturday before Memorial Day through October 31 above Potson Road (299th Avenue S.E. Bridge) including all tributaries and beaver ponds.

NEW SECTION

The following sections of the Washington Administrative Code are decodified and recodified as follows:

Old WAC Number	New WAC Number

220-310-175	220-312-010
220-310-180	220-312-020
220-310-185	220-312-030
220-310-190	220-312-040
220-310-195	220-312-050
220-310-200	220-312-060

AMENDATORY SECTION (Amending WSR 98-02-017, filed 12/30/97, effective 1/30/98)

WAC 220-140-010 Regional fisheries enhancement groups—Definitions. The following definitions apply to this chapter:

(1) "Regional fisheries enhancement group" or "group" means a nonprofit association established in compliance with Title 24 RCW, representing diverse interests, and which will work together within a predesignated area for the express purpose of enhancing salmon production and habitat in that area.

(2) "Regional fisheries enhancement group's project surplus viable salmon eggs" means those viable salmon eggs that are surplus to both the needs of the department and other public entities within the state and to the group itself. The priority for use of viable salmon eggs is as established in chapter ((~~220-74~~)) 220-304 WAC.

AMENDATORY SECTION (Amending WSR 90-04-026, filed 1/30/90, effective 3/2/90)

WAC 220-140-030 Establishing a regional fisheries enhancement group. (1) In order to establish a regional fisheries enhancement group, interested parties must make application through the department. In order to qualify to establish a group, interested parties must:

(a) Identify which geographic region the interested parties live in.

(b) Identify the interested parties, including addresses.

(c) Identify a representative who will work with the department on the initial application.

(d) Agree to form a nonprofit corporation, registered with the secretary of state of the state of Washington.

(e) Agree to periodic audits by the department, or its representative.

(2) The department will provide coordination and technical assistance to facilitate the application by prospective groups to be fisheries regional enhancement groups. The department shall provide a format and guidelines which any prospective group may use to make initial application. An initial application will be reviewed by the regional enhancement task force within thirty days, and notice will be given in writing of any omissions or errors and corrective action will be discussed with the group representative. The prospective group will be given thirty days for correction and resubmission of the application.

(3) The goal shall be one prospective group per region, and a department coordinator shall seek reconciliation of competing interests, but in the event two or more prospective groups make application, the department may request a representative of each group to meet with the regional enhancement task force and make a presentation addressing why that group should be the fisheries regional enhancement group for the region. The regional fisheries task force shall recommend to the director which group shall be selected as the regional fisheries enhancement group. The criteria to be considered when choosing from among competing groups shall include, but not be limited to:

(a) Representation of diverse interests within the group.

(b) The intentions of the group regarding salmon production, salmon habitat protection, and salmon habitat enhancement.

(c) The inclusion of an educational component within the group's planning process.

(d) Group plans to provide accountability for both salmon production and fiscal matters.

(e) The expected level of voluntary contributions to and voluntary participation in group projects.

(4) Upon selection of the prospective group, the department will provide guidance and assistance with the articles of incorporation and establishment as a 501 (C)(3) organization.

(5) After approval as a group, incorporation, and initial 501 (C)(3) application, one-twelfth of the start up funds provided for in section 9, chapter 426, Laws of 1989, will be made available, as needed, to each group for start up costs, other than incorporation costs, or start up projects. Distribution of start up funds for start up costs or start up projects will be made by the director, based on review and recommendation by the regional enhancement task force. After January 1, 1991, uncommitted start up funds may be distributed by the director to established groups for start up projects, based on review and recommendation of the regional enhancement task force.

AMENDATORY SECTION (Amending WSR 98-02-017, filed 12/30/97, effective 1/30/98)

WAC 220-140-040 Regional fisheries enhancement groups—Project funds from the sale of surplus salmon carcasses and eggs. (1) Regional fisheries enhancement groups whose projects produce surplus salmon carcasses and eggs may request that the department sell such surplus, providing the following conditions are met:

(a) Salmon must be returning to a department approved group facility (hatchery, trap or weir);

(b) An approved and current salmon rearing project must be on file with the department;

(c) The department must declare that a surplus exists beyond the needs of the department, tribes, other public entities, and group project requirements; and

(d) Use of funds generated by such sale will be approved by the regional fisheries enhancement group advisory board and the department, using the same procedure as established for handling moneys allocated from the regional fisheries enhancement group account.

(2) The department may sell the surplus salmon carcasses, nonviable eggs and viable eggs of a group project. Surplus viable salmon eggs shall be sold by the department as prescribed in chapter ((~~220-74~~)) 220-304 WAC, Surplus salmon eggs. A group may not sell any salmon products resulting from its activities.

(3) All money received by the department from the sale of group surplus salmon carcasses, nonviable eggs and viable eggs shall be placed into the regional fisheries enhancement group account and used solely to fund the expenses of approved activities for the group that developed the project.

(4) All money received by the department from the sale of surplus salmon carcasses, nonviable eggs and viable eggs returning to state funded hatcheries shall be placed into the general regional fisheries enhancement group account. Eighty percent of this money will be distributed equally to each of the twelve groups and twenty percent will be used by the department to administer the program.

(5) All fish produced from an approved group project are intended for release into state waters. Live fish will not be transported from a group project without prior written approval of the department.

(6) Surplus carcasses from salmon returning to a group project may be seeded into and along streams if a plan to do so has been pre-approved and coordinated by the department.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-140-001	220-630-010
220-140-010	220-630-020
220-140-020	220-630-030
220-140-030	220-630-040
220-140-040	220-630-050
220-140-050	220-630-060

AMENDATORY SECTION (Amending WSR 99-11-004, filed 5/6/99, effective 6/6/99)

WAC 220-130-020 Definitions. (1) "Volunteer group" means any person or group of persons interested in or party to an agreement with the department of fish and wildlife relating to a cooperative fish or wildlife project.

(2) "Cooperative project" means a project conducted by a volunteer group that will benefit fish, shellfish, game bird, nongame wildlife, or game animal resources of the state and for which the benefits of the project, including fish and game reared and released are available to all citizens of the state. Indian tribes may elect to participate in cooperative fish and wildlife projects with the department.

(3) "Department" means the department of fish and wildlife.

(4) "Reimbursable expenses" means an actual expense of a project that may be reimbursed by the department to the project from funds generated by the sale of surplus salmon carcasses and nonviable surplus salmon eggs from that project.

(5) "Surplus salmon eggs" means those salmon eggs that are surplus to both the needs of all programs of the department and other public entities as described in chapter ((~~220-74~~)) 220-304 WAC.

(6) "Surplus salmon carcasses" means those salmon carcasses that are surplus to both the needs of all programs of the department and other public entities as described in chapter ((~~220-74~~)) 220-304 WAC.

(7) "Viable salmon eggs" mean those salmon eggs which are fertile and capable of being cultured.

(8) "Nonviable salmon eggs" mean those eggs which are infertile.

AMENDATORY SECTION (Amending WSR 04-01-055, filed 12/11/03, effective 1/11/04)

WAC 220-130-080 Project recovery of reimbursable expenses. Cooperative projects which rear salmon have the potential for generating income from the sale of surplus salmon carcasses and eggs derived from fishes produced at those projects, and to which salmon return to spawn at the end of their life cycle. If the department determines that it is appropriate to do so, such cooperative projects may, under the guidance of the department and by administrative rules and guidelines established for this purpose, recover some of the cooperative projects operating costs through the sale of nonviable salmon eggs and carcasses. It is understood that the primary objective of this provision is not to establish projects which constitute fish farms, but to allow those projects which may generate surplus fish which elude sport, commercial or tribal fisheries to sell the resulting surplus to help defray the cost of the particular cooperative project.

(1) In order for a project to recover reimbursable expenses, the project must have an annual budget presubmitted and approved by the department. The budget must generally show expected expenses, including the names of all persons expected to draw salaries as hired labor.

(2) Under administrative rules developed for this purpose, the cooperative project may sell nonviable salmon eggs and carcasses by soliciting competitive bids from approved buyers, as determined by the department.

(3) Volunteer cooperative project surplus salmon eggs shall be sold as prescribed by chapter ((~~220-74~~)) 220-304 WAC, Surplus salmon eggs.

(4) All moneys generated by such sales shall be paid to the department and placed into a special account used solely to fund the reimbursable expenses of the cooperative project which generated the funds.

(5) In order to utilize the funds generated by such sales, a cooperative project must submit a list of expenses accompanied by original invoices, including signed time sheets for hired labor salary expenses, which clearly shows that the expenses relate to the presubmitted budget for the project which comply with all accounting and contract requirements.

(6) Reimbursable expenses shall be limited to the actual annual operating expenses of the project. No profit may be realized by the project, and no moneys shall apply to amortization or depreciation.

(7) Viable surplus salmon eggs may not be sold, bartered, exchanged or disposed of by any volunteer group.

(8) Surplus salmon carcass sales may not be allowed if the department determines that they would be more appropriately utilized to reseed streams in an effort to restore or enhance habitat through nutrient enrichment.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-130-020	220-620-010
220-130-030	220-620-020
220-130-040	220-620-030
220-130-050	220-620-040
220-130-060	220-620-050
220-130-070	220-620-060
220-130-080	220-620-070

AMENDATORY SECTION (Amending WSR 00-01-101, filed 12/16/99, effective 1/16/00)

WAC 220-125-020 Issuing orders of revocation or suspension. Upon a determination that there are grounds for an order of revocation or suspension provided by statute, the director, or the director's authorized designee, is authorized to issue a revocation or suspension order.

(1) Time limit for orders. An order shall be issued no later than two years from the last conviction or other event that provides the grounds for the order.

(2) Effective date of orders. An order shall not be effective until the 21st calendar day following the mailing date of the order and shall remain in effect through the entire period of suspension, or the remaining period of the revoked license, unless the order is withdrawn, or unless recipient files a timely request for an adjudicative proceeding under WAC ((~~220-125-050~~)) 220-220-430 to contest the order. When there is a timely request for an adjudicative proceeding, the effective date, if any, shall be set by the final order that results from the adjudicative proceeding.

(3) Exception for orders that take effect immediately. If the director makes a finding that public health, safety, or welfare requires emergency action, the order may provide that revocation or suspension take effect immediately, or at any time prior to an adjudicative proceeding. A person subject to such an order may seek an adjudicative proceeding and that proceeding shall include an opportunity to seek expedited review of the determination that the order take effect immediately.

(4) Finality of orders. If there is no timely request for an adjudicative proceeding, then the order shall be final. An order contested in an adjudicative proceeding is final when that proceeding ends in a final order pursuant to the Administrative Procedure Act, or is otherwise dismissed. There shall be no collateral attack nor relitigation of any final order.

AMENDATORY SECTION (Amending WSR 00-01-101, filed 12/16/99, effective 1/16/00)

WAC 220-125-070 Orders upon adjudication. (1) The presiding officer shall enter findings, conclusions, and an order that affirms, modifies, or vacates the original order revoking or suspending. If the presiding officer enters an order that includes any period of revocation or suspension, then the order shall expressly state the beginning and ending period of any period of revocation or suspension, and shall identify the licenses or privileges that are revoked or suspended.

(2) If the revocation or suspension was imposed with a finding of immediate effect pursuant to WAC ((~~220-125-020~~)) 220-220-410, then the period shall include such time that the person has been suspended or revoked under WAC ((~~220-125-020~~)) 220-220-410. However, if the revocation or suspension did not take effect due to the initiation of the adjudicative proceeding, then the period of revocation or suspension shall begin on the twenty-first day after service of the final order and continue through the period set by statute or applicable rule.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-125-010	220-220-400
220-125-020	220-220-410
220-125-040	220-220-420
220-125-050	220-220-430
220-125-060	220-220-440
220-125-070	220-220-450
220-125-080	220-220-460

AMENDATORY SECTION (Amending WSR 06-04-015, filed 1/22/06, effective 2/22/06)

WAC 220-88D-010 Emerging commercial fishery——Commercial wild clams, mussels, and oyster shellfish fishery on nonstate tidelands and bedlands. The purpose of this chapter is to license and provide catch reporting requirements for the commercial harvest of wild clams, mussels, and oysters on nonstate lands in an emerging commercial fishery. For purposes of this chapter, "wild" or "wild stocks of" clams, mussels, and oysters means shellfish identified in WAC ((~~220-88D-050~~)) 220-360-140. That rule distinguishes between the harvest of wild shellfish stocks subject to this chapter and private sector cultured aquatic products not subject to this chapter. These terms, and all provisions of this chapter pertaining to "wild" or "wild stocks of" clams, mussels, and oysters, or to "private sector cultured aquatic product," are for state resource management, catch reporting, and enforcement purposes only. They are neither intended to be, nor should be characterized as, any determination or evidence of whether "wild" or "wild stocks of" clams, mussels, and oysters (or any portion thereof) are naturally occurring, are subject to treaty sharing, or are part of natural or artificial shellfish beds as those concepts and terms are used and defined in *United States v. Washington,* 157 F.3d 630 (9th Cir. 1998), the Shellfish Implementation Plan of *United States v. Washington,* C70-9213, Subproceeding 89-3 (W.D. Wash, rev. April 8, 2002), and other applicable court orders relating to shellfish.

AMENDATORY SECTION (Amending WSR 06-04-015, filed 1/22/06, effective 2/22/06)

WAC 220-88D-050 Identification of wild stocks of clams, mussels, or oysters——Reporting requirements for the commercial harvest of wild clams, mussels, or oysters from nonstate aquatic lands——Conversion to private sector cultured aquatic products. (1) Based upon RCW 15.85.020(3), the following shellfish are distinguished from private sector cultured aquatic products and are identified as wild stocks that are regulated under this chapter:

(a) All clams, mussels, or oysters that were not propagated, farmed, or cultivated under the active supervision and management of a private sector aquatic farmer; and

(b) All clams, mussels, or oysters that were set naturally prior to the time an aquatic farm was established and placed under the active supervision and management of a private sector aquatic farmer.

(2) Examples of harvested wild stocks of shellfish include, but are not limited to, the following:

(a) Any harvest of clams, mussels, or oysters from a site that is not registered as an aquatic farm unless there is some ability to demonstrate that the shellfish was propagated, farmed, or cultivated under the active supervision of an aquatic farmer;

(b) Any harvest of clams, mussels, or oysters that were naturally set prior to the time an aquatic farm was established at the site and

placed under the active supervision and management of an aquatic farmer; and

(c) Shellfish that is harvested from a newly registered aquatic farm during a period when the shellfish is presumed to come from a wild stock as specified in subsection (5) of this section.

(3) The sale of wild stocks of clams, mussels, and oysters must be reported through the use of shellfish receiving tickets. The failure to report the sale of shellfish with a fish receiving ticket when it is required is unlawful activity and constitutes a violation of WAC ((~~220-69-215~~)) 220-352-020 and RCW 77.15.630. Any person selling wild stocks of clams, mussels, and oysters must sell the harvest to a licensed Washington wholesale fish dealer, who is then required to complete the fish ticket. Alternatively, if the person harvesting the clams, mussels, or oysters sells this shellfish at retail or arranges for the harvested shellfish to be transported out-of-state, they must be a licensed wholesale dealer and must complete a fish receiving ticket for each day's sales or for each shipment.

(4) Wild stock sales may not be reported on aquatic farm quarterly production reports. Only private sector cultured aquatic products may be reported on quarterly production reports.

(5) The following shellfish are presumed to be wild shellfish that are subject to these regulations:

(a) All mussels, oysters, and clams other than geoducks that are commercially harvested from the nonstate lands within the first twelve months after a complete application for the aquatic farm registration is filed; and

(b) All geoducks commercially harvested from the nonstate lands within the first thirty-six months after a complete application for the aquatic farm registration is filed.

The presumption that shellfish harvested from a newly registered aquatic farm during these time periods are from wild stocks may be overcome by a showing that the harvested shellfish were actually propagated, farmed, or cultivated under the active supervision of an aquatic farmer. After twelve or thirty-six months, respectively, all shellfish produced from a registered aquatic farm will be presumed to be private sector cultured aquatic products, and must be reported on quarterly aquatic farm reports. If a person does not commercially harvest mussels, oysters, or clams other than geoducks for the first twelve months after the aquatic farm registration, or does not commercially harvest geoducks for the first thirty-six months after registration, there is no requirement to obtain an emerging commercial fishery license or trial fishery permit.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-88D-010	220-360-100
220-88D-020	220-360-110
220-88D-030	220-360-120
220-88D-040	220-360-130

220-88D-050 220-360-140

AMENDATORY SECTION (Amending WSR 12-09-046, filed 4/13/12, effective 5/14/12)

WAC 220-88-040 Trial commercial fishery permits. (1) Applications for trial commercial fishery permits must specify the species, fishing area, and fishing method to be used.

(2) The department will respond to any request for a trial commercial fishery permit within sixty days of receiving the application.

(3) Only persons who hold a commercial fishing license under chapter 77.65 RCW for the gear that will be used with the trial commercial fishery permit, or persons who own a vessel that holds such a commercial fishing license, are eligible to hold a trial commercial fishery permit. A trial commercial 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.

(4) The director will issue a trial commercial fishery permit for a newly classified species only after the director has by rule classified the species as a food fish or shellfish in chapter ((~~220-12~~)) 220-300 WAC. If emergency classification is required, the director will issue the trial commercial fishery permit only for the period of emergency classification, and will not renew the permit unless the department has received a request for permanent classification at least two weeks before the end of the permit period.

(5) The director may redesignate a trial commercial fishery as an emerging or expanding commercial fishery if the director finds that there is a need to limit participation. A trial commercial fishery permit for that fishery does not guarantee future eligibility for an experimental fishery permit.

(6) The director may at any time close a trial commercial fishery for conservation reasons.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-88-010	220-360-010
220-88-020	220-360-020
220-88-030	220-360-030
220-88-040	220-360-040

AMENDATORY SECTION (Amending WSR 12-15-001, filed 7/6/12, effective 8/6/12)

WAC 220-80-080 Processing requests for public records. (1) **Order of processing public records requests.** The public records officer will process requests in the order allowing the greatest number of requests to be processed in the most efficient manner.

(2) **Acknowledging receipt of request.** Within five business days of receipt of the request, the public records officer will do one or more of the following:

(a) Make the records available for inspection or copying;

(b) Send the copies to the requestor if copies are requested and payment of a deposit for the copies, if any, is made or terms of payment are agreed upon;

(c) Provide a reasonable estimate of when records will be available;

(d) Request clarification from the requestor if the request is unclear or does not sufficiently identify the requested records. Such clarification may be requested and provided by telephone. The public records officer may revise the estimate of when records will be available if an estimate was given; or

(e) Deny the request.

(3) **If no response is received.** If the public records officer does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the public records officer to ensure that the department received the request.

(4) **Protecting the rights of others.** In the event that the requested public records contain information that may affect rights of others and may, therefore, be exempt from disclosure, the public records officer may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given so as to make it possible for those other persons to contact the requestor and ask him or her to revise the request or, if necessary, seek a court order to prevent or limit the disclosure. The notice to the affected persons may include a copy of the request.

(5) **Records exemption from disclosure.** Some records are exempt from disclosure, in whole or in part, as provided in chapter 42.56 RCW and in other statutes. If the department believes that a record is exempt from disclosure and should be withheld, the public records officer will state the specific exemption and provide a brief explanation of why the records or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the public records officer will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted.

(6) **Inspections of records.**

(a) Consistent with other demands, the department will promptly provide space to inspect public records it has assembled in response to a properly submitted public records request. No member of the public may remove a document from the viewing area or disassemble or alter any document. If, after inspecting a record or records, the requestor wishes to receive a copy of a particular record or records, he or she should so indicate to the public records officer. Copies will be provided pursuant to subsection (7) of this section.

(b) The requestor must inspect the assembled records within thirty days of the department's notification to him or her that the records are available for inspection or copying. The department will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the department to make arrangements to inspect the records. If the requestor fails to inspect the records within the thirty-day period or make other arrangements, the department may close the request and refile the assembled records. If the requestor subsequently files the same or a substantially similar request, that subsequent request will be considered a new request and will be processed in the order allowing the greatest number of requests to be processed in the most efficient manner.

(7) **Providing copies of records.**

(a) Upon request, the department will provide copies of requested records. Copies may be provided in either hard copy or electronic format, as requested. The cost for copies is set forth in WAC ((~~220-80-090~~)) 220-120-060. If a requestor wishes to obtain a copy of a particular record or records after inspecting records, he or she should so indicate to the public records officer, who will make the requested copies or arrange for copying.

(b) Copies may be mailed or e-mailed to the requestor, or made available for pickup at the department's offices. If the copies are available for pickup at the department's offices, the requestor must pay for the copies within thirty days of the department's notification to him or her that the copies are available for pickup. The department will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the department to make arrangements to pay for and pick up the copies. If the requestor fails to pay for or pick up the copies within the thirty-day period, or fails to make other arrangements, the department may close the request. If the requestor subsequently files the same or a substantially similar request, that subsequent request will be considered a new request and will be processed in the order allowing the greatest number of requests to be processed in the most efficient manner.

(8) **Electronic records.** The process for requesting electronic public records is the same as for requesting paper public records. When a person requests records in an electronic format, the public records officer will provide the nonexempt records, or portions of such records that are reasonably locatable, in an electronic format that is used by the agency and is generally commercially available, or in a format that is reasonably translatable from the format in which the agency keeps the record.

(9) **Providing records in installments.** When the request is for a large number of records, the public records officer may make the records available for inspection, or provide copies of the records in installments if he or she reasonably determines it would be practical to provide the records in that manner. The requestor must inspect the installment of assembled records, or pay for and pick up records if copies of the records are made available for pick up at the department's offices, within thirty days of the department's notification to him or her that records are available for inspection or are ready for pickup. If the requestor fails to inspect the installment of copies within the thirty-day period, fails to pay for and pick up the installment of copies within the thirty-day period, or fails to make other arrangements, the public records officer may stop searching for the remaining records and close the request.

(10) **Closing a withdrawn or abandoned request.** When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the public records officer will indicate that the department has completed a diligent search for the requested records and has made any located, nonexempt records available for inspection. Then the public records officer will close the request.

(11) **Completion of inspection.** When the inspection of the requested records is complete and all requested copies are provided, the public records officer will indicate that the department has completed a diligent search for the requested records and has made any located, nonexempt records available for inspection. Thereafter, the public records officer may close the request.

(12) **Later discovered documents.** If, after the department informs the requestor that it has provided all available records, the department becomes aware of additional responsive documents that existed at the time of the request, the department will promptly inform the requestor of the additional documents and make them available for inspection or provide copies on an expedited basis.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-80-010	220-120-010
220-80-020	220-101-020
220-80-030	220-101-030
220-80-040	220-120-020
220-80-050	220-120-030
220-80-060	220-120-040
220-80-080	220-120-050
220-80-090	220-120-060
220-80-100	220-120-070
220-80-110	220-120-080

AMENDATORY SECTION (Amending WSR 02-02-013, filed 12/21/01, effective 1/21/02)

WAC 220-77-010 Aquaculture—Intent. The intent of this chapter is to establish rules that promote the health, productivity and well-being of aquaculture products and the wild stock fisheries. These rules will identify the conditions that will be required for transfer and importation of live aquaculture products and the circumstances when action will be taken to control disease. These rules have been developed jointly by the department and the department of agriculture.

AMENDATORY SECTION (Amending WSR 02-02-013, filed 12/21/01, effective 1/21/02)

WAC 220-77-030 Finfish aquaculture disease control. (1) It is unlawful for any person to import into or transport within the state of Washington finfish aquaculture products without first having obtained a permit to do so issued by the department. A copy of the transport permit shall accompany the finfish aquaculture products at all times within the state of Washington, and must be presented upon request to authorized department employees.

(2) The director may impose conditions on a transport permit as necessary to ensure the protection of aquaculture products and native finfish from disease when the director concludes that there is a reasonable risk of disease transmission associated with the finfish aquaculture products.

(3) Upon the initial detection of a regulated pathogen, the department's fish health unit must be notified by the end of the following working day after diagnosis is made. The department will confirm or deny the presence of the regulated pathogen. Pending confirmation the department may take action under WAC ((~~220-77-070~~)) 220-370-240 (1)(a) or (b).

(4) The director will issue, upon request, copies of the rules and policies dealing with finfish disease control.

(5) The director will issue or deny a transport permit within thirty days after a completed application containing all requested information is received by the department's fish health unit.

(6) Violation of these rules or the conditions of the transport permit may result in the suspension or revocation of the permit.

(7) In the event of denial, suspension, or revocation of a transport permit, the affected person may appeal the decision to the director. The department will advise the person of the appeals process. Additional appeals may be made through the Administrative Procedure Act (chapter 34.04 RCW). A suspended or revoked transport permit will remain suspended or revoked during the appellate process.

(8) Any person desiring to conduct *in vivo* research using a regulated finfish pathogen is required to first obtain permission in writing from the department prior to beginning the research.

AMENDATORY SECTION (Amending WSR 97-08-078, filed 4/2/97, effective 5/3/97)

WAC 220-77-065 Kelp importation—Permit required—Disease control. (1) It is unlawful for any person to import kelp into the state of Washington for use in the herring spawn on kelp fishery without first having obtained a permit to do so issued by the department. A copy of the permit must accompany the imported kelp at all times until the kelp is placed into the marine environment and must be presented upon request to department employees.

(2) The director may impose permit conditions as necessary to ensure protection of aquaculture products and native species from disease when the director concludes that there is a risk of disease transmission associated with the imported kelp.

(3) A kelp import permit is not transferrable.

(4) Violation of these rules or the conditions of a permit may result in suspension or revocation of the kelp import permit. In the event of denial, suspension or revocation of a kelp import permit, the affected party may appeal through the Administrative Procedure Act. A suspended or revoked permit will remain suspended or revoked during the appeal process.

AMENDATORY SECTION (Amending WSR 02-02-013, filed 12/21/01, effective 1/21/02)

WAC 220-77-082 Aquaculture—Recordkeeping. It is the responsibility of a registered finfish aquatic farmer to maintain records of laboratory inspection reports on the live product of that finfish aquatic farmer issued for the previous twenty-four months. It is the responsibility of a finfish aquatic farmer to maintain records of shipments of all live products to other sites or facilities that occurred during the previous twenty-four months, which shipment reports must contain, at a minimum, the shipping date, species, amount, and name and address of the receiver of the shipment. Laboratory inspection reports and shipping reports must be made available to authorized department employees. Records of a proprietary nature, such as lists and addresses of clients, are not public records and are not available for public inspection.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-77-010	220-370-020
220-77-020	220-370-050
220-77-030	220-370-190
220-77-040	220-370-200

220-77-050	220-370-210
220-77-060	220-370-220
220-77-065	220-370-230
220-77-070	220-370-240
220-77-080	220-370-250
220-77-081	220-370-080
220-77-082	220-370-090

AMENDATORY SECTION (Amending Order 980, filed 2/3/72)

WAC 220-76-001 Aquaculture. It shall be unlawful for any person, firm, or corporation to cultivate food fish, shellfish, or other aquatic animals for commercial purposes except as follows in chapter ((~~220-76~~)) 220-370 WAC.

AMENDATORY SECTION (Amending WSR 89-10-033, filed 4/27/89)

WAC 220-76-010 Aquatic farm registration required. (1) It shall be unlawful for any person to cultivate aquatic products (private sector cultured aquatic products as defined under RCW 15.85.020(3)) without the aquatic farmer having first registered the aquatic farm with the department. Any aquatic farm must be registered with the department prior to the commencement of culture activities. The department shall grant registration to qualified persons within seven days of the receipt of a complete aquatic farm registration form.

(2) Aquatic farm registrations are nontransferable. In the event there is a change of ownership of an aquatic fish farm established under chapter ((~~220-76~~)) 220-370 WAC the aquatic farm registration issued to the previous owner shall be invalid.

(3) Registrations must be renewed annually, prior to December 31 for the succeeding calendar year. Reporting of aquaculture activity (WAC ((~~220-69-243~~)) 220-370-160) during the previous calendar year shall constitute renewal for the following year.

AMENDATORY SECTION (Amending WSR 03-02-047, filed 12/24/02, effective 7/1/03)

WAC 220-76-140 Marine finfish aquaculture——Atlantic salmon watch program established. Contingent on funding, the director shall develop and implement an Atlantic salmon watch program which will include the following elements:

(1) Establish an Atlantic salmon watch coordinator position whose responsibilities include providing a focal point for consolidation of scientific information and implementation of subsections (2) through (5) of this section.

(2) Develop and maintain a system to record and report observations and catch of Atlantic salmon in waters of the state, including modification of the recreational catch data reporting system, the commercial fish ticket reporting system, education of volunteers to identify and report spawning sites, and monitoring of selected watersheds to detect spawning Atlantic salmon.

(3) Model the impact of Atlantic salmon on naturally produced and cultured finfish stocks by estimates of identification of Atlantic salmon standing crop or populations in the wild, detailed life history requirements, and estimates of niche overlap.

(4) Coordination with marine finfish aquatic farmers under WAC ((~~220-76-110~~)) 220-370-110 for the reporting of escapes of Atlantic

salmon from marine aquatic farming locations, and adjustment of escape prevention plans filed with the department under WAC ((~~220-76-100~~)) 220-370-100 to prevent future escapes.

(5) Provide public information on recreational opportunity in the event of an escape, assist the public in understanding the effect of Atlantic salmon escapes on native populations, and provide a public contact for all department efforts regarding Atlantic salmon.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-76-001	220-370-010
220-76-010	220-370-060
220-76-015	220-370-040
220-76-020	220-370-070
220-76-030	220-370-180
220-76-100	220-370-100
220-76-110	220-370-110
220-76-120	220-370-120
220-76-130	220-370-130
220-76-140	220-370-140
220-76-150	220-370-150

AMENDATORY SECTION (Amending WSR 78-09-071, filed 8/25/78)

WAC 220-74-010 Purpose. The purpose of this chapter shall be to establish an orderly means for the department to dispose of surplus live salmon eggs in a manner that provides optimum benefits to the citizens of the state.

All surplus salmon eggs sold pursuant to chapter ((~~220-74~~)) 220-304 WAC shall be used in accordance with the provisions of WAC ((~~220-20-040~~)) 220-200-140 through ((~~220-20-045~~)) 220-200-150.

AMENDATORY SECTION (Amending WSR 02-10-023, filed 4/23/02, effective 5/24/02)

WAC 220-74-020 Surplus salmon eggs—Priorities. (1) It is the duty of the department to assure that egg requirements for state hatcheries are satisfied. Once these requirements have been met, eggs surplus to these requirements will be provided as per RCW 77.95.210.

(2) Prioritized schedule for salmon production. Annually the department shall:

(a) Determine the salmon production capacity of department hatcheries;

(b) Determine the allowable numbers of hatchery-origin salmon that will be allowed to spawn naturally, by location;

(c) Make estimates of the number of adult salmon returning to department facilities;

(d) Solicit requests for viable salmon eggs from the following entities: Volunteer salmon rearing cooperatives established under chapter 77.100 RCW, regional fisheries enhancement groups established under chapter 77.95 RCW, lead entities for salmon recovery as established under chapter 77.85 RCW, government hatcheries in Washington, Oregon and Idaho, and hatcheries of federally recognized Indian tribes in Washington, Oregon and Idaho;

(e) Compile and submit for review by Indian tribes with treaty fishing rights a plan for replenishing fish runs through the use of available viable salmon eggs, including transfers to the entities listed in this subsection; and

(f) Offer an appeal mechanism to any entity denied a transfer of viable salmon eggs.

(3) The department will prioritize projects that utilize surplus viable salmon eggs and outplanting of adult fish. In such prioritization, the department will evaluate all proposed projects in terms of potential benefits and risks. In considering projects that involve placing adult, juvenile or eggs into a body of water, the biological factors that will be considered include, but are not limited to:

(a) Expected salmon recovery benefits;

(b) Effect on ongoing research and monitoring projects;

(c) Nutrient benefit;

(d) Habitat carrying capacity;

(e) Interspecies interactions;

(f) Disease risk;

(g) Ability to monitor effects of introduction;

(h) Biodiversity significance of the wild population;

(i) Genetic similarity of introduced and wild stocks;

(j) Status of populations under the Endangered Species Act or the salmonid stock inventory; and

(k) The proportional mix of hatchery-origin and wild fish.

(4) All projects will be evaluated consistent with documented department protocols and procedures, recovery plans and management agreements, including, but not limited to:

(a) *The WDFW Genetics Manual*;

(b) *The WDFW Spawning Guidelines*;

(c) *The WDFW Stock Transfer Guidelines*;

(d) *The WDFW Fish Health Manual*;

(e) The Co-Managers Fish Disease Control Policy;

(f) The WDFW Wild Salmonid Policy;

(g) WDFW hatchery and genetics management plans;

(h) WDFW fishery management and evaluation plans;

(i) Rules developed under section 4(d) of the Endangered Species Act; and

(j) Take permits issued under sections 7 and 10 of the Endangered Species Act.

(5) Prioritized schedule for egg sales. To encourage the use of surplus live salmon eggs available for sale for the optimum benefit of the citizens of the state, the following priorities will be followed, within practical limitations, in distributing surplus live salmon eggs resulting from returns to artificial production facilities:

(a) Sales to in-state aquaculturists when the eggs would be hatched, the resulting fry reared, by a person or corporation engaged in the fish industry in this state.

(b) Sales to private Oregon sea ranchers where fish are to be released for migration from Oregon sites to the Pacific Ocean and thus subject to the public capture fisheries of the state of Washington.

(c) Sales to the hatcheries located in California and Alaska where the fish are to be released at sites located in those states for migration to the Pacific Ocean for harvest by public capture fisheries and thus subjected to public capture by fishermen of the state of Washington.

(d) Sales to other state, federal and private aquaculture programs.

(e) Sales to foreign governmental entities.

AMENDATORY SECTION (Amending WSR 84-05-046, filed 2/21/84)

WAC 220-74-022 Surplus salmon eggs—Certain sales disallowed. (1) Sales of surplus eggs as described in WAC ((~~220-74-020~~)) 220-304-020 shall not be allowed where the person or corporation seeking to buy said eggs has not paid all fees and taxes due and owing to the state of Washington.

(2) Notwithstanding the provisions of chapter ((~~220-74~~)) 220-304 WAC, the department reserves the right to refuse to sell surplus salmon eggs to any purchaser for good cause.

AMENDATORY SECTION (Amending WSR 78-09-071, filed 8/25/78)

WAC 220-74-025 Surplus salmon eggs—Purchases. Purchases of surplus salmon eggs will occur within the following framework:

(1) The price of eggs sold during a spawning season will be determined by the director after reviewing the results of an annual assessment of existing marketing conditions. The price will be the same for all purchases.

(2) Within priority 1, requests for available eggs will be satisfied in accordance with the earliest date of receipt of the application for a salmon aquaculture permit by the department (WAC ((~~220-76-010~~)) 220-370-060): Provided, That a firm request for eggs is received prior to September 1. All firm requests for eggs received after September 1 will be satisfied in order of their receipt on an eggs-available basis.

(3) Within priority 1, up to one million eggs will be offered to the first qualified applicant before selling eggs to the next applicant. If eggs are still available after each applicant has had an opportunity to buy one million eggs, the procedure will be repeated until all requests within this priority have been satisfied.

(4) Within priorities 2 and 3, requests for eggs will be satisfied in accordance with the firm requests that have the greatest likelihood of contributing to the public capture fisheries of the state of Washington.

(5) Within priorities 4 and 5, requests for eggs will be satisfied in accordance with the earliest firm requests for eggs received.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-74-010	220-304-010
220-74-020	220-304-020
220-74-022	220-304-030
220-74-025	220-304-040

AMENDATORY SECTION (Amending WSR 04-17-096, filed 8/17/04, effective 9/17/04)

WAC 220-69-220 When state of Washington fish receiving tickets are not required. State of Washington fish receiving tickets are not required for:

(1) Purchase or delivery of fish or shellfish from a wholesale dealer or holder of a direct retail endorsement, provided the dealer or holder has previously prepared a fish receiving ticket. For such purchase or delivery, it is unlawful for the person taking possession of the fish or shellfish to fail to obtain the name, address, dealer number, or direct retail endorsement number, together with sales receipt documents sufficient to show the quantity of fish or shellfish and date of transaction, and retain this information with the fish or shellfish.

(a) Violation of this subsection by a wholesale dealer is a gross misdemeanor, punishable under RCW 77.15.640.

(b) Violation of this subsection by a retail fish seller is a misdemeanor, punishable under RCW 77.15.568.

(2) Fresh or frozen fish or shellfish that are in transit through the state of Washington, if no storage, handling, processing, or repackaging occurs within the state.

(3) Private sector cultured aquatic products.

(4) Processed fish or shellfish except frozen fish or shellfish not previously delivered in another state, territory or country.

(5) Any importation of fish that are not classified food fish under WAC ((~~220-12-010~~)) 220-300-370 or importation of shellfish that are not classified shellfish under WAC ((~~220-12-020~~)) 220-370-010.

AMENDATORY SECTION (Amending WSR 14-02-013, filed 12/19/13, effective 1/19/14)

WAC 220-69-230 Description of Washington state nontreaty fish receiving tickets. (1) The department creates, prepares, prints, and distributes upon request the following nontreaty fish receiving ticket forms:

(a) Puget Sound salmon;

(b) Troll;

(c) Marine;

(d) Utility; and

(e) Shellfish.

(2) Fish receiving ticket forms must contain space for the following information:

(a) Fisherman: The name of the licensed deliverer.

(b) Address: The address of the licensed deliverer.

(c) Boat name: The name or Coast Guard number of the landing vessel.

(d) WDFW boat registration: The Washington department of fish and wildlife boat registration number.

(e) Gear: The code number or name of the specific type of gear used.

(f) Fisherman's signature: The signature of the licensed deliverer.

(g) Date: Date of landing.

(h) Dealer: Name of dealer and the department number assigned to dealer.

(i) Buyer: The name of buyer and the department number assigned to buyer.

(j) Receiver's signature: The signature of the original receiver.

(k) Number of days fished: Days spent catching fish.

(l) Fish or shellfish caught inside or outside 3-mile limit: Check one box.

(m) Catch area:

(i) The salmon catch area code if salmon are caught.

(ii) The marine fish/shellfish catch area code if marine fish are caught or shellfish are caught or harvested.

(n) Tally space for dealer's use: Used at the dealer's discretion.

(o) Species code: The department assigned species code.

(p) Individual number of salmon and sturgeon.

(q) Individual numbers of other fish species if fish other than salmon or sturgeon are landed as part of an incidental catch allowance or catch ratio restriction.

(r) The number of ghost shrimp in dozens, the number of oysters in dozens or gallons, and the species description for all fish and shellfish.

(s) The original total weight in round pounds of all shellfish or fish, except that pounds of legally dressed fish and shellfish may be recorded in original dressed weight so long as dressed fish and shellfish are designated as dressed on the fish receiving ticket.

(t) Value of fish and shellfish sold or purchased: Summary information for species, or species groups landed.

(u) All species or categories of bottomfish having a vessel trip limit must be listed separately (see WAC ((~~220-44-050~~)) 220-355-100).

(v) Work area for dealer's use: Used at dealer's discretion, except:

(i) Federal sablefish endorsed limited entry permit numbers for each delivery of sablefish landed under the authority of the permit must be recorded on the fish receiving ticket in the space reserved for dealer's use. Separate fish tickets are required for each permit number used.

(ii) At the time of landing of coastal bottomfish into a Washington port, the fish buyer receiving the fish must clearly record all legally defined trawl gear aboard the vessel at the time of delivery of the bottomfish on the fish receiving ticket in the space reserved for dealer's use. The 3 trawl gear types are: Midwater trawl, roller trawl, and small foot rope trawl (foot rope less than 8 inches in diameter). The gear type(s) aboard the vessel must be recorded on the fish receiving ticket before the vessel representative signs the fish receiving ticket.

(w) Total amount: Total value of landing.

(x) Take-home fish: Species, number, and pounds of fish or shellfish retained for personal use.

(y) Crew: The name and signature of crew members who take home fish for personal use.

(3) A Puget Sound salmon fish receiving ticket must be completely, accurately, and legibly prepared for:

(a) Deliveries of nontreaty salmon caught in inland waters; and

(b) Any imports of fresh salmon into the state of Washington.

(4) A troll fish receiving ticket must be completely, accurately, and legibly prepared for:

(a) Deliveries of nontreaty coastal salmon and incidental catch;

(b) Any imports of fresh salmon into the state of Washington; and

(c) Any bottomfish or halibut subject to a catch allowance or ratio restriction, when those species are taken incidental to salmon fishing.

(5) A marine fish receiving ticket must be completely, accurately, and legibly prepared for:

(a) Nontreaty deliveries of marine fish or bottomfish that do not include salmon; and

(b) Any imports of fresh marine fish or bottomfish.

(6) A marine or utility fish receiving ticket must be completely, accurately, and legibly prepared for:

(a) Any nontreaty deliveries that do not include salmon, where other fish receiving tickets are not appropriate; and

(b) Any imports of fresh fish or shellfish that do not include salmon.

(7) A shellfish receiving ticket must be completely, accurately, and legibly prepared for:

(a) Any nontreaty deliveries of shellfish;

(b) Any imports of fresh shellfish; and

(c) Any incidental catch of bottomfish made while fishing for shellfish. The species name, total pounds, and price per pounds must be entered for each species of bottomfish caught.

AMENDATORY SECTION (Amending WSR 04-17-096, filed 8/17/04, effective 9/17/04)

WAC 220-69-23402 Description of aquatic farm production report. (1) There is hereby created an aquaculture production report form to be prepared, printed and distributed on request by the department. The aquatic farmer shall provide the following information:

(a) Firm name: Name of aquaculture firm and telephone number.

(b) Firm address: Address of aquaculture firm.

(c) Aquatic farm numbers: Department assigned aquatic farm registration number and location number.

(d) Species: Common name of species grown at aquatic farm site.

(e) Quantity harvested for sale: Quantity, in production units, of each species harvested for sale. The production may be shown in pounds, dozens, gallons, bushels or bags.

(f) Unit value: Value per production unit.

(g) Signature: Signature of firm executive or authorized representative and date signed.

(2) The aquaculture production report shall be used for reporting of aquaculture production as specified in WAC ((~~220-69-243~~)) 220-370-160.

AMENDATORY SECTION (Amending WSR 14-02-013, filed 12/19/13, effective 1/19/14)

WAC 220-69-241 Duties of commercial fishers. (1) It is unlawful for a fisher who does not possess a valid wholesale dealer's license or a direct retail endorsement to:

(a) Sell fish or shellfish to a consumer, restaurant, or other retail outlet;

(b) Donate fish or shellfish that have not been previously delivered to an original receiver to a nonprofit or other organization; and

(c) Place, or attempt to place, into interstate commerce any fish or shellfish previously landed in Washington state, or caught or harvested from the territorial waters of Washington state.

(2) A violation of subsection (1) of this section is punishable under RCW 77.15.620, Engaging in fish dealing activity—Unlicensed—Penalty.

(3) It is unlawful for fishers engaging in activities described in subsection (1) of this section to fail to immediately, completely, accurately, and legibly prepare the appropriate state of Washington fish receiving ticket in the fisher's own name for each delivery of fish or shellfish. The fish receiving ticket must show the total of all fish and shellfish aboard the harvesting vessel upon delivery. A violation of this subsection is punishable under RCW 77.15.630, Unlawful fish and shellfish catch accounting—Penalty.

(4) It is unlawful for a fisher selling at retail to fail to complete the appropriate fish receiving ticket before offering fish or shellfish for retail sale, except a fisher may complete a fish receiving ticket with an estimated number or weight if the fisher offers the fish or shellfish for sale directly off the catcher vessel. After the retail activity is completed, the fisher who completed a fish receiving ticket with an estimated number or weight of fish or shellfish is required to complete a corrected fish receiving ticket with the actual number and weight of fish or shellfish sold at retail. A violation of this subsection is punishable under RCW 77.15.630, Unlawful fish and shellfish catch accounting—Penalty.

(5) It is unlawful for a fisher offering fish or shellfish for retail sale to fail to maintain a sequentially numbered receipt book. The fisher must give each purchaser of fish or shellfish a receipt showing the number, weight, and value of fish or shellfish sold to that purchaser. The receipt book must contain a duplicate copy of the receipt given to the purchaser that remains with the receipt book. The fisher must retain the duplicate receipts for one year.

A violation of this subsection is punishable under RCW 77.15.630, Unlawful fish and shellfish catch accounting—Penalty.

(6)(a) In the commercial geoduck fishery, it is unlawful for a vessel operator designated by the geoduck tract holder to fail to be present at all times on each vessel commercially harvesting geoducks or having commercially harvested geoducks aboard.

(b) For each day's harvest of geoducks from each tract, it is unlawful for the designated operator to fail to completely, legibly and accurately enter the following information on a fish receiving ticket before leaving the department of natural resources geoduck harvest tract:

(i) Enter in the "dealer's use" column the number of cages of geoducks harvested;

(ii) Write the harvest vessel name, its Washington department of fish and wildlife identification number, and the date across the top of the fish receiving ticket directly below the tear strip; and

(iii) Sign the fish receiving ticket as the fisher.

(7) A violation of subsection (6) of this section is punishable under RCW 77.15.630, Unlawful fish and shellfish catch accounting—Penalty.

(8)(a) It is unlawful for operators of commercial fishing vessels catching forage fish for the purposes of using them as bait to fail to accurately report those harvests on a state of Washington fish receiving ticket along with the target fish or shellfish when those fish or shellfish are delivered to an original receiver.

(b) A violation of this subsection is a gross misdemeanor, punishable under RCW ((~~77.15.560~~)) 77.15.630.

(9)(a) It is unlawful for an operator of a commercial fishing vessel to allow the distribution or transfer of forage fish for monetary consideration from the nets or other holding devices under his or her control to anyone other than a licensed wholesale fish dealer unless the operator of the commercial fishing vessel:

(i) Possesses a wholesale fish dealers license; and

(ii) Completes a fish receiving ticket for those transfers.

(b) A violation of this subsection is punishable under RCW 77.15.630, Unlawful fish and shellfish catch accounting—Penalty.

AMENDATORY SECTION (Amending WSR 14-02-013, filed 12/19/13, effective 1/19/14)

WAC 220-69-243 Duties of aquatic farmers. (1) It is unlawful for an aquatic farmer shipping out-of-state or selling private sector cultured aquatic products to fail to:

(a) Keep complete and accurate records showing the quantity of products sold and the location of the aquatic farm where products were grown; and

(b) Completely, accurately, and legibly prepare an aquatic farm production report.

(2) An aquatic farm production report must document each aquatic farm's monthly production and contain the information required in WAC ((~~220-69-23402~~)) 220-370-170 (1)(a) through (g). Aquatic farmers must submit aquatic farm production reports for each quarter to the department within thirty days of the end of each quarter for which production is reported.

(3) The aquatic farmer must retain copies of quarterly production reports for one year and make the reports available for inspection upon request by authorized department personnel.

(4) Violation of this section is a misdemeanor, punishable under RCW 77.15.350, Inspection and disease control of aquatic farms—Rules violation—Penalty.

AMENDATORY SECTION (Amending WSR 14-02-013, filed 12/19/13, effective 1/19/14)

WAC 220-69-254 Required information on treaty Indian fish and shellfish receiving tickets. (1) It is unlawful for a person required to complete a treaty Indian fish receiving ticket or a treaty Indian shellfish receiving ticket to fail to enter the mandatory information, when applicable, referenced in WAC ((~~220-69-234~~)) 220-352-070 (2)(a) through (l) and (n) through (q) on each treaty Indian fish receiving ticket or treaty Indian shellfish receiving ticket, whichever is appropriate.

(2) A valid treaty Indian identification card may be used in lieu of WAC ((~~220-69-234~~)) 220-352-070 (2)(a) and (b).

(3) A valid dealer or buyer card issued by the department may be used in lieu of WAC ((~~220-69-234~~)) 220-352-070 (2)(e) and (f).

(4) Violation of this section is a gross misdemeanor, punishable under RCW 77.15.630, Unlawful fish and shellfish catch accounting—Penalty.

AMENDATORY SECTION (Amending WSR 12-04-028, filed 1/26/12, effective 2/26/12)

WAC 220-69-256 Required information on electronic fish receiving tickets. (1) It is unlawful for a person required to complete a report under WAC 220-69-240 to utilize an electronic fish receiving ticket in lieu of a paper fish receiving ticket unless the mandatory information contained in WAC ((~~220-69-246~~)) 220-352-110 (1)(a) through (w)is entered on each electronic fish receiving ticket.

(2) For the purposes of this section, an electronic fish receiving ticket means the ticket defined in WAC ((~~220-69-246~~)) 220-352-110.

AMENDATORY SECTION (Amending WSR 14-02-013, filed 12/19/13, effective 1/19/14)

WAC 220-69-260 Distribution of copies of nontreaty fish receiving tickets. (1) State of Washington nontreaty fish receiving tickets must be made out in quadruplicate (four copies) at the time of delivery of fish or shellfish. It is unlawful for the original receiver who completes a fish receiving ticket to fail to distribute the copies as follows:

(a) Except for original receivers who submit a fish receiving ticket in portable document format (PDF) to satisfy quick reporting requirements for salmon and sturgeon under WAC ((~~220-69-240~~)) 220-352-180 (14)(e), the original receiver must mail the state copy (green) of the fish receiving ticket to the department of fish and wildlife (department). The department must receive the state copy no later than the sixth working day after the day the original receiver completes the fish ticket.

(b) The original receiver must retain the dealer copies (white and yellow) of the fish receiving ticket for his or her records.

(c) The deliverer must retain the fisher copy (gold) for his or her records.

(2) It is unlawful for an original receiver who submits an electronic fish receiving ticket to fail to retain a signed copy of the electronic fish receiving ticket for three years.

(3) A violation of this section is punishable under RCW 77.15.630, Unlawful fish and shellfish catch accounting—Penalty.

AMENDATORY SECTION (Amending WSR 00-01-145, filed 12/20/99, effective 1/20/00)

WAC 220-69-273 Imprinters—Fish receiving tickets. Use of a mechanical imprinter approved by the department, in conjunction with a license card or treaty Indian identification card to identify the deliverer, and a dealer plate or buyer plate to identify the receiver on all state of Washington fish receiving tickets is hereby made mandatory.

Provided, That license card information may be recorded manually on the state of Washington fish receiving tickets in the following exceptions:

(1) Oregon licensed fishers delivering fish caught in the Columbia River.

(2) Purchases made from out-of-state firms.

(3) Fishers selling on a delivery license who have not received a delivery license card from the department at the time of their first sale. All subsequent sales require use of a license card.

AMENDATORY SECTION (Amending WSR 08-21-023, filed 10/6/08, effective 11/6/08)

WAC 220-69-300 Commercial food fish and shellfish transportation ticket. (1) Except as provided in subsection (6) of this section, it is unlawful for commercial fishers or their designees, who are neither wholesale dealers nor holders of a direct retail endorsement, to fail to complete a commercial food fish and shellfish transportation ticket as required by this section. These tickets must be completed prior to transporting fish or shellfish harvested for commercial purposes or in commercial quantities. For a fishery that does not require a vessel, a transportation ticket must be completed prior to leaving the catch site. The purpose of this rule is to ensure catch accountability when fish or shellfish are transported by the fisherman or his or her designee from the catching vessel to an original receiver. Fish receiving ticket requirements under this chapter are still in effect. A violation of this subsection or subsection (2) of this section is punishable as a gross misdemeanor under RCW 77.15.290.

(2) A transportation ticket must contain all of the following information and space for that information:

(a) The name of the fisherman who caught the fish;

(b) The fisherman's vessel registration number;
(c) The signature of the fisherman or additional operator;
(d) The name of the transporter;
(e) The signature of the transporter;
(f) The catch area where the food fish or shellfish were caught;
(g) The species of food fish or shellfish being transported; and
(h) The number or approximate pounds of food fish or shellfish being transported.

(3) It is unlawful for an original receiver or someone acting in the capacity of an original receiver to fail to mail the transportation ticket, together with the state copy of the fish receiving ticket as required in WAC ((~~220-69-260, 220-69-264, and 220-69-26401~~)) 220-352-060, 220-352-090, and 220-352-130, when the person delivering the fish or shellfish does not sign the fish receiving ticket as required in WAC ((~~220-69-274~~)) 220-352-140. If the commercial fisher signs the fish receiving ticket, only the fish receiving ticket must be mailed in, and the transportation ticket is not required to be submitted with it. Violation of this section is a gross misdemeanor, punishable under RCW 77.15.640.

(4) It is unlawful to fail to keep the transportation ticket with the fish or shellfish until a fish receiving ticket is completed. Violation of this subsection is a gross misdemeanor under RCW 77.15.290.

(5) It is unlawful for any person transporting commercially taken fish or shellfish or commercial quantities of fish or shellfish to fail to provide a transportation ticket for inspection upon demand by a fish and wildlife officer. Violation of this subsection is a gross misdemeanor under RCW 77.15.290.

(6) The provisions of this section do not apply to:
(a) Food fish and shellfish purchased at retail, provided the purchaser has, in his or her possession, a sales receipt documenting the purchase;
(b) Food fish or shellfish for which a fish receiving ticket has been completed and a copy of the fish receiving ticket is in the possession of the person transporting;
(c) Food fish or shellfish being transported by the department;
(d) Hatchery carcass sales;
(e) Private sector cultured aquatic products in transport;
(f) Food fish being transported on a completed Oregon transportation ticket, provided that the fish were caught in the concurrent waters of the Columbia River and were landed on Washington's shore; and
(g) Fish or shellfish being transported in the catching vessel, provided that the vessel is not being transported or towed over land.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-69-210	220-352-010
220-69-215	220-352-020
220-69-220	220-352-030
220-69-230	220-352-040

220-69-234	220-352-070
220-69-23402	220-370-170
220-69-236	220-310-010
220-69-23801	220-352-170
220-69-240	220-352-180
220-69-241	220-352-190
220-69-242	220-352-200
220-69-243	220-370-160
220-69-246	220-352-110
220-69-250	220-352-050
220-69-254	220-352-080
220-69-256	220-352-120
220-69-260	220-352-060
220-69-264	220-352-090
220-69-26401	220-352-130
220-69-270	220-352-210
220-69-271	220-352-220
220-69-272	220-352-100
220-69-273	220-352-150
220-69-274	220-352-140
220-69-280	220-352-160
220-69-290	220-352-240
220-69-300	220-352-230

AMENDATORY SECTION (Amending WSR 02-16-070, filed 8/6/02, effective 9/6/02)

WAC 220-55-001 Definitions. Unless otherwise provided, the following definitions apply to this chapter:

(1) "Blind" means no vision or vision with corrective lenses so defective as to prevent the performance of ordinary activities for which eyesight is essential.

(2) "License year" is defined as April 1st through the following March 31st.

(3) "Personal use license" and "recreational license" have the same meaning, and refer to all licenses issued under RCW 77.32.450 through ((~~77.32.490~~)) 77.32.480.

(4) "Veteran" means a veteran of the United States Armed Forces.

(5) "Display" of a fish and wildlife lands vehicle use permit means either:

(a) Nontransferable: Affixing the permit to the rear window of the vehicle, in which case the vehicle license number need not be entered on the permit; or

(b) Transferable: Writing, in ink, in the provided space on the permit the license number of the two vehicles between which the permit is to be transferred, and placing the permit in either vehicle in such a place that the permit can be observed and the license number read from outside the vehicle. Placing the permit on the dashboard or hanging it from the rear view mirror complies with the display requirement for a transferrable vehicle use permit.

AMENDATORY SECTION (Amending WSR 07-05-051, filed 2/16/07, effective 3/19/07)

WAC 220-55-070 Valid catch record card. A catch record card shall be invalid unless:

(1) The angler has in physical possession the appropriate recreational license and catch record card for the area in which the angler is participating, if a license and/or a catch record card is required.

(2) The catch record card number is written in ink in the appropriate space on the back of the recreational license, if a license is required, and the personal information has been entered on the catch record card as required under WAC ((~~220-56-175~~)) 220-310-020, or, if an automated license is issued, the catch record card has attached to it a validation sticker containing the name and license number.

(3) The license issuance date is legible and not altered, and the license has not been mutilated.

AMENDATORY SECTION (Amending WSR 16-17-008, filed 8/4/16, effective 9/4/16)

WAC 220-55-220 Two-pole endorsement. Anglers who possess a valid two-pole endorsement may fish with two lines in all lakes and ponds open to fishing, with the following exceptions:

Water Body	County	
Para-juvenile Lake	Adams	
Headgate Pond	Asotin	
Columbia Park Pond	Benton	
Blackbird Island Pond	Chelan	
Aldwell Lake	Clallam	
Beaver Lake	Clallam	
Carrie Blake Pond	Clallam	
Dickey Lake	Clallam	
Lake Pleasant	Clallam	
Lincoln Pond	Clallam	
Sutherland Lake	Clallam	
Vancouver Lake	Clark	Includes all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River.
Big Four Lake	Columbia	
Dayton Pond	Columbia	
Blue Lake	Cowlitz	
Castle Lake	Cowlitz	
Coldwater Lake	Cowlitz	
Lewis River Power Canal	Cowlitz	Includes old Lewis River streambed between Swift No. 1 powerhouse and Swift No. 2 powerhouse.
Merrill Lake	Cowlitz	
Silver Lake	Cowlitz	
Pit Lake	Douglas	
Ping Pond	Grant	
Mill Creek Pond	Grays Harbor	
Quigg Lake	Grays Harbor	Located at Friends Landing near Montesano.
Vance Creek Pond #1	Grays Harbor	
Gibbs Lake	Jefferson	
Horseshoe Lake	Jefferson	
Teal Lake	Jefferson	
Lake Sammamish	King	
Lake Union	King	
Lake Washington	King	Including that portion of Sammamish River from 68th Ave. NE bridge downstream.
Lake Washington Ship Canal	King	(Including Lake Union, Portage Bay, and Salmon Bay) Waters east of a north-south line 400' west of the Chittenden Locks to the Montlake Bridge.
Mill Pond	King	Auburn.
Old Fishing Hole Pond	King	Kent.
Portage Bay	King	
Salmon Bay	King	
Swans Mill Pond	King	
Koeneman Lake	Kitsap	Formerly Fern Lake.
Kachess Lake	Kittitas	
Keechelus Lake	Kittitas	
Kiwanis Pond	Kittitas	
Naneum Pond	Kittitas	

Water Body	County	
Cowlitz Falls Reservoir	Lewis	
Mayfield Lake	Lewis	Mayfield Dam to Mossyrock Dam.
Packwood Lake	Lewis	
Scanewa Lake	Lewis	Cowlitz Falls Reservoir.
Walupt Lake	Lewis	
Willame Lake	Lewis	
Cady Lake	Mason	
Cushman Reservoir	Mason	
Prices Lake	Mason	
Stump Lake	Mason	
Silvernail Lake	Okanogan	
Cases Pond	Pacific	
South Bend Mill Pond	Pacific	
Bradley Lake	Pierce	
De Coursey Pond	Pierce	
Ohop Lake	Pierce	
Tanwax Lake	Pierce	
Wapato Lake	Pierce	
Granite Lakes	Skagit	Near Marblemount.
Northern State Hospital Pond	Skagit	
Vogler Lake	Skagit	
Drano Lake	Skamania	January 1 through April 30 and July 1 through September 30.
Swift Reservoir	Skamania	From dam to Eagle Cliff Bridge.
Fortson Mill Pond #2	Snohomish	
Jennings Park Pond	Snohomish	
Monte Cristo Lake	Snohomish	
North Gissburg Pond	Snohomish	
Spada Lake	Snohomish	
Bear Lake	Spokane	
North Silver Lake	Spokane	
Lucky Duck Pond	Stevens	
Long's Pond	Thurston	
Munn Lake	Thurston	
Jefferson Park Pond	Walla Walla	
Lions Park Pond	Walla Walla	College Place.
Diablo Lake	Whatcom	
Gorge Lake	Whatcom	
Lake Whatcom	Whatcom	
Ross Lake	Whatcom	
Squalicum Lake	Whatcom	
Garfield Juvenile Pond	Whitman	
Clear Lake	Yakima	
Leech Lake	Yakima	White Pass area.
Mud Lake	Yakima	
Myron Lake	Yakima	
Sarge Hubbard Park Pond	Yakima	
Yakima Sportsmen's Park Ponds	Yakima	

Anglers who possess a valid two-pole endorsement may fish with two lines in the following river sections:

River	County	Section
Chehalis	Grays Harbor	From Highway 101 Bridge in Aberdeen to South Elma Bridge (Wakefield Road): August 1 through November 30.
Columbia		Camas Slough: August 1 through December 31.
		From Highway 395 Bridge at Pasco to Old Hanford townsite wooden powerline towers: Year-round, except for sturgeon.
		From wooden powerline towers to Vernita Bridge: February 1 through October 22, except for sturgeon.
		From Vernita Bridge to Priest Rapids Dam: Year-round, except for sturgeon.
		From Priest Rapids Dam to Wanapum Dam: July 1 through August 31.
		From Wanapum Dam to Wells Dam: July 1 through August 31.
		From Wells Dam to Highway 173 Bridge at Brewster: July 16 through August 31.
		From Highway 173 Bridge at Brewster to Chief Joseph Dam: July 1 through August 31.
Cowlitz	Lewis	Lexington Bridge Drive in Kelso upstream to the barrier dam.
Lewis	Clark	From railroad bridge near Kuhnis Road to mouth of East Fork Lewis.
North Fork Lewis	Clark/Cowlitz	Mouth to Johnson Creek.
Naselle	Pacific/Wahkiakum	From Highway 101 Bridge to Highway 401: August 1 through January 31.
Okanogan	Okanogan	From the mouth to Highway 97 Bridge immediately upstream of the mouth: July 1 through August 31.
Pend Oreille	Pend Oreille	
Palouse	Whitman	Mouth to base of Palouse Falls: June 16 through August 31.
Spokane	Spokane and Stevens	Lower Spokane River from mouth (SR 25 bridge) to 400' below Little Falls Dam.
Willapa	Pacific	From the city of South Bend boat launch to the 2nd bridge on Camp One Road: August 1 through January 31.
Wind	Skamania	Salmon and steelhead: Mouth (boundary line/ markers) to the Highway 14 Bridge: May 1 through June 30.

River	County	Section
Yakima	Yakima	From Highway 240 Bridge to 400' below Prosser Dam: March 1 through August 31.

Anglers who possess a valid two-pole endorsement may fish for salmon with two lines in the following marine areas:

Description	Marine Area
Willapa	2-1. When permissible in WAC ((~~232-28-620~~)) 220-313-070.
Port Susan and Port Gardner	Tulalip Terminal Area: May 1 through September 30.
Seattle/Bremerton Area	Sinclair Inlet: July 1 through September 30.
Hood Canal	12: South of Ayock only, excluding Hoodsport Hatchery zone: July 1 through October 31.
South Puget Sound	13.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-55-001	220-220-010
220-55-005	220-220-020
220-55-015	220-220-030
220-55-040	220-220-100
220-55-050	220-220-110
220-55-055	220-220-040
220-55-061	220-220-050
220-55-065	220-220-240
220-55-070	220-220-200
220-55-100	220-220-170
220-55-105	220-220-300
220-55-110	220-220-310
220-55-115	220-220-320
220-55-125	220-220-340
220-55-160	220-220-230
220-55-165	220-220-060
220-55-170	220-220-070
220-55-172	220-220-080
220-55-174	220-220-090
220-55-180	220-220-330
220-55-200	220-220-130
220-55-210	220-220-150
220-55-220	220-220-160

220-55-230 220-220-210

AMENDATORY SECTION (Amending WSR 94-12-009, filed 5/19/94, effective 6/19/94)

WAC 220-52-010 Shellfish—Unlawful acts—Commercial. (1) It is unlawful to take oysters or clams for commercial purposes from tidelands reserved for public use unless authorized by a permit issued by the director.

(2)(a) It is unlawful to take shellfish for commercial purposes from state oyster reserves without permission of the director of fisheries.

(b) Licensing: An oyster reserve fishery license is the license required to take shellfish for commercial purposes from state oyster reserves.

(3) All geoduck and mechanical clam harvester vessels shall be issued an identification number. It is unlawful to fail to place this number in a visible location on each side of the vessel and on the top of the cabin or deck awning to be visible from the air. A sign board or banner arranged so the numbers can be seen at all times from directly overhead may be substituted if the vessel does not have a fixed roof. The numbers shall be black on a white background and shall be not less than 18 inches high and of proportionate width.

(4) It shall be unlawful for a commercial clam digger to harvest clams from intertidal ground without having on his person a signed authorization from the registered clam farmer for whom he is harvesting. The digger will also be required to have suitable personal identification with him when engaged in clam harvesting. The authorization from the registered clam farmer must be legible, dated and must contain the date on which the authorization expires, provided that in no instance may the authorization go beyond the end of any calendar year. The authorization must additionally contain the name of each bay or area where the registered clam farmer has owned or leased ground from which the named clam digger is authorized to harvest.

(5)(a) It is unlawful to fish for or possess ghost or mud shrimp taken for commercial purposes unless authorized by a permit issued by the director.

(b) Licensing: A burrowing shrimp fishery license is the license required to take ghost or mud shrimp for commercial purposes.

(6) It is unlawful to set any shellfish pot gear such that the pot is not covered by water at all tide levels.

AMENDATORY SECTION (Amending WSR 14-20-008, filed 9/19/14, effective 10/20/14)

WAC 220-52-01901 Commercial geoduck harvest license. (1) It is unlawful to commercially harvest geoducks unless the harvester possesses a valid, director-issued geoduck fishery license or geoduck diver license. A geoduck fishery license card is a "license card" under WAC ((~~220-69-270~~)) 220-352-210.

(2) Only persons holding current geoduck harvest agreements from the department of natural resources or their agents may apply for a geoduck fishery license. An application for a geoduck fishery license must be fully completed on a form provided by the department and ac-

companied by a copy of the geoduck harvest agreement for which the license is sought.

(3) Each geoduck fishery license authorizes the use of two water jets or other units of geoduck harvest gear. Commercial geoduck harvesting gear must meet the requirements of WAC ((~~220-52-019~~)) 220-340-300.

(4) Holders of geoduck fishery licenses must comply with all applicable commercial diving safety regulations adopted by the Federal Occupational Safety and Health Administration established under the Federal Occupational Safety and Health Act of 1970, 29 U.S.C. 651 et. seq. Some of these regulations appear at 29 C.F.R. Part 1910, Subpart T.

(a) The director may suspend or revoke a geoduck fishery license used in violation of commercial diving safety regulations, including 29 C.F.R. Part 1910, Subpart T, adopted under the Occupational Safety and Health Act of 1970. The procedures of chapter 34.05 RCW apply to these suspensions or revocations.

(b) If there is a substantial probability that a violation of commercial diving safety regulations could result in death or serious physical harm to a person harvesting geoducks, the director may immediately suspend the license until the violation is corrected. If the violator fails to correct the violation within ten days of notice of the violation, the director may revoke the violator's geoduck fishery license. The director may not revoke a geoduck fishery license if the holder of the harvesting agreement corrects the violation within ten days of receiving written notice of the violation.

AMENDATORY SECTION (Amending WSR 12-23-016, filed 11/9/12, effective 12/10/12)

WAC 220-52-01902 Commercial geoduck harvest——Requirements and unlawful acts. (1) It is unlawful to take, fish for, or possess geoduck clams taken for commercial purposes from the substrate of any Washington state waters except as provided by RCW 77.60.070 and department rule.

(2) It is unlawful to engage in geoduck harvesting operations unless the following documents are onboard the geoduck harvesting vessel:

(a) A copy of the department of natural resources (DNR) geoduck harvesting agreement for the tract or area where harvesting is occurring;

(b) A map of the geoduck tract or harvest area and complete tract or harvest area boundary identification documents or photographs issued by DNR for the tract or harvest area;

(c) A geoduck diver license for each diver on board the harvest vessel or in the water; and

(d) A geoduck fishery license as described in WAC ((~~220-52-01901~~)) 220-340-310.

(3) It is unlawful for more than two divers from any one harvest vessel to be in the water at any one time.

(4) It is unlawful to process geoduck clams on board any harvest vessel.

(5) It is unlawful to possess only the siphon or neck portion of a geoduck aboard a geoduck harvest vessel, except when the geoduck is incidentally damaged during harvest. Geoduck damage sustained incidental to harvest must be reported under a DNR harvest agreement.

(6) It is unlawful to harvest geoduck clams with any instrument that penetrates the skin, neck or body of the geoduck.

(7) It is unlawful to retain any food fish or shellfish other than geoduck clams during geoduck harvesting operations, except for horse clams (*Tresus capax* and *Tresus nuttallii*) when horse clam harvest is provided for under a DNR harvest agreement.

(8) Violation of this section is punishable by RCW 77.15.520, 77.15.540, or 77.15.550, depending on the circumstances of the violation.

AMENDATORY SECTION (Amending WSR 12-23-016, filed 11/9/12, effective 12/10/12)

WAC 220-52-01903 Commercial geoduck harvest——Time and area restrictions. (1) It is unlawful to harvest geoducks for commercial purposes during the following time and day restrictions:

(a) Between one-half hour before official sunset or 7:00 p.m., whichever is earlier, and 7:00 a.m.

(b) It is unlawful for a geoduck harvest vessel to be on a geoduck tract or harvest area after 7:30 p.m. or before 6:30 a.m.

(c) It is unlawful to take or fish for geoducks on Sundays or on state holidays as defined by the office of financial management.

(2) It is unlawful to take or fish for geoducks for commercial purposes outside the tract or harvest area designated in the department of natural resources harvest agreement required by WAC ((~~220-52-01901 and 220-52-01902~~)) 220-340-310 and 220-340-320.

(3) It is unlawful to harvest geoducks in areas deeper than 70 feet below mean lower low water (0.0 ft.).

(4) It is unlawful to possess geoducks taken in violation of this section.

(5) Violation of this section is a misdemeanor or class C felony punishable by RCW 77.15.550, depending on the circumstances of the violation or the value of the shellfish taken.

AMENDATORY SECTION (Amending WSR 12-23-016, filed 11/9/12, effective 12/10/12)

WAC 220-52-040 Commercial crab fishery——Unlawful acts. (1) **Crab size and sex restrictions.** It is unlawful for any person acting for commercial purposes to take, possess, deliver, or otherwise control:

(a) Any female Dungeness crab; or

(b) Any male Dungeness crab measuring less than 6-1/4 inches, caliper measurement, at the widest part of the shell immediately in front of the points (tips).

(2) Violation of subsection (1) of this section is a gross misdemeanor or class C felony depending on the value of fish or shellfish taken, possessed, or delivered, punishable under RCW 77.15.550 (1)(c).

(3) **Incidental catch may not be retained.** It is unlawful to retain salmon, food fish, or any shellfish other than octopus that is taken incidental to any commercial crab fishing.

(4) **Net fishing boats must not have crab on board.** It is unlawful for any person to possess any crab on board a vessel geared or equipped with commercial net fishing gear while fishing with the net gear for commercial purposes or while commercial quantities of food fish or shellfish are on board. Violation of this subsection is a gross misdemeanor or class C felony punishable under RCW 77.15.550(1), depending on the quantity of crab taken or possessed.

(5) **Area must be open to commercial crabbing.** It is unlawful for any person to set, maintain, or operate any baited or unbaited shellfish pots or ring nets for taking crab for commercial purposes in any area or time that is not open for commercial crabbing by rule of the department, except when acting lawfully under the authority of a valid gear recovery permit as provided in WAC ((~~220-52-045~~)) 220-340-450.

(6) Violation of subsection (5) of this section is a gross misdemeanor or class C felony punishable under RCW 77.15.550, or a gross misdemeanor punishable under RCW 77.15.522 depending on the circumstances of the violation.

(7) **When it is unlawful to buy or land crab from the ocean without a crab vessel inspection.** It is unlawful for any fisher, wholesale dealer, or buyer to land or purchase Dungeness crab taken from Grays Harbor, Willapa Bay, the Columbia River, or Washington coastal or adjacent waters of the Pacific Ocean from any vessel that has not been issued a Washington crab vessel inspection certificate during the first 30 days following the opening of a coastal crab season.

(a) Authorized department personnel will perform inspections for Washington crab vessel inspection certificates no earlier than 12 hours prior to the opening of the coastal crab season and during the following 30-day period.

(b) A Washington crab vessel inspection certificate may be issued to vessels made available for inspection at a Washington coastal port that:

(i) Are properly licensed commercial crab fishing; and

(ii) Contain no Dungeness crab on board the vessel.

(8) Violation of subsection (7) of this section is a gross misdemeanor, punishable under RCW 77.15.550 (1)(a) Violation of commercial fishing area or time—Penalty.

(9) **Coastal - Barging of crab pots by undesignated vessels.** It is unlawful for a vessel not designated on a Dungeness crab coastal fishery license to deploy crab pot gear except under the following conditions:

(a) The vessel deploys pot gear only during the 64-hour period immediately preceding the season opening date and during the 48-hour period immediately following the season opening date;

(b) The undesignated vessel carries no more than 250 crab pots at any one time; and

(c) The primary or alternate operator of the crab pot gear named on the license associated with the gear is on board the undesignated vessel while the gear is being deployed.

(10) Violation of subsection (9) of this section 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.

AMENDATORY SECTION (Amending WSR 15-03-091, filed 1/21/15, effective 2/21/15)

WAC 220-52-041 Commercial crab fishery——Coastal Dungeness crab logbook requirements. (1) It is unlawful for any vessel operator engaged in fishing for Dungeness crab in the coastal commercial fishery to fail to have in possession, and complete a department-issued logbook for all fishing activity occurring in Grays Harbor, Willapa Bay, the Columbia River, or the Pacific Ocean waters for all crab deliveries to a Washington port. For the purposes of this section, "delivery" is defined as provided in RCW 77.65.210.

(2) It is unlawful for any vessel operator engaged in fishing to fail to comply with the following method and time frame related to harvest logbook submittal and record keeping:

(a) The department must receive a copy of the completed logbook sheets within ten days following any calendar month in which fishing occurred. Completed Dungeness crab harvest logs must be sent to the following address: Washington Department of Fish and Wildlife, Attention: Coastal Dungeness Crab Manager, 48 Devonshire Rd., Montesano, WA 98563.

(b) Vessel operators engaged in fishing for Dungeness crab in the coastal commercial fishery must complete a logbook entry for each day fished prior to offloading. Vessel operators responsible for submitting logs to the department must maintain a copy of all submitted logs for no less than three years after the fishing activity ended.

(c) Vessel operators can obtain logbooks by contacting the department's coastal Dungeness crab manager at 360-249-4628.

(3) A violation of this section is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending WSR 15-03-091, filed 1/21/15, effective 2/21/15)

WAC 220-52-042 Commercial crab fishery——Buoy tag, pot tag, and buoy requirements. (1) **Buoy tag and pot tag required.**

(a) It is unlawful to place in the water, pull from the water, possess on the water, or transport on the water any crab buoy or crab pot without an attached buoy tag and pot tag that meet the requirements of this section, except as provided by (b) of this subsection. A violation of this subsection is punishable under RCW 77.15.520, Commercial fishing——Unlawful gear or methods——Penalty.

(b) Persons operating under a valid coastal gear recovery permit as provided in WAC ((~~220-52-045~~)) 220-340-450 may possess crab pots or buoys missing tags or bearing the tags of another license holder, provided the permittee adheres to provisions of the permit. Failure to adhere to the provisions of the permit is a gross misdemeanor, punishable under RCW 77.15.750 Unlawful use of a department permit——Penalty.

(2) **Commercial crab fishery pot tag requirements:** Each shellfish pot used in the commercial crab fishery must have a durable, nonbiodegradable tag securely attached to the pot that is permanently and legibly marked with the license owner's name or license number and telephone number. If the tag information is illegible, or the tag is lost for any reason, the pot is not in compliance with state law. A violation of this subsection is punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

(3) **Commercial crab fishery buoy tag requirements.**

(a) The department issues crab pot buoy tags to the owner of each commercial crab fishery license upon payment of an annual buoy tag fee per crab pot buoy tag. Prior to setting gear, each Puget Sound crab license holder must purchase 100 tags, and each coastal crab fisher must purchase 300 or 500 tags, depending on the crab pot limit assigned to the license.

(b) In coastal waters each crab pot must have the department-issued buoy tag securely attached to the first buoy on the crab pot buoy line (the buoy closest to the crab pot), and the buoy tag must be attached to the end of the first buoy, at the end away from the crab pot buoy line.

(c) In Puget Sound, all crab buoys must have the department-issued buoy tag attached to the outermost end of the buoy line.

(d) If there is more than one buoy attached to a pot, only one buoy tag is required.

(e) Replacement crab buoy tags.

(i) Puget Sound: The department only issues additional tags to replace lost tags to owners of Puget Sound commercial crab fishery licenses who obtain, complete, and sign a declaration, under penalty of perjury, in the presence of an authorized department employee. The declaration must state the number of buoy tags lost, the location and date where the licensee last observed lost gear or tags, and the presumed cause of the loss.

(ii) Coastal: The department only issues replacement buoy tags for the coastal crab fishery 15 days after the season is opened and after a signed affidavit is received by an authorized department employee. The affidavit must be signed by the primary or alternate operator fishing the commercial crab gear and state the number of buoy tags lost, the location and date where the licensee last observed lost gear or tags, and the presumed cause of the loss.

(A) Coastal crab license holders with a 300-pot limit may replace lost tags according to the following schedule:

(I) Period 1, up to 15 tags.

(II) Period 2, 10 additional tags with no more than 25 tags total issued through the end of Period 2.

(III) Period 3, 5 additional tags with no more than 30 tags total issued through the end of the season.

(B) Coastal crab license holders with a 500-pot limit may replace lost tags according to the following schedule:

(I) Period 1, up to 25 tags.

(II) Period 2, 15 additional tags with no more than 40 tags total issued through the end of Period 2.

(III) Period 3, 10 additional tags with no more than 50 tags total issued through the end of the season.

(C) Replacement tag periods are defined as follows:

(I) Period 1: The first business day after 15 days following the season opening through the next 30 days.

(II) Period 2: The first business day after the end of Period 1 through the next 30 days.

(III) Period 3: The first business day after the end of Period 2 through the end of the season.

(D) In the case of extraordinary loss of crab pot gear, the department may issue replacement tags in excess of the amount listed in this subsection on a case-by-case basis.

(4) A violation of subsection (3) of this section is a gross misdemeanor, punishable under RCW 77.15.520, Commercial fishing——Unlawful gear or methods——Penalty.

(5) **Commercial crab fishery buoy requirements.**

(a) All buoys attached to commercial crab gear must consist of a durable material and remain floating on the water's surface when 5 pounds of weight is attached.

(b) No buoys attached to commercial crab gear in Puget Sound may be both red and white in color unless a minimum of 30 percent of the surface of each buoy is also prominently marked with an additional color or colors other than red or white. Red and white colors are reserved for personal use crab gear as described in WAC ((~~220-56-320~~)) 220-330-020.

(c) It is unlawful for any coastal Dungeness crab fishery license holder to fish for crab unless the license holder has registered the buoy brand and buoy color(s) to be used with the license. A license holder may register only one unique buoy brand and one buoy color scheme with the department per license. Persons holding more than one state license must register buoy color(s) for each license that are distinctly different. The buoy color(s) will be shown in a color photograph.

(i) All buoys fished under a single license must be marked in a uniform manner with one buoy brand number registered by the license holder with the department and be of identical color or color combinations.

(ii) It is unlawful for a coastal Dungeness crab fishery license holder to fish for crab using any other buoy brand or color(s) than those registered with and assigned to the license by the department.

(6) Violation of subsection (5) of this section is a gross misdemeanor, punishable under RCW 77.15.520, Commercial fishing——Unlawful gear or methods——Penalty.

AMENDATORY SECTION (Amending WSR 12-04-034, filed 1/27/12, effective 2/27/12)

WAC 220-52-050 Commercial ocean pink shrimp trawl fishery——Coastal waters. It is unlawful to fish for, possess or deliver ocean pink shrimp taken for commercial purposes from the waters of the Exclusive Economic Zone, except as provided for in this section:

Area

(1) It is unlawful to fish for ocean pink shrimp within the territorial boundaries of the state. A violation of this subsection is punishable under RCW 77.15.550, Violation of commercial fishing area or time——Penalty.

Season

(2) It is unlawful to fish for, take, or possess on board a fishing vessel, pink shrimp, except during the following time: The open season for trawl gear is April 1 through October 31 of each year. A violation of this subsection is punishable under RCW 77.15.550, Violation of commercial fishing area or time——Penalty.

Gear

(3) It is unlawful to fish with trawl gear for pink shrimp for commercial purposes unless an approved by-catch reduction device is used in each net. A by-catch reduction device, also known as a finfish excluder, uses a rigid panel or grate of narrowly spaced bars to guide fish out of an escape hole forward of the panel, generally in the top of the net. An approved by-catch reduction device must meet the following criteria:

(a) The exterior circumference of the rigid panel must fit completely within the interior circumference of the trawl net;

(b) None of the openings between the bars in the rigid panel may exceed 0.75 inches;

(c) The escape hole must, when spread open, expose a hole of at least 100 square inches; and

(d) The escape hole must be forward of the rigid panel and must begin within four meshes of the furthest aft point of attachment of the rigid panel to the net.

(4) It is unlawful to modify by-catch reduction devices in any way that interferes with their ability to allow fish to escape from the trawl, except as provided by special gear permit as described in subsection (5) of this section.

(5) Testing of by-catch reduction devices is allowed by special gear permit only, consistent with the terms and conditions of the permit.

(6) It is unlawful to remove trawl gear from the vessel prior to offloading shrimp without advance notification to WDFW enforcement. To provide advance notification, contact 360-902-2936, and then press zero when the recording begins.

(7) A violation of subsections (3) through (6) of this section is punishable under RCW 77.15.520, Commercial fishing——Unlawful gear or methods——Penalty.

(8) It is unlawful to land or deliver pink shrimp to an original receiver that exceeds the following count per pound restriction: The count per pound must average no more than 160 shrimp per pound for a minimum of two samples, increasing at a rate of one sample per one thousand pounds landed or in possession, up to a maximum requirement of twenty samples. Such samples shall consist of at least one pound each of whole, unbroken shrimp taken at random from throughout the individual load landed or in possession. This landing restriction shall apply only to loads of 3,000 pounds of shrimp or more. A violation of this subsection is punishable under RCW 77.15.550, Violation of commercial fishing area or time——Penalty.

Incidental catch

(9) It is unlawful to take salmon incidental to any shrimp trawl fishery.

(10) It is unlawful to retain any bottomfish species taken incidental to any shrimp trawl fishery, except as provided for in WAC ((~~220-44-050~~)) 220-355-100.

(11) It is unlawful to retain any species of shellfish, except that it is permissible to:

(a) Retain up to 50 pounds round weight of other shrimp species taken incidentally in the ocean pink shrimp fishery; and

(b) Retain octopus or squid.

(12) A violation of subsections (9) through (11) of this section is punishable under RCW 77.15.550, Violation of commercial fishing area or time——Penalty.

License

(13) An ocean pink shrimp delivery license is required to operate the gear provided for in this section, and it allows the operator to retain shrimp taken in the waters of the Exclusive Economic Zone.

A violation of this subsection is punishable under RCW 77.15.500, Commercial fishing without a license——Penalty.

Permit

(14) It is unlawful to fish for, retain, land, or deliver shrimp taken with trawl gear without a valid shrimp trawl fishery permit.

(15) It is unlawful to take, retain, land, or deliver any shrimp or groundfish taken with trawl gear without complying with all provisions of a shrimp trawl fishery permit.

(16) A violation of subsection (14) or (15) of this section is punishable under RCW 77.15.750.

AMENDATORY SECTION (Amending WSR 11-07-106, filed 3/23/11, effective 4/23/11)

WAC 220-52-051 Commercial shrimp fishery——Puget Sound. (1) A Puget Sound shrimp pot license or a Puget Sound shrimp trawl license will only be issued to an individual who is a natural person, and this person shall be the primary operator. Holders of Puget Sound shrimp pot licenses and Puget Sound shrimp trawl licenses may designate a single alternate operator per license.

(2) It is unlawful to fish for shrimp for commercial purposes in Puget Sound using shellfish pot gear except during seasons opened by emergency rule:

(a) Gear restrictions -

(i) In all areas, maximum 100 pots per fisher except for dual licensees as provided for in RCW 77.70.410.

(ii) In all areas:

(A) Buoys must be orange in color and consist of durable material that will remain floating on the surface with five pounds attached; bleach or antifreeze bottles or other containers may not be used as floats.

(B) The line attaching the pot to the buoy must be weighted sufficiently to prevent the line from floating on the surface.

(C) The maximum perimeter of shrimp pots must not exceed ten feet and the maximum height must not exceed two feet.

(D) It is unlawful to set or pull shrimp pot gear from one hour after official sunset to one hour before official sunrise.

(b) Spot shrimp size restriction: It is unlawful to retain spot shrimp taken by shellfish pot gear that have a carapace length less

than 1 and 3/16 inches. Carapace length is defined as the length between the posterior mid-dorsal margin to the posterior-most part of the eye-stalk orbit.

(c) Area restrictions:

(i) Pot gear closed in all Puget Sound Shrimp Districts except the Port Townsend Shrimp District.

(ii) Pot gear closed in Lopez Sound south of a line projected true east-west from the northern tip of Trump Island from the season opening through July 9th.

(3) It is unlawful to fish for shrimp for commercial purposes in Puget Sound using trawl gear except during seasons opened by emergency rule and authorized by a permit issued by the director.

(a) Gear restrictions - Beam trawl gear only. Otter trawl gear may not be used.

(i) Maximum beam width in Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, and 22A is 25 feet.

(ii) Maximum beam width in Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23B, 23C, 25A, 25B, and 29 is 60 feet.

(b) It is unlawful to retain spot shrimp.

(c) Area restrictions:

(i) Shrimp trawl fishing closed in all Puget Sound Shrimp Districts.

(ii) Shrimp trawl fishing closed in Lopez Sound south of a line projected true east-west from the northern tip of Trump Island from the season opening through July 9th.

(d) It is unlawful to fish for shrimp in Puget Sound with beam trawl gear in waters shallower than 100 feet.

(e) It is lawful to fish for shrimp in Puget Sound with beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Area 21A only in those waters north and west of a line from the southern tip of Sinclair Island to Carter Point on Lummi Island.

(f) The following restrictions apply to shrimp beam trawl harvest in Marine Fish-Shellfish Management and Catch Reporting Area 20A:

(i) Closed in waters east of a line from the southwest corner of Point Roberts to Sandy Point.

(ii) Closed in waters shallower than 20 fathoms.

(g) It is unlawful to operate shrimp beam trawl gear in Puget Sound from one hour after official sunset to one hour before official sunrise.

(h) It is unlawful to fish for, retain, land or deliver shrimp taken with trawl gear without a valid Puget Sound shrimp trawl fishery permit.

(i) It is unlawful to take, retain, land, or deliver any shrimp taken with trawl gear without complying with all provisions of a Puget Sound shrimp trawl fishery permit.

(j) A violation of this subsection is punishable under RCW 77.15.750.

(4) All shrimp taken in the Puget Sound commercial shrimp fishery must be landed and recorded on Washington state fish receiving tickets within 24 hours of harvest. No fisher may land shrimp without immediate delivery to a licensed wholesale dealer, or if transferred at sea, without transfer to a licensed wholesale dealer. A fisher who is a licensed wholesale dealer may complete and return a fish receiving ticket to satisfy the requirements of this subsection.

(5) For purposes of shrimp pot harvest allocation, fishing season, and catch reporting, the Marine Fish-Shellfish Management and Catch Reporting Areas (catch areas) are modified as follows:

(a) That portion of Catch Area 22A south of a line due east from the international boundary to Lime Kiln Point light on San Juan Island, then south of the shores of San Juan Island, then south of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island, then south of the shores of Lopez Island to Point Colville shall be considered to be part of Catch Area 23A.

(b) Catch Area 23A is divided into four subareas:

(i) 23A-E (east) is those waters of Catch Area 23A east of 122°57'W. Long. and north of 48°22.5'N. Lat.

(ii) 23A-W (west) is those waters of Catch Area 23A west of 122°57'W. Long. and north of 48°22.5'N. Lat.

(iii) 23A-C (central) is those waters of Catch Area 23 south of 48°22.5'N. Lat. and east of a line projected 335° true from the Dungeness lighthouse.

(iv) 23A-S (south) is those waters of Catch Area 23A west of a line projected 335° true from the Dungeness lighthouse.

(c) Catch Area 26A is divided into two subareas:

(i) 26A-E (east) is those waters of Catch Area 26A north and east of a line projected 110 degrees true from the southern tip of Possession Point on Whidbey Island to the shipwreck on the opposite shore.

(ii) 26A-W (west) is those waters of Catch Area 26A south and west of a line projected 110 degrees true from the southern tip of Possession Point on Whidbey Island to the shipwreck on the opposite shore.

(d) Catch Area 26B is divided into two subareas:

(i) 26B-1 is those waters of Catch Area 26B westerly of a line projected from West Point to Alki Point.

(ii) 26B-2 is those waters easterly of a line projected from West Point to Alki Point.

(6) For purpose of shrimp trawl harvest allocation and catch reporting, 23A East is that portion of Catch Area 23A, east of a line projected true north from the Dungeness lighthouse. 23A West is that portion of Catch Area 23A, west of the line described herein.

(7) The following areas are defined as Puget Sound Shrimp Management Areas:

(a) Shrimp Management Area 1A: Waters of Catch Area 20B west of a line from Point Doughty on Orcas Island to the bell buoy at the international boundary, and all waters of Catch Area 22A west of a line projected true north and south from the western tip of Crane Island, west of a line projected from the number 2 buoy at the entrance to Fisherman Bay to the southern tip of Shaw Island.

(b) Shrimp Management Area 1B: Waters of Catch Area 20B east of a line from Point Doughty on Orcas Island to the bell buoy at the international boundary, and waters of Catch Area 22A east of a line projected true north and south from the western tip of Crane Island, east of a line projected from the number 2 buoy at the entrance to Fisherman Bay to the southern tip of Shaw Island, and east of a line projected true south from Point Colville, and all waters of Catch Area 21A north and west of a line from the southern tip of Sinclair Island to Carter Point on Lummi Island.

(c) Shrimp Management Area 1C: Waters of Catch Areas 20A, 21B, 22B, and waters of Catch Area 21A not included in Management Area 1B.

(d) Shrimp Management Area 2E: Waters of Catch Areas 24A, 24B, 24C, 24D, and 26A-E (east).

(e) Shrimp Management Area 2W: Waters of Catch Areas 25B, 25C, 25D, and 26A-W (west).

(f) Shrimp Management Area 3: Waters of Catch Areas 23A, 23B, 23C, 23D, 25A, 25E, and 29.

(g) Shrimp Management Area 4: Waters of Catch Areas 26B and 26C.

(h) Shrimp Management Area 5: Waters of Catch Areas 27A, 27B, and 27C.

(i) Shrimp Management Area 6: Waters of Catch Areas 26D, 28A, 28B, 28C, and 28D.

(8) In Shrimp Management Areas 1A, 1B and 1C, all catch must be reported by Management Area and Catch Area combined, either 1A-20B, 1A-22A, 1B-20B, 1B-21A, 1B-22A, 1C-20A, 1C-21A, 1C-21B, or 1C-22B.

AMENDATORY SECTION (Amending WSR 11-21-039, filed 10/11/11, effective 11/11/11)

WAC 220-52-052 Commercial ocean spot shrimp pot fishery—Coastal waters. It is unlawful to fish for, possess, or deliver ocean spot shrimp (*Pandalus platyceros*) taken for commercial purposes from state waters west of the Bonilla-Tatoosh line, or from offshore waters, except as provided for in this section:

License and area

(1) It is unlawful to fish for, possess, or deliver spot shrimp taken for commercial purposes from state waters west of the Bonilla-Tatoosh line, or from offshore waters, unless the fisher has a valid Washington-coastal spot shrimp pot fishery license. A violation of this subsection is punishable under RCW 77.15.500, Commercial fishing without a license—Penalty.

(2) It is unlawful to fish for or possess spot shrimp or to set spot shrimp gear in waters of the Pacific Ocean adjacent to the state of Oregon without the licenses or permits required to commercially fish for spot shrimp within the state waters of Oregon. A violation of this subsection is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

Season

(3) It is unlawful to fish for, take, or possess spot shrimp on board a commercial fishing vessel, except from March 15 through September 15 of each year. A violation of this subsection is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

(4) The total allowable catch of spot shrimp taken from waters west of the Bonilla-Tatoosh line and from offshore waters during a calendar year is 200,000 pounds round weight. Of this 200,000 pounds round weight, no more than 100,000 pounds can be taken south of 47 degrees 04.00' N. latitude, and no more than 100,000 pounds can be taken north of 47 degrees 04.00' N. latitude.

Gear

(5) It is unlawful to fish with spot shrimp pot gear for commercial purposes if the pots exceed a maximum 153-inch bottom perimeter and a maximum 24-inch height. It is unlawful to possess spot shrimp taken with spot shrimp pot gear that exceeds a maximum 153-inch bottom perimeter and a maximum 24-inch height.

(a) Shrimp pot gear must be constructed with net webbing or rigid mesh. At least 50 percent of the net webbing or mesh covering the sides of the pot must easily allow passage of a seven-eighths inch diameter dowel.

(b) Pot gear is required to have an escape mechanism as provided for in WAC ((~~220-52-035~~)) 220-340-060.

(c) Set line end marker buoys must be floating and visible on the surface of the water, equipped with a pole, flag, radar reflector, and operating light, and marked with the clear identification of the license holder and the vessel designated on the coastal spot shrimp pot license.

(6) It is unlawful to fish for spot shrimp for commercial purposes with more than a maximum of 500 pots. It is unlawful to possess spot shrimp taken for commercial purposes with more than a maximum of 500 pots.

(7) A violation of subsection (5) or (6) of this section is punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

Incidental catch

(8) It is unlawful for persons fishing in any coastal spot shrimp fishery to deliver spot shrimp while having on board the fishing vessel any bottomfish taken in the coastal bottomfish fishery under WAC ((~~220-44-050~~)) 220-355-100.

(9) It is unlawful to retain any species of finfish or shellfish taken with spot shrimp pot gear, except octopus, squid, or up to 50 pounds round weight of other shrimp species taken incidentally with spot shrimp pot gear.

(10) A violation of subsection (8) or (9) of this section is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

Harvest logs

(11) It is unlawful for any spot shrimp pot fishery license holder or vessel operator engaged in fishing for spot shrimp in the coastal commercial spot shrimp fishery to fail to complete a department-issued harvest log for all fishing activity in state or offshore waters.

(12) It is unlawful for any vessel operator engaged in fishing for spot shrimp for commercial purposes to fail to comply with the following method and time frame related to harvest log submittal and recordkeeping:

(a) Completed harvest logs must be submitted so that the department receives them within ten days following any calendar month in which fishing occurred. Washington-coastal spot shrimp pot license holders can submit the completed harvest logs to a WDFW employee upon request, or mail the completed harvest logs to Washington Department of Fish and Wildlife, Attention: Coastal Spot Shrimp Manager, 48 Devonshire Rd., Montesano, WA 98563.

(b) Washington-coastal spot shrimp pot license holders or vessel operators engaged in fishing for spot shrimp in the coastal commercial fishery must complete a harvest log entry for each day fished, prior to offloading the spot shrimp. Washington-coastal spot shrimp pot license holders must maintain a copy of all submitted harvest log entries for no less than three years after the fishing activity ended.

(c) Washington-coastal spot shrimp pot license holders or vessel operators can obtain a harvest logbook by contacting the department's coastal spot shrimp manager at 360-249-4628.

(13) A violation of subsection (11) or (12) of this section is a misdemeanor, punishable under RCW 77.15.280, Reporting of fish or wildlife harvest——Rules violation——Penalty.

Permit

(14) It is unlawful to fish for, retain, land, or deliver spot shrimp taken with pot gear for commercial purposes without a valid coastal spot shrimp pot fishery permit.

(15) It is unlawful to take, retain, land, or deliver any spot shrimp taken with pot gear without complying with all provisions of a coastal spot shrimp pot fishery permit.

(16) A violation of subsection (14) or (15) of this section is punishable under RCW 77.15.750, Unlawful use of a department permit——Penalty.

AMENDATORY SECTION (Amending WSR 01-02-057, filed 12/29/00, effective 1/29/01)

WAC 220-52-063 Commercial octopus fishery. It shall be unlawful to possess octopus for commercial purposes except octopus taken incidentally to any lawful bottom fish or shellfish fishery, except that it shall be unlawful for divers to take octopus for commercial purposes except as authorized by permit issued by the director for display or scientific purposes.

AMENDATORY SECTION (Amending WSR 94-12-009, filed 5/19/94, effective 6/19/94)

WAC 220-52-066 Commercial squid fishery. (1) It is lawful at any time to take or fish for squid for commercial purposes with drag seine gear not exceeding 350 feet in length and having meshes of not less than 1-1/4 inches stretch measure, dip bag net, brail, and squid jigging gear. Dip bag net and brail may not exceed 10 feet in diameter nor have a mesh less than one inch stretch measure. Other gear may be used to fish for squid commercially if authorized by a permit issued by the director.

(2) Food fish, other shellfish except octopus, and squid eggs caught while fishing for squid must be returned to the water immediately. It is lawful to retain for commercial purposes squid taken incidental to another commercial fishery.

(3) Each vessel fishing for squid may use a lighting system with a combined power of not more than 10 kilowatts (10,000 watts). Lights of 200 watts or greater must be shielded and may not be directed to any point more than 100 feet from the vessel while fishing for or attracting squid.

(4) It is unlawful to fish for squid for commercial purposes within 1/4 mile of the shoreline of an incorporated city or town.

(5) Licensing: A squid fishery license is the license required to operate the gear provided for in this section.

AMENDATORY SECTION (Amending WSR 10-03-087, filed 1/19/10, effective 2/19/10)

WAC 220-52-068 Commercial scallop fishery——Coastal waters. (1) It is unlawful to fish for or possess scallops taken for commercial purposes from the waters of the Exclusive Economic Zone.

(2) It is unlawful to trawl for scallops in Washington territorial waters west of the Bonilla-Tatoosh line or in Marine Fish-Shellfish Management and Catch Reporting Area 29.

(3) A violation of this section is punishable under RCW 77.15.520 Commercial fishing——Unlawful gear or methods——Penalty; and RCW 77.15.550 Violation of commercial fishing area or time——Penalty.

AMENDATORY SECTION (Amending WSR 14-02-016, filed 12/19/13, effective 1/19/14)

WAC 220-52-069 Commercial scallop fishery——Puget Sound. (1) **Licensing and permits:**

(a) It is unlawful to fish for, take, or possess scallops with shellfish dive gear without a valid shellfish dive fishery license. 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.

(b) It is unlawful to fish for, take, or possess rock or weathervane scallops for commercial purposes from Puget Sound unless a person first obtains a valid scallop brood stock collection permit issued by the department. A violation of this subsection is a gross misdemeanor or class C felony punishable under RCW 77.15.500, violation of commercial fishing without a license——Penalty, depending on the circumstances of the violation.

(c) It is unlawful to harvest scallops for brood stock or culture purposes in a manner that violates scallop brood stock collection permit provisions. Scallop brood stock collection permit provisions include, but are not limited to, the location, date and time restrictions on harvest, and the species and quantity of scallops the permit holder may take for brood stock or culture purposes. A violation of this subsection is a misdemeanor, punishable under RCW 77.15.750, Unlawful use of a department permit——Penalty.

(2) **Harvest areas and seasons.**

(a) It is unlawful to take or possess pink or spiny scallops for commercial purposes, except during open scallop harvest seasons from open shellfish management areas as provided by emergency rule.

(b) It is unlawful to fish for, take, or possess scallops from the closed waters in Sea Urchin Districts 1, 2, 5, and 7 as defined in WAC ((~~220-52-073~~)) 220-340-750.

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

(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) **Size limits:** It is unlawful to take or possess pink or spiny scallops less than 2 inches in length, measured from the hinge to the outer margin of the shell. A violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

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

(a) It is unlawful to fish for, take, or possess pink or spiny scallops by any means other than by hand with shellfish dive gear. A violation of this subsection is a gross misdemeanor punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

(b) It is unlawful to operate a vessel engaged in scallop harvest operations unless the vessel registration number assigned by the department is properly displayed as provided by department rule. A violation of this subsection is a misdemeanor punishable under RCW 77.15.540, Unlawful use of a commercial fishery license—Penalty.

(c) It is unlawful for more than one diver from a harvest vessel to be in the water at any one time during pink or spiny scallop harvest operations or when commercial quantities of pink or spiny scallops are on board the vessel. 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 for a vessel engaged in the harvest of pink or spiny scallops to have through-hull fittings for water discharge hoses to be 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.

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

(6) **Possession restrictions:** It is unlawful to possess geoduck clams during pink or spiny scallop harvest operations, or possess geoduck clams on a vessel that has pink or spiny scallops on board. 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.

AMENDATORY SECTION (Amending WSR 94-12-009, filed 5/19/94, effective 6/19/94)

WAC 220-52-070 Commercial goose barnacle fishery. (1) It is unlawful to take or possess Pacific goose barnacles taken for commercial purposes without having first obtained a permit to do so issued by the director.

(2) Licensing: An emerging commercial fishery license is the license required for a permittee to retain goose barnacles.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-52-001	220-340-010
220-52-005	220-320-100
220-52-010	220-340-020
220-52-018	220-340-100
220-52-019	220-340-300
220-52-01901	220-340-310
220-52-01902	220-340-320
220-52-01903	220-340-330
220-52-01905	220-340-070
220-52-020	220-340-110
220-52-030	220-340-120
220-52-035	220-340-060
220-52-036	220-340-400
220-52-038	220-340-410
220-52-040	220-340-420
220-52-041	220-340-460
220-52-042	220-340-430
220-52-043	220-340-435
220-52-044	220-340-490
220-52-045	220-340-450
220-52-046	220-340-455
220-52-047	220-340-440
220-52-048	220-340-470
220-52-049	220-340-480
220-52-050	220-340-500
220-52-051	220-340-520
220-52-052	220-340-510
220-52-060	220-340-700
220-52-063	220-340-720
220-52-066	220-340-770
220-52-068	220-340-600
220-52-069	220-340-610
220-52-070	220-340-710
220-52-071	220-340-730
220-52-073	220-340-750
220-52-075	220-340-030

AMENDATORY SECTION (Amending WSR 16-07-140, filed 3/22/16, effective 4/22/16)

WAC 220-49-005 Puget Sound forage fish commercial fisheries—General provisions. (1) It is unlawful to fish for or possess Puget Sound forage fish taken for commercial purposes except at the times, during the seasons and using the gear provided for in this chapter.

(2) It is unlawful to fish for or possess candlefish taken for commercial purposes. A violation of this subsection is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

(3) The total annual quota for the Puget Sound smelt commercial fishery may not exceed sixty thousand pounds.

(4) It is unlawful for vessel operators engaged in the commercial harvest of smelt from Puget Sound to fail to report their daily catch to the department by 2:00 p.m. the day following the harvest of smelt.

(a) Catch reports may be submitted to the department as follows:

(i) By e-mailing the catch report or a picture of the fish receiving ticket to smeltreport@dfw.wa.gov; or

(ii) By phone at 1-844-611-3822.

(b) Catch reports must include the following information as it is recorded on the fish receiving ticket:

(i) Fisher name;

(ii) Wholesale fish dealer name;

(iii) Pounds of smelt landed;

(iv) Marine fish/shellfish catch area, as described in WAC ((~~220-22-400~~)) 220-301-040;

(v) Date of harvest;

(vi) Date of sale;

(vii) Complete fish ticket serial number, including the first alphanumeric letter; and

(viii) If a picture of the fish receiving ticket is e-mailed as the daily harvest report, the date of harvest must be recorded on the bottom half of the ticket.

AMENDATORY SECTION (Amending WSR 04-17-098, filed 8/17/04, effective 9/17/04)

WAC 220-49-020 Herring and anchovy—Seasons—Lawful gear—Purposes. It shall be unlawful to take, fish for or possess for commercial purposes herring or anchovy in Puget Sound except during lawful seasons, with lawful gear and for such purposes as provided for hereinafter in each respective fishing area:

(1) Area 20A.

(a) Closed September 1 through May 31 to all commercial fishing gear except for the spawn on kelp fishery as provided for in WAC ((~~220-49-063~~)) 220-356-170.

(b) Closed June 1 through August 31 to all commercial fishing.

(2) It is unlawful to use purse seine gear in any Puget Sound area except 23A, 23B, 23C, 23D, and 29. Areas 23A, 23B, 23C, 23D and 29 are open to purse seine gear only during seasons set by emergency rule.

(3) All other Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas - Open entire year with drag seine, lampara, and dip bag net for human consumption or bait only except for closures set out in subsections (4), (5) and (6) of this section.

(4) The following areas are closed the entire year to all gear: Areas 20B, 21A, 21B, 22A, 22B, 25A, and 25E.

(5) The following areas are closed from January 16 through April 15, except to dip bag net gear:

(a) Area 24A except for a year-round closure in Swinomish Channel in those waters between the bridge spanning the channel south of La Conner and a line perpendicular to the channel at the northeast end of the La Conner boat basin, 24B, and 24D.

(b) Waters of Area 25C south of a line from Tala Point to Foul-weather Bluff.

(c) Area 25D.

(d) Waters of Area 26B west of a line from Point Monroe to Point Jefferson.

(e) Area 26C.

(f) Waters of Area 26D north of a line from Neill Point to Piner Point.

(g) Areas 27A, 27B and 27 C are closed year-round.

(h) Waters of Area 28A west of a line projected true north-south through Treble Point on Anderson Island, including Henderson Inlet.

(i) Waters of Area 28B west of a line projected true north from Penrose Point, including Mayo Cove and Von Geldern Cove.

(j) All contiguous waters of Area 28D north and east of a line projected from Dofflemeyer Point through Cooper Point to landfall on the west shore of Eld Inlet, including Totten Inlet, Hammersley Inlet and Oakland Bay.

AMENDATORY SECTION (Amending WSR 04-17-089, filed 8/16/04, effective 9/16/04)

WAC 220-49-023 Herring reporting. (1) Herring fishers:

(a) All commercial herring fishers are required to obtain a department-issued herring reporting monthly logbook, and, pursuant to this section, enter the required information and remit the department's copies of the monthly logs.

(b) It is unlawful for the operator of the harvest vessel to fail to keep the logbook aboard the vessel while the vessel is engaged in herring fishing or has herring onboard. Violation of this subsection is a gross misdemeanor, punishable under RCW ((~~77.15.560~~)) 77.15.280.

(c) It is unlawful for any vessel operator engaged in herring fishing to fail to submit the department's copy of each month's log in which fishing activity occurs within ten days of the end of the month, as evidenced by the mailing date on the envelope or the fax date, except that the operator may submit all logs of monthly activity prior to the month in which fishing activity commences at one time, and, when fishing activity terminates for the year may submit the logs for the remainder of the year at one time. Harvest logs must be submitted in ascending consecutive order of log serial numbers. The logs are required to be mailed to: Department of Fish and Wildlife, Marine Resources, P.O. Box 1100, La Conner, WA 98257, or faxed to 360-466-0515.

Violation of this subsection is a misdemeanor, punishable under RCW 77.15.280.

(d) Herring vessel operators responsible for submitting logs to the department must maintain the fisher's copy of all logs for one year, and have them available for inspection. It is unlawful for the vessel operator to fail to submit harvest logs for inspection upon request by fish and wildlife officers or authorized department marine fish-shellfish program employee. Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.360.

(e) It is unlawful for vessel operators engaged in commercial herring fishing or possessing herring, to fail to permanently and legibly record in ink the following information within the following time constraints:

(i) Before each vessel trip, record the operator name, operator phone number, license holder name, the department issued registration number, date of fishing trip.

(ii) Immediately after the completion of each set, and prior to making a new set, record the set number, set start time, Marine Fish-Shellfish Catch Area, nearest landmark type, gear type, and weight in pounds of herring retained.

(iii) Immediately after each landing of fish, record the fish receiving ticket serial number and the names of the receivers of fish landed or pen number delivered to if the vessel operator also holds a wholesale fish dealer license and is acting in the capacity of an original receiver. Violation of this subsection is a gross misdemeanor, punishable under RCW ((~~77.15.560~~)) 77.15.280.

(2) Herring baitfish processors:

(a) It is unlawful for original receivers who sell herring as baitfish to fail to report by January 15th of each year the total number of dozens of herring sold the previous year. The report must be made on a department supplied herring baitfish report form, and must report sales by size class. The form is required to be mailed to: Department of Fish and Wildlife, Marine Resources, P.O. Box 1100, La Conner, WA 98257, or faxed to 360-466-0515. Violation of this subsection is a gross misdemeanor, punishable under RCW ((~~77.15.560~~)) 77.15.280.

(b) Herring processors responsible for submitting herring baitfish report forms must maintain the processor's copy of the form for one year, and have it available for inspection. It is unlawful for the processor to fail to submit herring baitfish report forms for inspection upon request by fish and wildlife officers or authorized department marine fish-shellfish program employee. Violation of this subsection is a gross misdemeanor, punishable under RCW 77.15.360.

AMENDATORY SECTION (Amending WSR 94-12-009, filed 5/19/94, effective 6/19/94)

WAC 220-49-063 Spawn on kelp licenses (SOK license)——Applications. (1) Any herring fisher holding a herring fishery license under chapter 77.65 RCW ((~~75.30.140~~)) may participate in an auction for a spawn on kelp license (SOK license). Proof of current herring licensing must be presented before entering the auction. No more than one SOK license will be awarded to each herring license holder.

(2) The department shall offer SOK licenses under the following conditions:

(a) The department shall establish a minimum acceptable bid for each license.

(b) Licenses shall be offered by sealed bidding at auction. The license will be awarded to the bidder with the highest bid. In the event of tie bids, the tie breaker will be by coin toss.

(c) Each SOK license shall be auctioned separately. Each bidder for a license must submit a certified check equal to the minimum acceptable bid prior to the bidding as a down payment on the winning bid price.

(d) Bidding by proxy is allowed, provided the proxy holder has a power of attorney for the herring license holder represented.

(e) The successful bidder for a SOK license is required to sign and return to the department a copy of the SOK license within 10 days after the award of a license together with the balance of the bid amount. Failure to return the license and bid balance will invalidate the award of the license and result in forfeiture of the deposit in the amount necessary to compensate the department for any damages. In such case the license shall be offered to the other bidders in descending order of their bid amount.

(f) If the license fails to be sold as described in (c) or (e) of this subsection, the license may be offered to any person possessing a herring license who offers the largest amount within a specified time period.

(g) The department may revoke the SOK license for noncompliance with the terms of the license. In case of license revocation, the bid amount shall be retained by the department.

(3) Licensing:

(a) Herring dip bag net, herring drag seine, herring lampara and herring purse seine licenses are licenses required to operate the respective gear and retain herring for the spawn on kelp fishery.

(b) A spawn on kelp fishery license is the license issued to a successful bidder and allows the holder to participate in the spawn on kelp fishery.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-49-005	220-356-050
220-49-011	220-356-060
220-49-012	220-356-070
220-49-013	220-356-080
220-49-014	220-356-090
220-49-017	220-356-100
220-49-020	220-356-110
220-49-021	220-356-150
220-49-023	220-356-160
220-49-024	220-356-120

220-49-056	220-356-190
220-49-057	220-356-200
220-49-063	220-356-170
220-49-064	220-356-180

AMENDATORY SECTION (Amending WSR 12-23-016, filed 11/9/12, effective 12/10/12)

WAC 220-48-005 Puget Sound bottomfish—General provisions. (1) It is unlawful to possess English sole less than 12 inches in length taken with commercial bottomfish gear in all Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas.

(2) It is unlawful to possess any starry flounder less than 14 inches in length taken with commercial bottomfish gear in all Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas.

(3) It is unlawful to possess lingcod taken with commercial gear year-round in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas 23D, 24A, 24B, 24C, 24D, 25B, 25C, 25D, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, and 28D.

(4) It is unlawful to possess lingcod less than 26 inches in length or greater than 36 inches in length taken with commercial gear in all state waters east of the Bonilla-Tatoosh line.

(5) It is unlawful to possess lingcod taken with commercial gear from June 16 through April 30 in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, 23A, 23B, 23C, 25A, 25E, and 29.

(6) It is unlawful to possess any species of shellfish taken with lawful bottomfish gear except as provided in WAC ((~~220-52-063 and 220-52-066~~)) 220-340-720 and 220-340-770.

(7) Incidental catch.

(a) It is permissible to retain bottomfish taken incidental to any lawful salmon fishery, provided the bottomfish could be lawfully taken under state law and department rule.

(b) It is unlawful to retain salmon or sturgeon taken incidental to any lawful bottomfish fishery in Puget Sound.

(c) It is unlawful to retain any species of shellfish taken incidental to any bottomfish fishery in Puget Sound, except octopus and squid.

(d) It is unlawful to retain any whiting taken incidental to any bottomfish fishery in Catch Areas 24B, 24C or 26A except when using pelagic trawl gear when these areas have been opened by the director for a directed whiting fishery.

(8) A vessel trip is completed upon the initiation of transfer of catch from a fishing vessel.

(9) Pacific cod.

(a) It is unlawful to discard Pacific cod taken by commercial fishing gear.

(b) All Pacific cod taken by a commercial gear must be landed at a licensed commercial dealer.

(10) Sablefish.

(a) It is unlawful to take more than 300 pounds of sablefish per vessel trip or more than 600 pounds of sablefish per two-month cumulative limit from open Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas.

(b) A two-month cumulative limit is the maximum amount of fish that may be taken and retained, possessed or landed per vessel per two-fixed calendar month period. The fixed two-month periods are January-February, March-April, May-June, July-August, September-October and November-December.

(11) Sixgill shark. It is unlawful to retain sixgill shark taken with commercial fishing gear in all Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas.

(12) Rockfish. It is unlawful to retain any species of rockfish taken with commercial fishing gear in all Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas.

(13) Violation of this section is a gross misdemeanor or class C felony, punishable under RCW 77.15.520 or 77.15.550, depending on the gear used or the time and area fished.

AMENDATORY SECTION (Amending WSR 12-23-016, filed 11/9/12, effective 12/10/12)

WAC 220-48-052 Commercial salmon fishing—Retaining Puget Sound bottomfish incidental catch. It is permissible to retain bottomfish for commercial purposes taken with commercial salmon gear incidental to a lawful salmon fishery in any waters of Puget Sound, except lingcod during closures provided in WAC ((~~220-48-005~~)) 220-355-020.

AMENDATORY SECTION (Amending WSR 12-23-016, filed 11/9/12, effective 12/10/12)

WAC 220-48-071 Puget Sound—Bottomfish pots. (1) It is unlawful to take, fish for, and possess bottomfish for commercial purposes with bottomfish pot gear as described in WAC ((~~220-16-145~~)) 220-300-050, except in the following Puget Sound Marine Fish-Shellfish Management and Catch Reporting Areas during the seasons designated below:

Areas 23C and 29 open only by permit from the director.

(2) Violation of subsection (1) of this section is a gross misdemeanor, punishable under RCW 77.15.550 Violation of commercial fishing area or time—Penalty.

(3) It is unlawful to operate bottomfish pot gear without possessing a valid bottomfish pot license. Violation of this subsection is a gross misdemeanor or class C felony, depending on the circumstances of the violation, punishable under RCW 77.15.500 Commercial fishing without a license—Penalty.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-48-005	220-355-020
220-48-015	220-355-030
220-48-052	220-355-040
220-48-061	220-355-050

220-48-071	220-355-060
220-48-072	220-355-010

AMENDATORY SECTION (Amending WSR 14-01-056, filed 12/12/13, effective 1/12/14)

WAC 220-47-001 Puget Sound salmon——Quick reporting. All Puget Sound salmon fisheries are designated as "quick reporting required" fisheries, and commercial purchasers and receivers must comply with the provisions of WAC ((~~220-69-240~~)) 220-352-180(14).

AMENDATORY SECTION (Amending WSR 08-15-031, filed 7/8/08, effective 8/8/08)

WAC 220-47-301 Puget Sound salmon——Lawful gear——Purse seine. (1) Lawful purse seine salmon nets in Puget Sound must not exceed 1,800 feet in length along the cork line while wet, and purse seine and lead combined must not exceed 2,200 feet. Neither type can contain meshes of a size less than 3-1/2 inches. Meshes of the seine and lead cannot be lashed together to form one continuous piece of webbed gear. A person may have, as part of the purse seine, a bunt not more than 10 fathoms long. However, the mesh size must not be less than 3-1/2 inches.

(2) It is unlawful to take or fish for salmon in Puget Sound with purse seine gear that contains mesh webbing constructed of a twine-size smaller than 210/30d nylon, 12-thread cotton, or the equivalent diameter in any other material.

(3) It is unlawful for any purse seine vessel to carry an extra lead or portion thereof unless stowed below decks during the fishing operation. It is also unlawful to carry an extra lead or portion thereof aboard the skiff of the purse seine vessel.

(4) Purse seine mesh size is defined as the distance between the inside of one knot to the outside of the opposite vertical knot of one mesh. Minimum mesh size is met if a wedge of legal size can be passed without undue force through the mesh while the mesh is wet.

(5) A purse seine is not considered to be fishing once both ends of the seine are attached to the primary vessel.

(6) It is unlawful to take or fish for salmon with purse seine gear in Puget Sound unless at least four sections, each measuring no less than 12 inches in length along the cork line in the bunt, and within 75 fathoms of the bunt, have no corks or floats attached. These four sections must be spaced such that one section is along the cork line in the bunt, within 5 fathoms of the seine net, and the other three sections are spaced at least 20 fathoms apart along the cork line within 75 fathoms of the bunt.

(7) When brailing is required, it is unlawful to take or fish for salmon with purse seine gear unless the purse seine vessel has aboard and uses operable recovery boxes as described in this subsection.

(a) Dimensions and capacities of required recovery boxes:

(i) Recovery boxes must have two chambers per box if one box is used, or one chamber per box if two boxes are used.

(ii) Each recovery box chamber must have an inside length measurement of 48 inches, an inside width measurement of 10 inches, and an inside height measurement of 16 inches.

(iii) Each chamber of the recovery box must have an inlet hole measuring between 3/4 inch and 1 inch in diameter. The inlet hole must be centered horizontally across the door or wall of the chamber, and the bottom of the hole must be located 1-3/4 inches above the floor of the chamber.

(iv) Each chamber of the recovery box must include a water outlet hole on the opposite wall from the inlet hole, and the outlet hole must be at least 1-1/2 inches in diameter, with the bottom of the outlet hole located 12 inches above the floor of the chamber.

(v) Flow of water through each chamber of the recovery boxes must be not less than 16 gallons per minute, nor more than 20 gallons per minute.

(b) Each box and chamber must be operating during any time that the net is in the water.

(c) The vessel operator must demonstrate to department employees, upon request, that the pumping system is delivering the proper volume of fresh seawater into each chamber.

(d) All salmon that will not be retained must be released immediately with care and with the least possible injury to the fish, or placed into the operating recovery box.

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

(f) All fish placed in the recovery boxes must be released within the same catch area as the area of capture, and the release must occur prior to landing or docking.

(8) It is unlawful to fish for salmon with purse seine gear in Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and is in immediate possession of a department-issued certification card.

AMENDATORY SECTION (Amending WSR 10-14-129, filed 7/7/10, effective 8/7/10)

WAC 220-47-302 Puget Sound salmon—Lawful gear—Gillnet. (1) It is unlawful to use drift gillnet salmon gear in Puget Sound that exceeds 1,800 feet in length or contains meshes of a size less than 5 inches.

(2) It is unlawful to use skiff gillnet salmon nets in Puget Sound that exceed 600 feet in length, 90 meshes in depth, or that contain meshes of a size less than 5 inches, except in Area 9A, where skiff gillnets are further restricted by not being more than 60 meshes deep. It is unlawful to retrieve skiff gillnets by any means except by hand (no hydraulics may be used). It is unlawful to fail to attend to skiff gillnets at all times.

(3) Drift gillnets and skiff gillnets shall be operated substantially in a straight line. It is unlawful to set such nets in a circle or to set them in other than a substantially straight line.

(a) It is unlawful to operate any drift gillnet, attended or unattended, unless there is affixed, within five feet of each end of the net, two red size A-3 buoys, marking the visible end of the cork line portion of the net. One of the two buoys shall be marked in a visible,

legible, and permanent manner with the name and gillnet license number of the fisher.

(b) The cork line portion of the net shall be marked every 50 fathoms of the net with size A-1 buoys.

(4) It is unlawful to take or fish for salmon with gillnet gear in Areas 7 or 7A sockeye or pink salmon fisheries unless said gillnet gear is constructed so that the first 20 meshes below the cork line are composed of five-inch mesh, white opaque, minimum 210/30d (#12) diameter, nylon twine.

(5) It is unlawful to take or fish for salmon with gillnet gear when recovery box(es) are required in areas defined under WAC ((~~220-22-030~~)) 220-301-030 unless the gillnet vessel has aboard and uses said operable recovery box(es) as described in this subsection.

(a) Dimensions and capacities of required recovery boxes:

(i) Recovery boxes must have two chambers, if one box, or one chamber in each box, if two boxes.

(ii) Each recovery box chamber must have an inside length measurement of 48 inches, an inside width measurement of 10 inches, and an inside height measurement of 16 inches.

(iii) Each chamber of the recovery box must have an inlet hole measuring between 3/4 inch and 1 inch in diameter. The inlet hole must be centered horizontally across the door or wall of the chamber, and the bottom of the hole must be located 1-3/4 inches above the floor of the chamber.

(iv) Each chamber of the recovery box must include a water outlet hole on the opposite wall from the inlet hole, and the outlet hole must be at least 1-1/2 inches in diameter, with the bottom of the outlet hole located 12 inches above the floor of the chamber.

(v) Flow of water through each chamber of the recovery boxes must be not less than 16 gallons per minute, nor more than 20 gallons per minute.

(b) Each box and chamber must be operating during any time that the net is being retrieved or picked.

(c) The vessel operator must demonstrate to department employees, upon request, that the pumping system is delivering the proper volume of fresh seawater into each chamber.

(d) All salmon not to be retained must be released immediately with care and with the least possible injury to the fish, or placed into the operating recovery box.

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

(f) All fish placed in the recovery boxes must be released within the same catch area as the area of capture, and the release must occur prior to landing or docking.

(6) It is unlawful to fish for salmon with gillnet gear in Areas 7 and 7A unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and is in possession of a department-issued certification card.

AMENDATORY SECTION (Amending WSR 08-15-031, filed 7/8/08, effective 8/8/08)

WAC 220-47-303 Puget Sound salmon—Lawful gear—Reef nets. (1) Lawful **reef net** salmon nets in Puget Sound must not exceed 300 meshes on any side nor contain meshes of a size less than 3-1/2 inches nor utilize more than two leads. Each of the leads must not exceed 200 feet in length, measured from the bows of the reef net boats to the nearest end of the head buoys. The use of any false, detached, or auxiliary lead is unlawful.

(2) It is unlawful to retain Chinook salmon with reef net gear unless the vessel operator is in immediate possession of a department-issued Puget Sound reef net logbook. Completed logs must be submitted and received within six working days to the department.

(3) It is unlawful to fish for salmon with reef net gear in Puget Sound Salmon Management and Catch Reporting Areas 7 and 7A unless the vessel operator has attended a "Fish Friendly" best fishing practices workshop and is in immediate possession of a department-issued certification card.

AMENDATORY SECTION (Amending WSR 07-20-006, filed 9/20/07, effective 10/21/07)

WAC 220-47-310 Puget Sound salmon—Net seasons—Time. During the openings provided for in this chapter, all times stated are Pacific Standard Time from January 1 through the second Saturday in March and from the first Sunday in November through December 31; and all times stated are Pacific Daylight Time from the second Sunday in March to the first Saturday in November.

AMENDATORY SECTION (Amending WSR 97-16-030, filed 7/29/97, effective 8/29/97)

WAC 220-47-319 Puget Sound salmon—Special purse seine mesh size. It shall be unlawful to take, fish for or possess salmon taken with purse seine gear in any Puget Sound Salmon Management and Catch Reporting Area exclusive of sockeye and pink salmon management unless said purse seine gear is constructed so that the first 100 meshes below the corkline that are within 75 fathoms of the bunt, excluding the bunt, are of a size not less than 5 inches stretch measure.

AMENDATORY SECTION (Amending WSR 09-15-054, filed 7/9/09, effective 8/9/09)

WAC 220-47-325 Purse seine—Release of incidentally caught fish. (1) It is unlawful for any purse seine vessel operator landing salmon

to do so directly into the hold. All salmon must be landed onto the deck or sorting tray or table of the harvesting vessel with the hold hatch cover(s) closed until all salmon that cannot be retained are released; and additionally:

(2) In Areas 7 and 7A, and prior to the Fraser Panel relinquishing management control in Areas 7B and 7C, it is unlawful for any purse seine vessel operator to bring salmon aboard a vessel unless all salmon captured in the seine net are removed from the seine net using a brailer or dip net meeting the specifications in this section prior to the seine net being removed from the water, unless otherwise provided for in this section.

(3) The brailer must be constructed in the following manner and with the following specifications:

(a) A bag of web hung on a rigid hoop attached to a handle;

(b) The bag must be opened by releasing a line running through rings attached to the bottom of the bag; and

(c) The web must be of soft knotless construction, and the mesh size cannot exceed 57 mm (2.25 inches) measured along two contiguous sides of a single mesh.

(4) Hand-held dip nets must be constructed of a shallow bag of soft, knotless web attached to a handle.

(5) Fish may be brought on board without using a brailer or dip net as specified in this section if the number of fish in the net is small enough that the crew can hand-pull the bunt onto the vessel without the use of hydraulic or mechanical assistance.

(6) In order for fishers to participate in openings where brailing is required, fishers must use a recovery box and operate the box in compliance with the provisions of WAC ((~~220-47-301~~)) 220-354-100 (7)(a) through (f). It is unlawful to fail to do so.

AMENDATORY SECTION (Amending WSR 99-24-011, filed 11/19/99, effective 12/20/99)

WAC 220-47-410 Puget Sound salmon—Gillnet—Daily hours. It is unlawful to take or fish during the Fraser sockeye and pink salmon species seasons in Areas 7 or 7A with gillnet gear from 12:00 midnight to 1.5 hours after sunrise.

AMENDATORY SECTION (Amending WSR 12-15-034, filed 7/12/12, effective 8/12/12)

WAC 220-47-427 Puget Sound salmon—Beach seine—Emerging commercial fishery—Eligibility—Lawful gear. (1) The Puget Sound beach seine salmon fishery is designated as an emerging commercial fishery for which a vessel is required. An emerging commercial fishery license and an experimental fishery permit are required to participate in this fishery.

(2) The department will issue four salmon beach seine experimental fishery permits.

(3) The following is the selection process the department will use to offer a salmon beach seine experimental permit.

(a) Persons who held a salmon beach seine experimental fishery permit in the previous management year will be eligible for a permit in the current management year.

(b) The department will work with the advisory board, per RCW 77.70.160(1), to establish criteria by which applicants will qualify to enter the pool. The pool established by this drawing will be maintained to replace any permit(s) which are voided.

(4) Permit holders are required to participate in the salmon beach seine experimental fishery.

(a) For purposes of this section, "participation" means the holder of the salmon beach seine experimental permit is aboard the designated vessel in the open fishery.

(b) If the salmon beach seine experimental permit holder fails to participate, the salmon beach seine experimental permit issued to that fisher will be voided, and a new salmon beach seine experimental permit will be issued through a random drawing from the applicant pool.

(c) The department may require permit holders to show proof of participation by maintaining a department approved log book or registering with state officials each day the salmon beach seine experimental permit holder participates.

(d) Persons who participate in the fishery but violate conditions of a salmon beach seine experimental permit will have their permit voided, and a new salmon beach seine experimental permit will be reissued through a random drawing from the pool of the voided permit holder.

(5) In Quilcene Bay, chum salmon may not be retained by a salmon beach seine experimental permit holder. Chum salmon in Quilcene Bay must be released alive.

(6) Any person who fails to purchase the license, fails to participate, or violates the conditions of a salmon beach seine experimental permit will have his or her name permanently withdrawn from the pools.

(7) It is unlawful to take salmon with beach seine gear that does not meet the requirements of this subsection.

(a) Beach seine salmon nets in Puget Sound shall not exceed 990 feet in length or 200 meshes in depth, or contain meshes of a size less than 3 inches or greater than 4 inches.

(b) Mesh webbing must be constructed with a twine size no smaller than 210/30d nylon, 12 thread cotton, or the equivalent diameter in any other material.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-47-001	220-354-090
220-47-121	220-305-100
220-47-252	220-354-310
220-47-262	220-354-320

220-47-266	220-354-330
220-47-269	220-354-340
220-47-301	220-354-100
220-47-302	220-354-140
220-47-303	220-354-170
220-47-310	220-354-190
220-47-319	220-354-110
220-47-325	220-354-130
220-47-410	220-354-150
220-47-427	220-354-200
220-47-500	220-354-050

AMENDATORY SECTION (Amending WSR 89-16-056, filed 7/28/89, effective 8/28/89)

WAC 220-40-015 Willapa Bay salmon—Gillnet gear specifications. It is unlawful to fish for food fish in Willapa Bay for commercial purposes with gillnet gear or to possess food fish taken from those waters with gillnet gear unless:

(1) The gillnet 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 gillnet is not less than 5 inches or greater than 6-1/2 inches stretch measure.

AMENDATORY SECTION (Amending WSR 10-12-061, filed 5/27/10, effective 6/27/10)

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

AMENDATORY SECTION (Amending WSR 16-15-029, filed 7/12/16, effective 8/12/16)

WAC 220-40-027 Willapa Bay 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, chum salmon, and Chinook salmon:

Area	Time	Date(s)	Maximum Mesh Size
2M, 2N, 2R	7:00 a.m. through 7:00 p.m.	9/6, 9/7	4.25"
2M, 2R	7:00 a.m. through 7:00 p.m.	9/8	4.25"
2T	6:00 a.m. through 6:00 p.m.	9/16, 9/17	6.5"
2M, 2R	6:00 a.m. through 6:00 p.m.	9/11, 9/12, 9/13, 9/14, 9/16, 9/17	6.5"
2N	6:00 a.m. through 6:00 p.m.	9/11, 9/12, 9/13, 9/16, 9/17	6.5"
2U	6:00 a.m. through 6:00 p.m.	9/16	4.25"
2T	6:00 a.m. through 6:00 p.m.	9/19, 9/20, 9/21, 9/22	6.5"
2U	6:00 a.m. through 6:00 p.m.	9/19, 9/20, 9/21, 9/22, 9/23	4.25"
2N	6:00 a.m. through 6:00 p.m.	9/20, 9/21, 9/22, 9/23, 9/24	6.5"
2M, 2R	6:00 a.m. through 6:00 p.m.	9/18, 9/19, 9/20, 9/21, 9/22, 9/23	6.5"
2M, 2N, 2R, 2T	7:00 a.m. through 7:00 p.m.	9/27, 9/28, 9/29, 9/30, 10/1	6.5"
2U	7:00 a.m. through 7:00 p.m.	9/27, 9/28, 9/29, 9/30, 10/1	4.25"

Area	Time	Date(s)	Maximum Mesh Size
2U	7:00 a.m. through 7:00 p.m.	10/3, 10/4, 10/5, 10/6	4.25"
2M, 2N, 2R	7:00 a.m. through 7:00 p.m.	10/3, 10/4, 10/5, 10/6	6.5"
2U	7:00 a.m. through 7:00 p.m.	10/9, 10/10, 10/11, 10/12, 10/13, 10/14	4.25"
2M, 2N, 2R, 2T, 2U	12:01 a.m. through 11:59 p.m.	11/1 through 11/4	6.5"
2M, 2N, 2R, 2T, 2U	12:01 a.m. through 11:59 p.m.	11/7 through 11/11	6.5"
2M, 2N, 2R, 2T, 2U	12:01 a.m. through 11:59 p.m.	11/14 through 11/18	6.5"
2M, 2N, 2R, 2T, 2U	12:01 a.m. through 11:59 p.m.	11/21 through 11/25	6.5"

Gear:

(2) Gillnet gear restrictions - All areas:

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

(b) 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.

(c) It is unlawful to use a gillnet to fish for salmon if the lead line weighs more than two pounds per fathom of net as measured on the cork line.

(d) 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.

(e) From 12:01 a.m. September 6 through November 30: Mesh size must not exceed six and one-half inches stretched, except mesh size must not exceed four and one-quarter inches stretched in Areas 2M, 2N, 2R on September 6, 7, and 8 and in Area 2U on September 16, 19, 20, 21, 22, 23, 27, 28, 29, 30, October 1, 3, 4, 5, 6, 9, 10, 11, 12, 13, and 14.

Other:

(3) Recovery boxes and soak time limits described in this section are required from 12:01 a.m. September 6 through 11:59 p.m. October 14:

(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.

(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;

(B) The inside width measurements must be at or within 8 to 10 inches; 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) 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. From September 6 through October 1, all chum 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~~)) 220-352-180(14), reports must be made by 10:00 a.m. the day following landing.

(5) Retention prohibitions:

(a) 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) Retention of any species other than coho salmon, chum salmon, or Chinook is prohibited.

(c) From 12:01 a.m. September 6 through 11:59 p.m. October 1, retention of any species other than coho salmon or hatchery Chinook marked by a healed scar at the site of the adipose fin is prohibited.

(d) From 12:01 a.m October 2 through 11:59 p.m. October 14, retention of any species other than coho salmon, chum salmon, or hatchery Chinook marked by a healed scar at the site of the adipose fin 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) Do NOT remove tags from white 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.

(8) Those waters of Area 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 are CLOSED from 6:00 a.m. September 16, 2016 through 11:59 p.m., September 30, 2016.

(9) 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) 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 September 1.

AMENDATORY SECTION (Amending WSR 07-21-128, filed 10/23/07, effective 11/23/07)

WAC 220-40-031 Willapa Bay—Seasons and ((~~lawful~~)) gear—Sturgeon. It is unlawful to fish for or possess sturgeon taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Area 60C except at those times and with such gear as provided by emergency rule of the director, and subject to the provisions of this section:

It is unlawful to take sturgeon by angling from any vessel that is engaged in commercial sturgeon fishing, has been engaged in commercial sturgeon fishing that same day, or has commercially caught sturgeon aboard.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-40-015	220-354-230
220-40-020	220-354-220
220-40-021	220-354-240
220-40-027	220-354-250
220-40-030	220-356-010
220-40-031	220-357-010

AMENDATORY SECTION (Amending WSR 10-12-061, filed 5/27/10, effective 6/27/10)

WAC 220-36-015 Grays Harbor salmon—Gillnet gear((~~—Grays Harbor~~)) specifications. It is unlawful to fish for food fish in Grays Harbor for commercial purposes with gillnet gear, or to possess food fish taken from those waters with gillnet gear, unless:

(1) The gillnet 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 gillnet is not less than 5 inches or greater than 6-1/2 inches stretch measure.

AMENDATORY SECTION (Amending WSR 10-12-061, filed 5/27/10, effective 6/27/10)

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, with the exception of salmon taken with gillnet gear as provided for in this chapter.

AMENDATORY SECTION (Amending WSR 10-12-061, filed 5/27/10, effective 6/27/10)

WAC 220-36-021 Grays Harbor 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 WSR 16-19-010, filed 9/8/16, effective 10/9/16)

WAC 220-36-023 Grays Harbor 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) Gillnet gear may be used to fish for Chinook, coho, and chum salmon, and shad as provided in this section and in the times and area identified in the chart below.

Time:	Areas:
7:00 a.m. through 7:00 p.m. October 24;	Area 2A and Area 2D

Time:	Areas:
7:00 a.m. through 7:00 p.m. October 25;	
AND	
7:00 a.m. through 7:00 p.m. October 26.	
6:30 a.m. through 6:30 p.m. October 17;	Area 2C
6:30 a.m. through 6:30 p.m. October 18.	
7:00 a.m. through 7:00 p.m. October 30;	
AND	
7:00 a.m. through 7:00 p.m. October 31.	

Gear:

(2) Gear restrictions:

(a) It is permissible to have on board a commercial vessel more than one net, provided that the length of any one net does not exceed one thousand five hundred feet in length. Nets not specifically authorized for use in this fishery may be onboard the vessel if 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 in diameter or greater.

(b) Areas 2A and 2D from October 1 through November 30: Gillnet gear only.

(i) It is unlawful to use set net gear.

(ii) It is unlawful to utilize any object, except the vessel deploying the gear, to impede a gillnet or its attached line or float from drifting.

(iii) Mesh size must not exceed six and one-half inch maximum. Nets may be no more than fifty-five meshes deep.

(iv) It is unlawful to use a gillnet to fish for salmon if the lead line weighs more than two pounds per fathom of net as measured on the cork line. The lead line must not rest on the bottom in such a manner as to prevent the net from drifting. 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 Grays Harbor.

(c) Area 2C from October 1 through November 30: Gillnet gear only.

(i) It is unlawful to use set net gear.

(ii) It is unlawful to utilize any object, except the vessel deploying the gear, to impede a gillnet or its attached line or float from drifting.

(iii) Mesh size must not exceed nine inches.

(iv) It is unlawful to use a gillnet to fish for salmon if the lead line weighs more than two pounds per fathom of net as measured on the cork line. The lead line must not rest on the bottom in such a manner as to prevent the net from drifting. 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 Grays Harbor.

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 Areas 2A, 2C, and 2D.

(i) Each box and chamber must be operating during any time the net is being retrieved or picked and any time a fish is being held in accordance with (b) and (c) of this subsection. 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;

(B) The inside width measurements must be at or within 8 to 10 inches; 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 or fresh bay water into each chamber.

(b) When fishing in Grays Harbor Areas 2A and 2D, 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 (d) of this subsection.

(c) When fishing in Grays Harbor Area 2C, all steelhead 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 (d) of this subsection.

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

(e) For Areas 2A and 2D, 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) Retention of any species other than coho, chum, hatchery Chinook marked by a healed scar at the site of the adipose fin, or shad is prohibited in Areas 2A and 2D from October 1 through November 30.

(5) Retention of any species other than Chinook, chum, coho or shad, is prohibited in Area 2C from October 1 through November 30.

(6) Quick reporting is required for wholesale dealers and fishers retailing their catch under a "direct retail endorsement." According to WAC ((~~220-69-240(14)~~)) 220-352-180, reports must be made by 10:00 a.m. the day following landing.

(7) Report all encounters of green sturgeon 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 include encounters with each day's quick reporting.

(8) Do NOT remove tags from white or green sturgeon. Please obtain available information from tags without removing tags. Submit tag information to:

Washington Department of Fish and Wildlife
48 Devonshire Rd.
Montesano, WA 98563.

(9)(a) Fishers must take department observers, if requested, by department staff when participating in these openings.

(b) 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 October 1, for openings in Areas 2A, 2C, or 2D.

(10) It is unlawful to fish for salmon with tangle net or gillnet gear in Areas 2A, 2C, and 2D 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.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-36-015	220-354-270
220-36-020	220-354-260
220-36-021	220-354-280
220-36-023	220-354-290
220-36-025	220-354-070
220-36-03001	220-356-020
220-36-031	220-357-020

AMENDATORY SECTION (Amending WSR 85-18-027, filed 8/27/85)

WAC 220-32-055 Off-reservation Indian subsistence fishing. (1) It is unlawful for any person, including treaty Indian fishermen, to take, fish for, or possess salmon or other food fish for subsistence purposes except in accordance with the provisions of this section.

(2) It is lawful for individuals possessing treaty fishing rights pursuant to the Yakima Treaty, the Warm Springs Treaty, the Umatilla Treaty, and the Nez Perce Treaty to fish for food fish for subsistence family-use purposes subject to the following provisions:

(a) Such fishing is permitted year-round in the following areas: That area of the mainstem Columbia River from a line between a marker on the Washington shore and a marker on the Oregon shore, such line located approximately one-half mile upstream from the mouth of Eagle Creek, upstream to a point at the four-second flashing light #67 approximately 1/2 mile downstream of the Dalles Bridge; that area of the mainstem Columbia River from a point 200 feet above the Dalles Dam fishway exit upstream to a point 600 feet downstream of the John Day Dam fishway entrance; that area of the mainstem Columbia River from a point 200 feet above the John Day Dam fishway exit upstream to a point at the downstream end of the wingwall of the McNary Dam boat lock; that area of Columbia River from a point 200 feet above the McNary Dam fishway exit upstream to the Highway 12 bridge; excluding those areas within 1/4 mile radius of the mouth of Wind River, Little White Salmon River (Drano Lake), Klickitat River, and Spring Creek Hatchery fishway entrance.

(b) Lawful fishing gear by treaty Indians in the above-designated area includes dip nets and bag nets of a mesh size not exceeding 5 inches attached to a hoop 24 feet or less in circumference, spear, gaff, club, and foul hook.

(c) It is lawful to use sport angling gear in places and at times allowed under chapter ((~~220-56~~)) 220-310 WAC series for treaty Indian subsistence purposes.

(d) It is unlawful to use drift gillnets or set gillnets for treaty Indian subsistence fishing in the mainstem of the Columbia River except as authorized by the director of the department of ((~~fisheries~~)) fish and wildlife under the provisions of WAC ((~~220-32-060~~)) 220-359-110.

(e) It is unlawful to use gillnets, set nets, hoop nets, dip or bag nets with a mesh size exceeding 5 inches, set lines, or any other type of fishing gear not otherwise specifically authorized except during times and in areas where such gear is authorized for commercial fishing purposes.

(3) In accordance with RCW ((~~75.08.265~~)) 77.12.453, it is lawful for the following Wanapum Indians to take, fish for, and possess food fish for subsistence purposes in the vicinity of Priest Rapids Dam in specified areas at specified times using specified gear authorized by the director of the department of ((~~fisheries~~)) fish and wildlife. The individuals designated below may be revised from time to time by agreement between the Wanapum Indians and the director of the department of ((~~fisheries~~)) fish and wildlife:

Frank Buck	Jade Buck
Stanley Buck	Robert S. Tomanawash, Sr.
Willie Buck	Lester Umtuch

Harry Buck	Grant Wyena
Ken Buck	Jerry Wyena
Rex Buck, Jr.	Douglas Wyena
Phillip Buck	Jimmy Wyena
Richard Buck	Patrick Wyena

The following provisions apply to this fishery:

(a) It is unlawful to fish at any time, place, or using gear other than that designated by the director of the department of ((~~fisheries~~)) fish and wildlife and authorized by regulation.

(b) It is unlawful for Wanapum Indian fishermen to fail to report, in writing, their total catch to the department of ((~~fisheries~~)) fish and wildlife within five days of the end of fishing activity under subsection (3)(a) of this section.

(c) Should any Wanapum Indian be convicted of violating the provisions of this section, or sell, barter, or attempt or sell or barter any fish taken in this fishery or any treaty Indian fishery, that fishermen will be ineligible to further participate in the Wanapum Indian subsistence fishery unless otherwise determined by the director of the department of ((~~fisheries~~)) fish and wildlife.

(4) It is unlawful to sell, barter, or offer for sale or barter, buy, or for a commercially licensed buyer or wholesale fish dealer to have in possession food fish taken in an Indian subsistence fishery under the provisions of subsections (2) and (3) of this section.

(5) It is unlawful for fishermen participating in an Indian subsistence fishery to fail to submit their catch to department of ((~~fisheries~~)) fish and wildlife employees for the conduct of biological sampling or to fail to allow necessary biological samples to be taken.

AMENDATORY SECTION (Amending WSR 09-18-070, filed 8/28/09, effective 9/28/09)

WAC 220-32-057 Season—Sturgeon. (1) It is unlawful to take, fish for or possess sturgeon taken for commercial purposes in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H except individuals possessing treaty fishing rights pursuant to the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish for sturgeon with setline gear from January 1 through January 31, and during seasons opened under emergency rule by the department and as provided in this section.

(2) During the open season, it is unlawful to:

(a) Retain for commercial or subsistence purposes sturgeon less than 38 inches in fork length or greater than 54 inches in fork length in Columbia River Salmon Management and Catch Reporting Area (SMCRA) 1F. It is unlawful to retain for commercial or subsistence purposes sturgeon less than 43 inches in fork length or greater than 54 inches in fork length in Columbia River SMCRAs 1G and 1H;

(b) Sell, barter, or attempt to sell or barter sturgeon eggs that have been removed from the body cavity of a sturgeon prior to the sale of the sturgeon to a wholesale dealer licensed under chapter ((~~75.28~~)) 77.65 RCW, or to sell or barter sturgeon eggs at retail; or

(c) Deliver to a wholesale dealer licensed under chapter ((~~75.28~~)) 77.65 RCW any sturgeon that are not in the round with the head and tail intact.

(3) Gear:

(a) Maximum 100 hooks per setline;

(b) Minimum hook size 9/0;

(c) Treble hooks prohibited; and

(d) Visible buoys required, with operator name and tribal identification clearly marked on the buoy.

AMENDATORY SECTION (Amending Order 77-14, filed 4/15/77)

WAC 220-32-059 Unlawful provision—Salmon. It shall be unlawful to take, fish for or possess salmon taken for commercial purposes in or from the waters of the Klickitat River between the swinging bridge, approximately one- and one-half miles upstream, and a monument located in Section 25, Township 3N, Range 12E, a distance of 25 feet downstream from the entrance to the upper Klickitat Falls Fishway (No. 5), except during the lawful seasons, times, and manners as provided for such fishing in Columbia River Salmon Management and Catch Reporting Areas 1F, 1G, and 1H under WAC ((~~220-32-051 and 220-32-052~~)) 220-359-020 and 220-359-030.

AMENDATORY SECTION (Amending Order 1043, filed 2/22/73)

WAC 220-32-060 Columbia River—Columbia River off-reservation treaty Indian ceremonial fishing. (1) It shall be unlawful for any Indian or group of Indians to conduct ceremonial fishing on the Washington side of the Columbia River or in Washington Columbia River tributaries outside of an Indian reservation without first providing at least one week advance written notification to the director of the Washington state department of ((~~fisheries~~)) fish and wildlife, including all of the following information:

(a) Name, place, and time of ceremony for which fish will be used.

(b) Name of individuals and helpers who will be fishing and transporting fish. Only these individuals will be allowed to fish on the occasion covered by the notice.

(c) Exact location(s) of fishing and the amount of gear to be used at each location.

(d) Exact beginning and ending dates of ceremonial fishing.

(e) Type of gear to be used in ceremonial fishing.

(f) Estimated number of pounds of fish needed for ceremonial fishing.

(g) If fish are to be stored prior to a ceremony, the location of storage must be identified. If they are not to be stored, it must be so indicated.

(h) The signature of the designated tribal official certified to the Washington department of ((~~fisheries~~)) fish and wildlife in advance.

(2) It shall be unlawful to:

(a) Fish for ceremonial purposes with commercial fishing gear except in those areas where such fishing gear is authorized for commercial fishing.

(b) Engage in ceremonial fishing during any portion of a week within a commercial fishing season which is closed to commercial fishing.

(c) Sell or barter, offer for sale or barter, buy, or for a commercial licensed fish buyer or wholesale fish dealer to have in his possession fish taken for ceremonial purposes.

(d) Engage in ceremonial fishing unless done in compliance with all provisions contained in the advance notice to the department of ((~~fisheries~~)) fish and wildlife of the state of Washington.

(3) Any individual engaged in ceremonial fishing must have in his possession a signed copy or duplicate copy of the written tribal notification to the director of the Washington state department of ((~~fisheries~~)) fish and wildlife that such fishing is to be conducted.

(4) All fishing gear shall be marked and identified at all times while fishing for ceremonial purposes.

(5) A record of the numbers of fish taken for ceremonial purposes will be made and sent promptly to the director of the Washington state department of ((~~fisheries~~)) fish and wildlife upon conclusion of each ceremonial fishing activity.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-32-050	220-359-010
220-32-051	220-359-020
220-32-052	220-359-030
220-32-053	220-359-040
220-32-054	220-359-050
220-32-055	220-359-060
220-32-056	220-359-070
220-32-057	220-359-080
220-32-058	220-359-090
220-32-059	220-359-100
220-32-060	220-359-110

AMENDATORY SECTION (Amending WSR 78-05-067, filed 4/27/78)

WAC 220-24-010 Unlawful acts—Salmon possession and transport. (1) It shall be unlawful for any person to possess in or transport through the waters of District No. 1 for commercial purposes any chinook salmon taken from said waters, or from the waters of the Pacific Ocean and District No. 2 during the period November 1 through April 30 of the following year and during the period June 16 through June 30, except as provided in WAC ((~~220-24-020~~)) 220-354-040.

(2) It shall be unlawful for any person to possess or transport through the waters of District No. 1 for commercial purposes any silver salmon taken from said waters, or from the waters of the Pacific Ocean and District No. 2 from November 1 through June 30 of the year following, except as provided in WAC ((~~220-24-020~~)) 220-354-040.

(3) It shall be unlawful for any person engaged in the business of canning, packing, processing, freezing, salting, smoking, kippering, preserving in ice, or otherwise involved in dealing in or curing any food fish or shellfish, or in the wholesale selling of food fish or shellfish for commercial purposes, to have in his possession within the boundaries of the state of Washington any fresh chinook salmon during the period November 1 through April 30, of the following year and during the period June 16 through June 30: Provided, That the provisions of this subsection shall not apply to chinook salmon lawfully taken from the concurrent waters of the Columbia River, or as otherwise provided.

(4) During the period May 1 through June 14, it shall be unlawful to take, fish for or possess salmon with troll gear for commercial purposes except with single, barbless hooks except on bait hooks and artificial salmon plugs. Bait hooks must have a natural bait attached as its primary attraction while fishing. Spoons, wobblers, dodgers and flexible plastic lures must have barbless hooks. For the purpose of this regulation, a single, barbless hook is defined as a hook with one primary point and no secondary points or barbs curving or projected in any opposite direction.

AMENDATORY SECTION (Amending WSR 01-13-006, filed 6/7/01, effective 7/8/01)

WAC 220-24-020 ((~~Lawful acts.~~)) Carriers—Transporting packaged salmon. It shall be lawful for a common or contract carrier to transport during seasons in which the taking, catching, or possession of chinook or silver salmon is unlawful in the state of Washington or in waters over which the state of Washington has jurisdiction, an original package or packages containing either silver or chinook salmon which original package or packages both originate from and are destined for some other state, territory or foreign country: Provided, That for the purpose of this regulation the term "original package" shall mean a package from which fish cannot be extracted without an opening or breaking thereof and which is accompanied by documentary proof that the original point of shipment and the point of destination are another state, territory or foreign country: Provided further, That it shall be unlawful for any such carrier to open or break any

such original package while the same is in his possession, except for the purpose of reicing: Provided further, That the waters of the Pacific Ocean shall not be considered a state, territory or foreign country.

AMENDATORY SECTION (Amending Order 77-31, filed 5/11/77)

WAC 220-24-030 Closed areas—Troll line gear. (1) It shall be unlawful to take fish for or possess salmon, for commercial purposes, with troll line gear within a 3 nautical mile radius of the following river mouths during the times specified

(a) Quillayute River - May 1 to June 15

(b) Hoh River - May 1 to September 15

(c) Queets River - May 1 to September 15.

AMENDATORY SECTION (Amending WSR 01-13-006, filed 6/7/01, effective 7/8/01)

WAC 220-24-040 ((~~All-citizen~~)) Coastal salmon troll seasons—Commercial. It is unlawful to fish for salmon with troll gear or to land salmon taken with troll gear into a Washington port except during the seasons provided for in this section.

(1) SMCRAs 1, 2, 3, and that portion of Area 4 west of 125°05'00" W longitude and south of 48°23'00" N latitude open May 1, 2001, and remain open through June 30, 2001, or until the chinook quota is taken. Unlawful to retain coho. No more than 4 spreads per line beginning June 1. Cape Flattery and Columbia River Control Zones closed.

(2) SMCRAs 2, 3, and that portion of Area 4 west of 125°05'00" W longitude and south of 48°23'00" N latitude open July 1, 2001, and remains open through July 27, 2001, or until the chinook or coho quotas have been taken. Unlawful to retain wild coho. Gear is restricted to plugs with a plug body length of six inches or greater, and no more than 4 spreads per line. Cape Flattery Control Zone closed.

(3) SMCRA 1 opens July 20, 2001, and remains open through September 30, 2001, or until the chinook or coho quotas have been taken. Unlawful to retain wild coho. Columbia River Commercial Control Zone closed.

(4) SMCRA 2 south of the Queets River opens July 28, 2001 or upon closure of the fishery provided for in subsection (2) of this section, and remains open concurrent with the fishery provided for in subsection (3) of this section.

(5) In all fisheries provided for in this section, chinook minimum size 28 inches and coho minimum size 16 inches. No minimum size for pink, sockeye or chum salmon.

(6) Lawful troll gear is restricted to single point, single shank barbless hooks.

(7) It is unlawful for any fisher taking salmon north of the Queets River to fail to land the salmon north of the Queets River and west of Sekiu, or to fail to notify the department before leaving the area. Notification must be made by calling the department at

360-902-2739, and reporting the name of fisher and boat, the area fished, the day leaving the area, and the port of destination.

(8) Fishers must land and deliver their catch within 24 hours of any closure of a fishery provided for in this section, and must land within the SMCRA fished, or within an adjacent SMCRA closed to all-citizen troll fishing.

(9) The Cape Flattery Commercial Control Zone is defined as the area from Cape Flattery (48°23'00" N latitude) to the northern boundary of the U.S. EEZ; and the area from Cape Flattery south to Cape Alava, 48°10'00" N latitude and west of 125°05'00" W longitude.

(10) The Columbia River Commercial Control Zone is defined as an area at the Columbia River mouth, bounded on the west by a line running northeast/southwest between the red lighted Buoy #4 (46°13'35" N. latitude, 124°06'50" W. longitude) and the green lighted Buoy #7 (46°15'09" N. latitude, 124°06'16" W. longitude); on the east, by the Buoy #10 line which bears north/south at 357° true from the south jetty at 46°14'00" N. latitude, 124°03'07" W. longitude to its intersection with the north jetty; on the north, by a line running northeast/southwest between the green lighted Buoy #7 to the tip of the north jetty (46°14'48" N. latitude, 124°05'20" W. longitude) and then along the north jetty to the point of intersection with the Buoy #10 line; and, on the south, by a line running northeast/southwest between the red lighted Buoy #4 and tip of the south jetty (46°14'03" N. latitude, 124°04'05" W. longitude), and then along the south jetty to the point of intersection with the Buoy #10 line.

(11) Vessels intending to land their catch taken south of Cape Falcon into a Washington port must notify WDFW before traveling north of Cape Falcon by calling 360-902-2181 and report the name of the vessel, the intended port of landing, the estimated time and date of arrival and the catch aboard.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-24-010	220-354-020
220-24-020	220-354-040
220-24-030	220-354-060
220-24-040	220-354-300

AMENDATORY SECTION (Amending WSR 11-14-003, filed 6/22/11, effective 7/23/11)

WAC 220-22-020 Coast, Willapa Harbor, Grays Harbor Salmon Management and Catch Reporting Areas. (1) **Area 1** shall include those waters within 3 nautical miles of the Oregon and Washington coasts north of a line projected true west from Tillamook Head (approximate latitude 45.94640 degrees N), westerly of a line projected from the inshore end of the north Columbia River jetty to the knuckle of the south Columbia River jetty, and south of a line projected true west from Leadbetter Point in Washington along latitude 46.63611 degrees N.

(2) **Area 2** shall include those waters within 3 nautical miles of the Washington coast north of Area 1, westerly of a line projected from the southern tip (located at 46.72791 degrees N, 124.05848 degrees W) of the Jacobson Jetty near Washaway Beach due south to Leadbetter Point along longitude 124.05848 degrees W, westerly of a straight line projected from the Point Chehalis light northerly through the Coast Guard lookout tower to the shore near Point Brown, and south of a line projected true west from the Queets River mouth along latitude 47.53856 degrees N.

(3) **Area 2A** shall include those waters of Grays Harbor and the Chehalis River estuary upstream from the Highway 101 Bridge at Aberdeen to a line projected from the Lakeside Industries asphalt plant tower (located at 46.97908 degrees N, 123.78317 degrees W) at a right angle to the thread of the stream to the opposite shore.

(4) **Area 2B** shall include those waters of Grays Harbor lying easterly of Area 2, southerly of a line running from a fishing boundary marker located at the south end of the eastern jetty at the Ocean Shores Marina, thence to a fishing boundary marker (located at 46.96120 degrees N, 124.05575 degrees W) on Sand Island and thence to the tripod station (located at 46.98528 degrees N, 124.01195 degrees W) on Brackenridge Bluff, westerly of a line projected from the tripod station at Brackenridge Bluff southward through channel marker 8 in the south channel at the mouth of Johns River to the mainland, and northerly of the Bay City Bridge.

(5) **Area 2C** shall include those waters of Grays Harbor northerly of Area 2B, westerly of a line crossing the mouth of Grass Creek projected true north and south along longitude 124.01 degrees W, south and west of a line around the mouth of Chenois Creek starting at landfall at latitude 47.02661 degrees N projecting due west to longitude 124.03273 degrees W thence due north to landfall, and southwesterly of a line crossing the mouth of the Humptulips River projected westerly from the promontory located at 47.03236 degrees N, 124.04056 degrees W to landfall westerly of Campbell Slough at 47.04155 degrees N, 124.08274 degrees W.

(6) **Area 2D** shall include those waters of Grays Harbor and the Chehalis River estuary downstream of Area 2A, easterly of Area 2B, and westerly (downstream) of the Highway 105 Bridge on Johns River.

(7) **Area 2K** shall include those waters of Willapa Harbor easterly of a line running from the northern tip of Goose Point to the Bay Center Channel light (Fl G 4s 18ft) thence to the western tip of Stony Point, and westerly of the Highway 101 bridges over the Palix and Niawiakum rivers.

(8) **Area 2M** shall include those waters of Willapa Harbor lying southeasterly of a line running from Needle Point northwesterly to the Island Sands light (Fl 2+1 G 6s 15ft, located at 46.53860 degrees N,

123.97654 degrees W) thence southerly to Diamond Point, northerly and easterly of a line from Stanley Point to Paradise Point, and downstream and northwesterly of the Highway 101 Bridge over the Naselle River.

(9) **Area 2N** shall include those waters of Willapa Harbor lying south of a line projected due west from the northern tip of Goose Point to landfall on Leadbetter Point along latitude 46.63667 degrees N, northwesterly of a line projected from Needle Point 60 degrees true to landfall north of the North Nemah River at 46.52223 degrees N, 123.89603 degrees W, northerly of Area 2M and a line projected from the Island Sands light thence due west to landfall on the North Beach Peninsula.

(10) **Area 2P** shall include those waters of Willapa Harbor lying inside and southerly of a line projected from Diamond Point westerly through Marker 2 (Fl R 4s 15ft, located at 46.50165 degrees N, 124.02382 degrees W) at the Nahcotta Boat Basin (RF#2) thence southerly to the north end of the boat basin jetty, and northerly of a line projected true west from High Point (approximate latitude 47.40951 degrees N) to landfall on the North Beach Peninsula.

(11) **Area 2R** shall include those waters of Willapa Harbor lying westerly and southerly of Areas 2M and 2N, and northerly of a line projected from Diamond Point westerly through Marker 2 at the Nahcotta Boat Basin to landfall on the North Beach Peninsula.

(12) **Area 2T** shall include those waters of Willapa Harbor easterly of Area 2, northerly of Areas 2K and 2N, west of a line projecting true north and south through Range Marker "B" (located at 46.70938 degrees N, 123.85501 degrees W), southerly of a line running true west and east through a North River Channel marker located at 46.73510 degrees N, 123.911906 degrees W, and easterly of a line projected true north from Marker 3 (located at 46.70725 degrees N, 123.96608 degrees W) at the Tokeland Boat basin to landfall east of the Cedar River.

(13) **Area 2U** shall include those waters of Willapa Harbor and the Willapa River estuary easterly of Area 2T, downstream and westerly from the Hwy 101 Bridge in Raymond, and excluding all waters of the South Fork Willapa River above a line at its mouth projected from the ((~~Weyerhauser [Weyerhaeuser]~~)) Weyerhaeuser chimney (located at 46.68927 degrees N, 123.74121 degrees W) southwesterly at a right angle to the thread of the stream to the opposite shore.

(14) **Area 3** shall include those waters within 3 nautical miles of the Washington coast north of Area 2 and south of a line projected true west from Cape Alava along latitude 48.16667 degrees N.

(15) **Area 4** shall include those waters within 3 nautical miles of the Washington coast north of Area 3, westerly of a line projected from the northern tip of Portage Head to the southern tip of Waatch Point, and westerly of the Bonilla-Tatoosh Line (WAC ((~~220-16-490~~)) 220-300-360).

(16) **Area 4A** shall include those waters easterly and inside of a line projected from the northern tip of Portage Head to the southern tip of Waatch Point, outside and westerly of the mouth of any river or stream flowing to the sea.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-22-010	220-301-010
220-22-020	220-301-020
220-22-030	220-301-030
220-22-400	220-301-040
220-22-410	220-301-050
220-22-510	220-370-030

AMENDATORY SECTION (Amending WSR 16-12-087, filed 5/31/16, effective 7/1/16)

WAC 232-28-297 2016-2017 and 2017-2018 Cougar hunting seasons and regulations. (1) As used in this section and in the context of general cougar hunting seasons, "harvest guideline" means the estimated allowable harvest; the actual harvest may be less than or more than the harvest guideline.

(2) General cougar season is September 1 to April 30 of the following year.

Season dates and harvest guidelines for each season:

Hunt Area	Harvest Guideline	Early Hunting Season	Late Hunting Season	Legal Weapon
GMU 101	7-9	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 105	2	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 108, 111	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 113	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 117	6-8	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 121	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 124, 127, 130	7-9	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 133, 136, 139, 142, 248, 254, 260, 262, 266, 269, 272, 278, 284, 290, 330, 334, 371, 372, 373, 379, 381	None	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 149, 154, 162, 163	4-5	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 145, 166, 175, 178	3-4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 169, 172, 181, 186	3	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 203	5	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 204	6-8	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 209, 215	4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 218, 231	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 224	2	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 233, 239	4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 242, 243	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 244, 246, 247	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 245, 250	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 249, 251	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 328, 329, 335	6-7	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 336, 340, 342, 346	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 352, 356, 360, 364, 368	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 382, 388	3-4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 407	None	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 418, 426, 437	11-15	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 448, 450	10-13	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 454	None	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 460	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 466, 485, 490	3	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 501, 504, 506, 530	8-10	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 503, 505, 520, 550	6-8	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon

Hunt Area	Harvest Guideline	Early Hunting Season	Late Hunting Season	Legal Weapon
GMUs 510, 513	3-4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 516	4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 524, 554, 556	3	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 560	5-6	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 564	1	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 568	2	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 572	3	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 574, 578	4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 601, 602, 603, 612	5-7	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 607, 615	4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 618, 636, 638	4-5	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 621, 624, 627, 633	None	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 642, 648, 651	6-8	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 652, 666	None	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 653, 654	5	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMUs 658, 660, 663, 672, 673, 681, 684, 699	9-12	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon
GMU 667	3-4	Sept. 1 - Dec. 31	Jan. 1 - Apr. 30	Any Legal Weapon

(a) In hunt areas with a harvest guideline, the cougar late hunting season may close on or after January 1st in one or more GMUs if cougar harvest meets or exceeds the guideline.

(b) In hunt areas with a harvest guideline, starting January 1st, cougar hunters may hunt cougar from January 1st until the hunt area harvest guideline has been met, and the department has notified licensed cougar hunters by posting the hunt area closure on the department's web site and on the toll-free cougar hunting hotline, or April 30th, whichever occurs first.

(3) Harvest guideline system:

(a) All cougar killed by licensed hunters during the early and late hunting seasons, and seasons authorized under WAC ((~~232-12-243~~)) 220-440-030 shall be counted toward the harvest guideline.

(b) Individual problem cougar will continue to be killed on an as-needed basis utilizing depredation permits, landowner kill permits, and WDFW depredation authority regardless of harvest guidelines.

(c) It is each cougar hunter's responsibility to verify if the cougar late hunting season is open or closed in hunt areas with a harvest guideline. Cougar hunters can verify if the season is open or closed by calling the toll-free cougar hunting hotline or visiting the department's web site.

(4) Cougar hunting season requirements and special restrictions.

(a) A valid big game hunting license which includes cougar as a species option is required to hunt cougar.

(b) The statewide bag limit is one (1) cougar per license year; excluding removals authorized under WAC ((~~232-12-243~~)) 220-440-030. It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens.

(c) The use of dogs to hunt cougar is prohibited; except by a commission authorized permit (WAC ((~~232-12-243~~)) 220-440-030).

(d) Any person who takes a cougar must comply with the notification and sealing requirements in WAC ((~~232-12-024~~)) 220-400-050.

(e) A special cougar permit is required to hunt cougar in GMU 485.

AMENDATORY SECTION (Amending WSR 15-10-033, filed 4/28/15, effective 5/29/15)

WAC 232-28-516 Trapping seasons and regulations. (1) Statewide trapping seasons:

SPECIES	SEASON DATES
Badger, Beaver, Bobcat, Marten, Mink, Muskrat, Raccoon, Red Fox, River Otter, and Weasel	Nov. 1 - Mar. 31 during the current license year

(2) Participation requirements:

(a) To be issued your first Washington state trapping license an individual must pass the Washington state trapper education exam.

(b) Licensed trappers must comply with reporting requirements in WAC ((~~232-12-134~~)) 220-417-020.

AMENDATORY SECTION (Amending WSR 16-14-038, filed 6/28/16, effective 7/29/16)

WAC 232-28-620 Coastal salmon—Saltwater seasons and daily limits. (1) It 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 and the sizes provided for in WAC ((~~220-56-180~~)) 220-313-010, and for the species designated in this section. An area is open when a daily limit is provided:

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

(a) May 1 through June 30: Closed.

(b) July 1 through August 31:

(i) Daily limit of 2 salmon; no more than one may be a Chinook.

(ii) Release wild coho.

(c) September 1 through April 30: Closed.

(d) Closed in the Columbia River Mouth Control Zone 1 during all open periods. See WAC ((~~220-56-195~~)) 220-313-020.

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

(a) May 1 through June 30: Closed.

(b) July 1 through August 21:

(i) Daily limit of one salmon.

(ii) Release coho.

(iii) Beginning August 8, the Grays Harbor Control Zone is closed. Grays Harbor Control Zone – The area defined by a line drawn from the Westport Lighthouse (46°53.18'N latitude, 124°07.01'W longitude) to Buoy #2 (46°52.42'N latitude, 124°12.42'W longitude) to Buoy #3 (46°55.00'N latitude, 124°14.48'W longitude) to the Grays Harbor north jetty (46°55.36'N latitude, 124°10.51'W longitude).

(c) August 22 through April 30 - Closed.

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

(a) May 1 through June 30: Closed.

(b) July 1 through July 31: Open concurrent with Area 2 when Area 2 is open for salmon angling. Area 2 rules apply.

(c) August 1 through January 31:

(i) Daily limit of 6 salmon; no more than 4 may be adult salmon.

(ii) Release wild Chinook.

(iii) Anglers in possession of a valid two-pole endorsement may use up to two lines while fishing.

(iv) 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°43.19'N, 123°50.83'W are closed August 1 through September 30.

(d) February 1 through April 30: Closed.

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

(a) May 1 through July 31: Closed.

(b) August 1 through September 24:

(i) Daily limit of 2 salmon.

(ii) Release wild coho.

(iii) Waters south of a line running from the south end of the eastern jetty at Ocean Shores Marina to the fishing boundary marker on Sand Island (46°57.52'N, 124°03.36'W) to the Tripod Station on Brackenridge Bluff (46°59.12'N, 124°00.72'W) are closed.

(c) September 25 through September 30: Closed.

(d) October 1 through November 30:

(i) Daily limit of 1 salmon.

(ii) Release wild Chinook.

(iii) Waters west of a line running from the Tripod Station on Brackenridge Bluff (46°59.12'N, 124°00.72'W) through channel marker 27 (green) to the mouth of Johns River (Highway 105 Bridge) are closed.

(e) December 1 through April 30: Closed.

(f) Notwithstanding the provisions of this subsection, the Westport Boat Basin and Ocean Shores Boat Basin are open only August 16 through January 31:

(i) Daily limit of 6 salmon; no more than 4 may be adult salmon.

(ii) Release Chinook.

(iii) Night closure and anti-snagging rule in effect.

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

(a) May 1 through June 30: Closed.

(b) July 1 through August 7: Open concurrent with Area 2 when Area 2 is open for salmon angling. Area 2 rules apply.

(c) August 8 through April 30: Closed.

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

(a) May 1 through June 30: Closed.

(b) July 1 through August 21:

(i) Daily limit of 2 salmon.

(ii) Release coho.

(iii) In years ending in odd numbers, two additional pink salmon may be retained as part of the daily limit.

(c) August 22 through April 30: Closed.

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

(a) May 1 through June 30: Closed.

(b) July 1 through August 21:

(i) Daily limit of 2 salmon.

(ii) Release coho.

(iii) In years ending in odd numbers, two additional pink salmon may be retained as part of the daily limit.

(iv) Waters east of a true north-south line through Sail Rock are closed through July 31.

(v) Waters east of the Bonilla-Tatoosh line closed beginning August 1.

(vi) Release chum salmon beginning August 1.

(c) August 22 through April 30: Closed.

(9) A violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested salmon. If the person has harvested salmon, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the salmon are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty.

AMENDATORY SECTION (Amending WSR 16-17-008, filed 8/4/16, effective 9/4/16)

WAC 232-28-621 Puget Sound salmon—Saltwater seasons and daily limits. (1) It is unlawful to fish for or possess salmon taken by angling for personal use except from the following Puget Sound areas and during the seasons, in the quantities, and for the species designated in this section, and in the sizes as defined in WAC ((~~220-56-180~~)) 220-313-010. An area is open when a daily limit is provided. Puget Sound waters west of the mouth of the Sekiu River are managed concurrent with ocean waters under WAC ((~~232-28-620~~)) 220-313-070.

(2) **Catch Record Card Area 5:**

(a) May 1 through June 30: Closed.

(b) July 1 through August 15:

(i) Daily limit of 2 salmon.

(ii) Release chum, wild Chinook and coho.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(iv) In years ending in even numbers, 2 additional sockeye salmon may be retained as part of the daily limit.

(c) August 16 through February 15: Closed.

(d) February 16 through April 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

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

(a) May 1 through June 30: Closed.

(b) July 1 through August 15:

(i) Daily limit of 2 salmon.

(ii) Release chum, wild Chinook and coho.

(iii) Release all Chinook east of a true north-south line through the Number 2 Buoy immediately east of Ediz Hook.

(iv) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(v) In years ending in even numbers, 2 additional sockeye salmon may be retained as part of the daily limit.

(c) Waters of Port Angeles Harbor west of a line from the tip of Ediz Hook to the ITT Rayonier Dock are closed July 1 through October 31.

(d) August 16 through November 30: Closed except in Dungeness Bay as described in this section.

(e) December 1 through April 15:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(f) April 16 through April 30: Closed.

(g) Waters of Dungeness Bay inside a line from Dungeness Spit Lighthouse to the Number 2 Red Buoy, and then to the Port Williams Boat Ramp are closed except:

(i) For years ending in odd numbers, July 16 through August 15: Daily limit of 4 pink salmon only: Bait prohibited, and only one single-point barbless hook measuring one-half inch or less from point to shank may be used.

(ii) October 1 through October 31: Daily limit of 2 hatchery coho only.

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

(a) May 1 through June 30: Closed.

(b) July 1 through July 31:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(iv) In years ending in even numbers, 2 additional sockeye salmon may be retained as part of the daily limit.

(c) August 1 through September 30:

(i) Daily limit of 2 salmon; no more than one may be a Chinook salmon.

(ii) Release chum and wild coho.

(iii) In years ending in odd numbers, any combination of 2 additional pink or sockeye salmon may be retained as part of the daily limit.

(iv) In years ending in even numbers, any combination of 2 additional sockeye salmon may be retained as part of the daily limit.

(v) Closed to salmon fishing in the Southern Rosario Strait and Eastern Strait of Juan de Fuca closure area described in WAC ((~~220-56-195~~)) 220-313-020(7).

(d) October 1 through October 31:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(e) Waters of Samish Bay described in WAC ((~~220-56-195~~)) 220-313-020(4): Closed April 1 through April 30 and July 1 through October 15.

(f) November 1 through November 30: Closed.

(g) December 1 through April 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(h) Waters of Bellingham Bay described in WAC ((~~220-56-195~~)) 220-313-020(1):

(i) Closed April 1 through April 30 and July 1 through August 15.

(ii) August 16 through September 30: Daily limit of 4 salmon; no more than 2 may be Chinook salmon.

(iii) October 1 through October 31:

(A) Daily limit of 4 salmon; no more than 2 may be Chinook salmon.

(B) Release wild Chinook and coho.

(iv) November 1 through March 31 and June 1 through June 30: Same rules as Area 7.

(i) Waters east of a line from Gooseberry Point to Sandy Point: Closed September 8 through October 15.

(5) **Catch Record Card Area 8-1:**

(a) May 1 through October 31: Closed.

(b) November 1 through April 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(6) **Catch Record Card Area 8-2:**

(a) May 1 through October 31 are closed, except waters described in this subsection.

(i) Waters west of Tulalip Bay and within 2,000 feet of shore from the pilings at Old Bower's Resort to a fishing boundary marker approximately 1.4 miles northwest of Hermosa Point are open only from Friday through 11:59 a.m. the following Monday of each week, May 26 through September 5:

(A) Daily limit of 2 salmon.

(B) Release wild Chinook and coho.

(C) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(ii) Waters west of Tulalip Bay and within 2,000 feet of shore from the pilings at Old Bower's Resort to a fishing boundary marker approximately 1.4 miles northwest of Hermosa Point are open only from Saturday through Sunday of each week, September 6 through September 30:

(A) Daily limit of 2 salmon.

(B) Release wild Chinook and coho.

(C) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(b) November 1 through April 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(7) **Catch Record Card Area 9:**

(a) May 1 through June 30: Closed.

(b) July 1 through July 15:

(i) Daily limit of 2 salmon.

(ii) Release coho, Chinook and chum.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(c) July 16 through August 16:

(i) Daily limit of 2 salmon; no more than one may be a Chinook.

(ii) Release coho, chum and wild Chinook.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(iv) Closed south of a line from Foulweather Bluff to Olele Point through August 15.

(d) August 16 through October 31: Closed.

(e) November 1 through November 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(f) December 1 through January 15: Closed.

(g) January 16 through April 15:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(h) April 16 through April 30: Closed.

(i) Edmonds Fishing Pier:

(i) Open November 1 through August 31.

(ii) Daily limit of 2 salmon; no more than one may be a Chinook salmon.

(iii) Release coho. Release chum from August 1 through September 30.

(iv) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit from July 1 through September 30.

(8) **Catch Record Card Area 10:**

(a) May 1 through May 31: Closed.

(b) June 1 through June 30: Open only north of a line from Point Monroe to Meadow Point. Catch and release.

(c) July 1 through July 15:

(i) Daily limit of 2 salmon.

(ii) Release coho, Chinook and chum.

(d) July 16 through August 15:

(i) Daily limit of 2 salmon; no more than one may be a Chinook.

(ii) Release coho, chum and wild Chinook.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(e) August 16 through October 31: Closed.

(f) Waters of Shilshole Bay southeast of a line from Meadow Point to West Point: Closed July 1 through August 31.

(g) Waters of Elliott Bay east of a line from West Point to Alki Point: Closed July 1 through August 31, except: In years ending in odd numbers: Those waters north of a line from Jack Block Park through the north tip of Harbor Island to shore northeast of the North Waterway (47°35.47'N, 122°20.58'W), open August 14 through August 31 from Friday through Sunday of each week only.

(i) Daily limit of 2 salmon plus 2 additional pink salmon.

(ii) Release Chinook and chum.

(iii) Bait prohibited, and only one single-point barbless hook measuring one-half inch or less from point to shank may be used.

(h) Waters of Sinclair Inlet and Port Orchard south of the Manette Bridge in Bremerton, south of a line true west from Battle Point, and west of a line drawn true south from Point White:

(i) Daily limit of 3 salmon, July 1 through September 30.

(ii) Release wild Chinook and wild coho.

(iii) Release chum from August 1 through September 15.

(iv) In years ending in odd numbers, one additional pink salmon may be retained as part of the daily limit.

(i) November 1 through February 28:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(j) Waters of Agate Pass west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point: Fly fishing only, lead core lines prohibited, and catch and release from January 1 through January 31.

(k) March 1 through April 30: Closed.

(l) Elliott Bay Fishing Pier at Terminal 86 and Seacrest Pier open November 1 through August 31:

(i) Daily limit of 2 salmon; no more than one may be a Chinook salmon.

(ii) Release coho. Release chum from August 1 through September 15.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit from July 1 through September 30.

(m) Waterman Pier, Bremerton Boardwalk, and Illahee State Park Pier, open year-round:

(i) Daily limit of 2 salmon; no more than one may be a Chinook salmon.

(ii) Release wild coho. Release chum from August 1 through September 15.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit from July 1 through September 30.

(n) Duwamish Waterway downstream from the First Avenue South Bridge to an east-west line projected through Southwest Hanford Street on Harbor Island, from July 1 through October 31 night closure, anti-snagging rule, and only fish hooked inside the mouth may be retained.

(o) Free-flowing freshwaters are closed downstream of the mouth at Chico Creek and Gorst Creek.

(9) **Catch Record Card Area 11:**

(a) May 1 through May 31: Closed.

(b) June 1 through June 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(iii) Waters of Commencement Bay east of a line from the Cliff House Restaurant to the Sperry Ocean Dock are closed.

(c) July 1 through August 31:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(iv) Waters of Commencement Bay east of a line from the Cliff House Restaurant to the Sperry Ocean Dock, closed July 1 through July 31.

(d) September 1 through January 31: Closed.

(e) February 1 through April 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(iii) Waters of Commencement Bay east of a line from the Cliff House Restaurant to the Sperry Ocean Dock, closed from April 1 through April 30.

(f) Dash Point Dock, Les Davis Pier, Des Moines Pier, Redondo Pier, and Point Defiance Boathouse Dock are open November 1 through August 31:

(i) Daily limit of 2 salmon, not more than one of which may be a Chinook salmon. Release coho.

(ii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit from July 1 through September 30.

(10) **Catch Record Card Area 12:**

(a) May 1 through June 30: Closed.

(b) July 1 through September 30, in waters south of Ayock Point except waters listed in this subsection:

(i) Daily limit of 4 salmon.

(ii) Release chum and wild Chinook.

(iii) Waters within a 2,000-foot arc seaward of yellow buoys at the mouth of Finch Creek at Hoodsport Salmon Hatchery:

(A) Daily limit of 4 salmon.

(B) Release wild Chinook and chum.

(C) It is unlawful to fish for or possess salmon taken from these waters from one hour after sunset to one hour before sunrise.

(D) Hoodsport Salmon Hatchery ADA-access site: Persons with disabilities who permanently use a wheelchair and who have a designated harvester card under WAC ((~~220-55-065~~)) 220-220-240 may fish from the ADA–access site at the Hoodsport Salmon Hatchery, as long as persons follow all applicable department rules.

(c) In years ending in even numbers, August 16 through September 30, in waters north of Ayock Point:

(i) Daily limit of 4 salmon.

(ii) Release chum and Chinook.

(iii) Waters north of a line true east from Broad Spit: Closed September 16 through September 30.

(d) In years ending in odd numbers, July 1 through August 15, in waters north of Ayock Point:

(i) Daily limit of 4 salmon.

(ii) Release chum and Chinook.

(iii) July 1 through July 31: Bait prohibited, and only one single-point barbless hook measuring one-half inch or less from point to shank may be used.

(iv) Waters north of a line true east from Broad Spit: Closed September 16 through September 30.

(e) October ((~~(1)~~)) 1 through December 31:

(i) Waters north of a line true east from Broad Spit - Closed.

(ii) All other waters except waters listed in this subsection:

(A) Daily limit of 4 salmon; no more than 2 may be Chinook salmon.

(B) Release wild Chinook. Release chum October 1 through October 15.

(iii) Waters within a 2,000-foot arc seaward of yellow buoys at the mouth of Finch Creek at Hoodsport Salmon Hatchery:

(A) Daily limit of 4 salmon.

(B) Release wild Chinook. Release chum October 1 through October 15.

(C) It is unlawful to fish for or possess salmon taken from these waters from one hour after sunset to one hour before sunrise.

(D) Hoodsport Salmon Hatchery ADA-access site: Persons with disabilities who permanently use a wheelchair and who have a designated harvester card under WAC ((~~220-55-065~~)) 220-220-240 may fish from the ADA–access site at the Hoodsport Salmon Hatchery, as long as persons follow all applicable department rules.

(f) January 1 through April 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook.

(g) July 1 through September 30: Free-flowing freshwater is closed downstream of the mouth of the Dewatto, Dosewallips, Duckabush, Hamma Hamma, and Skokomish rivers.

(11) **Catch Record Card Area 13:**

(a) May 1 through June 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(b) July 1 through August 31:

(i) Daily limit of 2 salmon.

(ii) Release coho and wild Chinook.

(iii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit.

(c) September 1 through September 30: Closed.

(d) October 1 through October 31:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(e) Waters at the mouth of Minter Creek within 1,000 feet of the outer oyster stakes are closed April 16 through September 30.

(f) Waters of Budd Inlet south of the Fourth Avenue Bridge are closed.

(i) Contiguous waters north of the Fourth Avenue Bridge and south of a line from the northwest corner of the Thriftway Market building and a point 100 yards north of the railroad bridge on the western shore are closed July 16 through October 31.

(ii) Waters north of the Thriftway Market-railroad bridge line and south of a line projected due west from the KGY radio tower: Night closure and anti-snagging rule from July 16 through October 31.

(g) November 1 through April 30:

(i) Daily limit of 2 salmon.

(ii) Release wild Chinook and coho.

(h) Fox Island Public Fishing Pier, open November 1 through August 31:

(i) Daily limit 2 salmon; no more than one may be a Chinook salmon. Release coho.

(ii) In years ending in odd numbers, 2 additional pink salmon may be retained as part of the daily limit July 1 through September 30.

(12) A violation of this section is an infraction, punishable under RCW 77.15.160, unless the person has harvested salmon. If the person has harvested salmon, the violation is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree—Penalty, unless the salmon are taken in the amounts or manner to constitute a violation of RCW 77.15.370, Unlawful recreational fishing in the first degree—Penalty.

AMENDATORY SECTION (Amending WSR 15-10-048, filed 4/29/15, effective 5/30/15)

WAC 232-28-623 2015-2017 Mountain goat seasons and permit quotas. (1) Hunters must comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) **Mountain Goat Permit Hunts**

(a) **Who May Apply:** Anyone may apply, except those who harvested a mountain goat in Washington state after 1998. Except for auction and raffle permitted hunts, an individual may only harvest one mountain goat during his or her lifetime.

(b) **Bag Limit:** One (1) adult goat of either sex with horns 4 inches or longer.

(c) It is unlawful for a person who kills a mountain goat in Washington to fail, within ten days after acquisition, to personally present the horns attached to the head for inspection at a department office or location designated by a departmental representative. After inspection, the head/horns of a mountain goat lawfully killed in Washington may be kept for personal use. A violation of this subsection is punishable under RCW 77.15.280 (1)(b).

Goat Hunt Area Name (Number)	Permit Season[b]	Subhunt Units (may be opened or closed by the director)[a]	Special Restrictions	Permits[a]
Chowder Ridge (4-3)	Sept. 15 - Nov. 30		Any Legal Weapon	1
Lincoln Peak (4-4)	Sept. 15 - Nov. 30		Any Legal Weapon	2
Dillard Creek (4-6)	Sept. 15 - Nov. 30		Any Legal Weapon	0
Avalanche Gorge (4-7)	Sept. 15 - Nov. 30		Any Legal Weapon	3
North Lake Chelan (2-1)	Sept. 15 - Nov. 30	Skookum Pass Mtn., Big Goat Creek	Any Legal Weapon	2
Boulder River North (4-8a)	Sept. 15 - Nov. 30		Any Legal Weapon	1
Naches Pass (3-6)	Sept. 15 - Nov. 30	Fife's East, Fife's Peak, Crystal Mountain, Basin Lake	Any Legal Weapon	3
Bumping River (3-7)	Sept. 15 - Nov. 30	Nelson Ridge, Cash Prairie, American Ridge, American Lake, Timber Wolf, Russell Ridge	Any Legal Weapon	3
Blazed Ridge (3-10)	Sept. 15 - Nov. 30	Blowout Mtn., Blazed Ridge, Blazed North, Milk Creek, Rock Creek	Any Legal Weapon	0
Goat Rocks-Tieton River (5-4/3-9)	Sept. 15 - Nov. 30	Chimney Rocks, Goat Lake, McCall Glacier, Gilbert Peak	Any Legal Weapon	5
South Lake Chelan (2-3)	Sept. 15 - Nov. 30	Railroad Creek, Pyramid Mountain, Box Canyon	Any Legal Weapon	1
Conflict reduction goat (new hunt type)				
East Olympic Mountains A[1]	Sept. 15 - 25	N/A	Any Legal Weapon	3
East Olympic Mountains B[1]	Sept. 26 - Oct. 6	N/A	Any Legal Weapon	3

[1]This is a new hunt type. Points accrued or spent on this hunt do not apply to other mountain goat hunts.

(3) **Mountain Goat Hunt Area Descriptions.** The following areas are defined as mountain goat hunt areas:

Chowder Ridge 4-3:
Hunt Area: Whatcom County within the following described boundary: Beginning at the confluence of Wells Creek with the North Fork Nooksack River; then up Wells Creek to the confluence with Bar Creek; then up Bar Creek to the Mazama Glacier; then SW on Mazama Glacier to the summit of Mount Baker; then NW between Roosevelt Glacier and Coleman Glacier to the headwaters of Kulshan Creek; then down Kulshan Creek to the confluence with Grouse Creek; then down Grouse Creek to the confluence with Glacier Creek; then down Glacier Creek to the confluence with the North Fork Nooksack River; then up the North Fork Nooksack River to Wells Creek and the point of beginning.

Lincoln Peak 4-4
Hunt Area: Whatcom County within the following described boundary: Beginning at the confluence of Glacier Creek and the North Fork Nooksack River; then up Glacier Creek to the confluence with Grouse Creek; then up Grouse Creek to the confluence with Kulshan Creek; then up Kulshan Creek to headwaters; then SE between Coleman and Roosevelt glaciers to the summit of Mount Baker; then SW on Easton Glacier to Baker Pass; then W on the Bell Pass Trail (USFS Trail 603.3) to the intersection with Ridley Creek Trail (Trail No. 696); then W on Ridley Creek Trail

to Ridley Creek; then down Ridley Creek to the Middle Fork Nooksack River; then down the Middle Fork Nooksack River to the confluence with Clearwater Creek, then up Clearwater Creek to the confluence with Rocky Creek, then up Rocky Creek to the Washington DNR boundary; then along the National Forest-Washington DNR boundary to Hedrick Creek; then down Hedrick Creek to the North Fork Nooksack River; then up the North Fork Nooksack River to Glacier Creek and the point of beginning.

Dillard Creek 4-6
Hunt Area: Whatcom County within the following described boundary: Beginning on Baker Lake Road and Rocky Creek; then NW up Rocky Creek to its intersection with the Park Butte Trail (Trail No. 603); then NW on Park Butte Trail to its intersection with the Bell Pass Trail (Trail No. 603.3); then N on Bell Pass Trail to Baker Pass; then N onto Easton Glacier and NE to the summit of Mount Baker; then NE and SE on Park Glacier to headwaters of Park Creek; then down Park Creek to Baker Lake Road; then SW on Baker Lake Road to Rocky Creek and the point of beginning.

Avalanche Gorge 4-7
Hunt Area: Whatcom County within the following described boundary: Beginning on Baker Lake Road and Park Creek; then up Park Creek to headwaters and beginning of Park Glacier; then NW and SW on Park Glacier to Mount Baker summit; then N on the Mazama Glacier to Bar Creek, then down Bar Creek to the confluence with Wells Creek; then SE up Wells Creek to its headwaters; then E about 1 mile to an unnamed peak (indicated elevation 5,831 ft, just W of Ptarmigan Ridge Trail (Trail No. 682.1) (See referenced 1:24k USGS quad map - Shuksan Arm)); then NE to the headwaters of the first tributary of Swift Creek encountered; then SE down said unnamed tributary to the confluence with Swift Creek; then down Swift Creek to the Baker Lake Road (USFS Road 394); then SW along the Baker Lake Road to Park Creek and point of beginning. (Refer to 1:24k USGS quad map - Shuksan Arm).

Chelan North 2-1
Permit Area: Beginning at the mouth of Fish Creek on Lake Chelan (Moore Point); then northeast up Fish Creek and USFS trail 1259 to the Sawtooth crest near Deephole Spring; then southeast along the Sawtooth crest, which separates Chelan and Okanogan counties, to Horsethief Basin and the headwaters of Safety Harbor Creek; then south along Safety Harbor Creek to Lake Chelan, then northwest along the north shore of Lake Chelan to the mouth of Fish Creek at Moore Point and the point of beginning.

Methow 2-2
Permit Area: Okanogan County within following described boundary: Begin at Twisp, W along Twisp River Rd (County Rd 4440) to Roads End; W up Twisp Pass Trail 432 to Twisp Pass and Okanogan County line; N on Okanogan County line through Washington Pass to Harts Pass; SE down Harts Pass (Rd 5400) to Lost River; along Lost River-Mazama Rd to Mazama; SW to State Hwy 20; SE on State Hwy 20 to Twisp and point of beginning.

South Lake Chelan 2-3
Permit Area: GMU 246

Naches Pass 3-6
Permit Area - Naches: Yakima and Kittitas counties within the following described boundary: Beginning at Chinook Pass; then north along the Pacific Crest Trail to Naches Pass; then east to USFS Road 19 and

continuing to State Highway 410; then west along State Highway 410 to Chinook Pass and point of beginning.

Bumping River 3-7
Permit Area: Beginning on US Forest Service Trail 2000 (Pacific Crest Trail) and SR 410 at Chinook Pass; NE on SR 410 to US Forest Service Rd 1800 (Bumping Lake Rd); SW on the US Forest Service Rd 1800 (Bumping Lake Rd) to US Forest Service Trail 973 (Richmond Mine Rd); SE on US Forest Service Trail 973 (Richmond Mine Rd) to the north fork of Rattlesnake Creek; SE down the north fork of Rattlesnake Creek to US Forest Service Rd 1502 (McDaniel Lake Rd); SE on US Forest Service Rd 1502 (McDaniel Lake Rd) to US Forest Service Rd 1500; S on US Forest Service Rd 1500 to US Hwy 12; W on US Hwy 12 to US Forest Service Trail 2000 (Pacific Crest Trail) at White Pass; N on the US Forest Service Trail 2000 (Pacific Crest Trail) to SR 410 at Chinook Pass and the point of beginning. (Lands within the boundary of Mt. Rainier National Park along the Pacific Crest Trail are not open to hunting.)

Blazed Ridge 3-10
Permit Area: Kittitas and Yakima counties within the following described boundary: Beginning at the mouth of Cabin Creek on the Yakima River; then west along Cabin Creek to the headwaters near Snowshoe Butte; then south along the Cascade Crest separating the Green and Yakima river drainage to Pyramid Peak; then southeast along the North Fork, Little Naches, and Naches River to the Yakima River; then north along the Yakima River to the mouth of Cabin Creek and point of beginning.

Goat Rocks 5-4/Tieton River 3-9
Goat Rocks 5-4 Permit Area: Beginning at US Hwy 12 at the US Forest Service Trail 2000 (Pacific Crest National Scenic Trail); S on the Pacific Crest National Scenic Trail to Lewis County line at Cispus Pass; S and W on the Lewis County line to Johnson Creek Rd (US Forest Service Rd 21); N on Johnson Creek Rd to US Hwy 12; E on US Hwy 12 to the Pacific Crest National Scenic Trail and the point of the beginning.

Permit Area - Tieton River: GMU 364
Permit Area - East Olympic Mountains Unit
Beginning at the intersection of Lake Cushman Rd and Jorsted Creek Rd (US Forest Service (USFS) Rd 24); W along Jorsted Creek Rd (USFS Rd 24) to Olympic National Park (ONP) boundary at the northern end of Lake Cushman; N and NE along the ONP-Olympic National Forest (ONF) boundary to the Jefferson-Clallam County line; E along the Jefferson-Clallam County line to its intersection with ONF boundary in Section 33 of T28N R2W; S along the ONF boundary to the intersection of Lake Cushman Rd and Jorsted Creek Rd (US Forest Service (USFS) Rd 24) and the point of beginning.

Permit Area - Boulder River North 4-8a
That area within the Boulder River Wilderness of the Mount Baker Snoqualmie National Forest, beginning at the Boulder River trailhead on U.S. Forest Service (USFS) Rd 2010 (to Boulder Falls), then E along the USFS Boulder River Wilderness boundary to Squire Creek, then southward along the Squire Creek to Squire Creek Pass, then SW up Squire Creek Pass to the headwaters of Copper Creek, then SE down Copper Creek to the unnamed tributary to Copper Creek which heads ((~~E~~)) W up to Windy Pass, then ((~~E~~)) W up said tributary to its headwaters in Windy Pass, then ((~~E~~)) W across Windy Pass to the headwaters of Windy Creek, then ((~~E~~)) W down Windy Creek to the USFS Boulder River Wilderness boundary, then N along the USFS Boulder River Wilderness boundary

to the Boulder River trailhead on USFS Rd 2010 and the point of the beginning.

[a]Mountain goat populations are managed as a collection of subpopulations, and the ideal harvest is distributed through all the subpopulations. The director is authorized to open or close subhunt areas and reduce permit levels to protect from overharvesting specific areas.

The director is authorized by the commission to identify the subhunt unit as a condition of the hunt permit. Hunters receiving permits will be sent a text description or map of the subhunt unit from the director prior to the start of that hunting season.

[b]Permit hunters may start hunting September 1 with archery equipment.

NEW SECTION

The following section of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
232-28-259	220-413-190
232-28-286	220-415-080
232-28-288	220-415-090
232-28-290	220-412-040
232-28-292	220-412-060
232-28-293	220-412-050
232-28-294	220-412-090
232-28-297	220-415-100
232-28-331	220-410-010
232-28-332	220-410-020
232-28-333	220-410-030
232-28-334	220-410-040
232-28-335	220-410-050
232-28-336	220-410-060
232-28-516	220-417-010
232-28-620	220-313-070
232-28-621	220-313-060
232-28-623	220-415-130

AMENDATORY SECTION (Amending WSR 98-14-013, filed 6/19/98, effective 7/20/98)

WAC 232-12-002 Fish and wildlife commission members' recusal requirements for commissioners with beneficial interests in certain commission decisions and transactions. (1) Commission members must comply with subsection (2) of this section when the following circumstances apply or it is reasonably foreseeable that they will apply:

(a) The member is beneficially interested, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or under the supervision of the commission, in whole or in part; or

(b) The member accepts, directly or indirectly, any compensation, gratuity or reward from any other person beneficially interested in a contract, sale, lease, purchase, or grant that may be made by, through, or under the supervision of the commission, in whole or in part; or

(c) The member either owns a beneficial interest in, or is an officer, agent, employee or member of, an entity which is engaged in a transaction involving the commission.

(2) If required by subsection (1) of this section, the member must:

(a) Recuse himself or herself from discussions by the commission, regarding the specific contract, sale, lease, purchase, grant, or transaction; and

(b) Recuse himself or herself from any vote by the commission on the specific contract, sale, lease, purchase, grant, or transaction; and

(c) Refrain from attempting to influence any other member or employee in any discussion or vote regarding the specific contract, sale, lease, purchase, grant, or transaction.

(3) Definitions. The following definitions apply to this section:

(a) "Transaction involving the commission" means a proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other similar matter that the commission member in question believes, or has reason to believe:

(i) Is, or will be, the subject of commission action; or

(ii) Is one to which the commission is or will be a party; or

(iii) Is one in which the commission has a direct and substantial proprietary interest.

(b) "Transaction involving the commission" does not include the following: preparation, consideration, or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by a commission member; or a claim, case, lawsuit, or similar matter if the commission member did not participate in the underlying transaction involving the commission that is the basis for the claim, case, or lawsuit. Rule making is not a transaction involving the commission.

(c) "Commission action" means any action on the part of the commission, including, but not limited to:

(i) A decision, determination, finding, ruling, or order; and

(ii) A grant, payment, award, license, contract, transaction, sanction, or approval, or the denial thereof, or failure to act with respect to a decision, determination, finding, ruling, or order.

(4) Under subsection (1)(b), "any other person" has a beneficial interest in a contract, sale, lease, purchase, or grant when the other

person bids or otherwise seeks to be awarded the contract, sale, lease, purchase, or grant.

(5) The prohibitions contained in subsection (2) do not prohibit the member from using his or her general expertise to educate and provide general information on the subject area to other commission members.

(6) If recusal occurs pursuant to the State Ethics law, chapter 42.52 RCW, or rules adopted pursuant to the State Ethics law, the commission member must disclose to the public the reasons for his or her recusal from any commission action whenever recusal occurs. The commission staff must record each such recusal and basis for the recusal.

EXAMPLES:

EXAMPLE ONE: The commission is composed of individuals who often are employed in the private sector. The governor appoints members of the commission. In making these appointments, the governor is required to seek to maintain a balance reflecting all aspects of fish and wildlife. Commission members are appointed because they have general knowledge of the habit and distribution of fish and wildlife and are often recommended by interest groups, such as sport fishers, commercial fishers, hunters, private landowners, and environmentalists. A commission member is employed by a company that provides contract facilitation services. The commission is in the process of selecting a contractor to conduct a series of public meetings on fishing in Washington. The company which employs the member of the commission has bid for the contract. The commission member may use his or her general expertise to educate commissioners about desirable public meeting design elements for a successful public involvement project like the one the commission wants to conduct. The commission member is prohibited from participating in the commission discussion and analysis establishing criteria for selecting a contractor and is prohibited from participating in the commission vote to select a contractor (see WAC ((~~232-12-002~~)) 220-101-040 (1)(c)). The commission member would publicly announce his or her recusal and the reasons for it, and the commission staff would record this information as part of the public record.

EXAMPLE TWO: The commission contracts with King Software (hypothetical company) to provide computer systems for tracking recreational license purchases. King Software's contract with the commission is almost expired, and the commission must seek bids from software companies for the next contract period. The commission issues a request for bids to various software companies who offer suitable software, including Fishsoft, Inc. (hypothetical company). Approximately nine months ago, one commission member worked for Fishsoft, Inc. and received compensation from that company. The commission member subsequently left Fishsoft, Inc. The commission member is not required to recuse himself or herself from selecting a contractor for the commission's computer license system. Fishsoft, Inc. did not have a beneficial interest in the commission's contract until it bid on the contract. Therefore, Fishsoft, Inc. was not a person beneficially interested in the contract when the commission member received the compensation (see WAC ((~~232-12-002~~)) 220-101-040(4)). However, if the commission member received compensation from Fishsoft, Inc. after it bid on the contract, the commission member would be required to disclose the fact that he or she received the compensation from a bidder and recuse himself or herself from the commission's specific discussion and the vote award-

ing the contract (see WAC ((~~232-12-002~~)) 220-101-040 (1)(b)). The commission staff would record this information into the public record. Again, the commission member could participate in discussions using his or her general expertise to educate and provide general information on the subject area to the other commission members.

AMENDATORY SECTION (Amending WSR 15-10-033, filed 4/28/15, effective 5/29/15)

WAC 232-12-005 Hunting predatory birds. (1) HUNTING PREDATORY BIRDS:

(a) It is unlawful to hunt for or take predatory birds without a hunting license except as allowed under RCW 77.36.030.

(b) Crows and magpies: It is permissible to take crows during established hunting seasons and crows or magpies when found committing or about to commit depredations upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance provided that none of the birds, or their plumage, be offered for sale.

(c) All other predatory birds may be hunted throughout the year.

(2) SALE OF PREDATORY BIRDS: It is permissible to sell starlings, house sparrows, Eurasian collared doves, and rock doves for the purposes of falconry and lawful to sell rock doves and Eurasian collared doves for the purposes of bird dog training.

(3) POSSESSION OF PREDATORY BIRDS: It is permissible to take from the wild and possess live starlings, house sparrows, Eurasian collared doves, and rock doves for purposes of falconry and Eurasian collared doves and rock doves for purposes of bird dog training.

(4) RELEASE OF LIVE PREDATORY BIRDS: It is permissible to release Eurasian collared doves and rock doves for the purposes of bird dog training or falconry without a permit.

AMENDATORY SECTION (Amending WSR 04-01-096, filed 12/16/03, effective 1/16/04)

WAC 232-12-016 Nonnative aquatic species. The following provisions apply to nonnative aquatic species except nonnative species in ballast water, which are provided for in chapter ((~~220-77~~)) 220-370 WAC. The definitions of invasive species, prohibited aquatic animal species, regulated aquatic animal species, unregulated aquatic animal species, unlisted aquatic animal species and aquatic plant species as used in this section are the same as in RCW 77.08.010.

(1) Request for designation of unlisted aquatic animal species prior to release. Unlisted nonnative aquatic animal species must be reviewed and designated for classification by the commission as either regulated aquatic animal species or unregulated aquatic animal species prior to approval for release into state waters. A request for classification of an unlisted nonnative aquatic animal species shall be treated as a petition to amend WAC ((~~220-12-090~~)) 220-640-040, and made on the OFM-01 form. Upon receipt of a petition, the department shall initially classify the species as a prohibited species until the

review is complete. In addition to the OFM-01 form, a person requesting classification must provide the following information in order to present a complete request for designation for classification:

(a) Common and scientific name, reason for release, source of the animals proposed for release, and number of animals proposed for release.

(b) Native range of the species, assessment of potential positive and negative impacts of the release, citation of available scientific literature on release of the species in other nonnative locales, known potential for displacement of native species, hybridization with or predation upon native species, and disease or parasite transmission.

(c) Estimate of technical and economic feasibility of eradicating or controlling spread of the species once it is introduced into state waters.

(2) Provisions applying to prohibited aquatic animal species.

(a) Zebra mussels: It is unlawful to import live aquatic organisms, including plants, for release into state waters from any state or Canadian province east of the Continental Divide without each importation being accompanied by a zebra mussel-free certificate issued by the department and signed by the supplier of the aquatic organisms. The original receiver in the state of Washington of the shipment of aquatic organisms is required to retain the zebra mussel-free certificate for two years. Secondary receivers, while in possession of live aquatic organisms, are required to retain invoices or other records showing who was the original receiver.

(b) Scientific research or display: The director may authorize, by prior written permit, a person to possess prohibited aquatic animal species for scientific research or display, provided:

(i) Specimens are confined to a secure facility, defined as an enclosure that will prevent the escape or release of prohibited aquatic animal species into a natural watercourse, and specimens are inaccessible to wildlife or other animals that could transport prohibited aquatic animal species.

(ii) Specimens are not transferred to any other facility without written approval by the director or designee.

(iii) All zebra mussels are incinerated or chemically preserved at the conclusion of the project, and the enclosure, holding waters and all equipment are disinfected. All other prohibited aquatic animal species must be killed at the conclusion of the project and either chemically preserved or disposed of in a landfill.

(iv) The permittee provides an annual report to the department, no later than January 31 of the following year, on a form provided by the department, describing the number, size and location of prohibited aquatic animal species enclosures and general nature of the research.

(c) Monitoring and control programs: The director may authorize persons working within the scope and supervision of a department-sponsored monitoring and control program to capture, possess and destroy prohibited aquatic animal species, provided:

(i) The persons have completed a mandatory training program and are certified by the department;

(ii) The persons have a permit authorized by the director or designee in possession;

(iii) All prohibited aquatic animal species are disposed of in accordance with the monitoring and control program; and

(iv) Participants submit a report to the department within thirty days of any monitoring or control activity in accordance with the specifications outlined in the monitoring and control program.

(d) Capture of prohibited species in state waters. Prohibited aquatic animal species that are captured in state waters and not immediately returned to the water from which they were captured must be killed before removing the prohibited aquatic animal species from within the riparian perimeter of the body of water.

(e) It is lawful to possess dead vertebrate prohibited aquatic animal species taken from state waters, and it is lawful to possess chemically preserved nonvertebrate prohibited aquatic animal species from any source. No permit is required for possession under this subsection.

(f) Prohibited aquatic animals held in commercial and personal possession prior to classification. A person who possessed a prohibited aquatic animal species prior to the time the species was classified as prohibited may continue to hold the animal or animals for the life of the animals, provided:

(i) The person must maintain proof of possession prior to the classification.

(ii) The animals may not be transferred to another owner within the state.

(iii) The person must comply with all provisions of this section.

(iv) The animals must be prevented from reproducing, or if prevention is impracticable, the progeny must be destroyed.

(3) Infested waters.

(a) The following bodies of waters are infested with invasive aquatic plants or prohibited aquatic animal species. In these waters:

(i) It is unlawful to use aquatic animals from these waters for bait in the infested waters or any other waters.

(ii) All aquatic vegetation must be removed from lines, nets, motors, and all other equipment when the equipment is removed from the infested waters.

(iii) It is unlawful to transport water from these bodies of water, and bait containers, live wells, and bilges must be emptied before leaving the riparian perimeter of the body of water, except:

(A) Water may be transported in emergencies, such as a fire emergency.

(B) Water may be withdrawn and used under a water appropriation or public waters work permit issued by the department of ecology.

(b) List of infested waters:

Adams County: Herman and Hutchison lakes.

Chelan County: Chelan, Cortez, Domke, Fish, Roses and Wapato lakes.

Clallam County: Sutherland Lake.

Clark County: Battleground, and Lacamas lakes, Klineline Pond, Caterpillar Slough, Columbia River adjacent to Ridgefield National Wildlife Refuge.

Columbia, Franklin and Walla Walla counties: Herbert G. West Lake, Snake River.

Cowlitz County: Kress and Silver lakes, Soho and Willow Grove sloughs.

Ferry County: Twin Lake.

Franklin County: Kahlotus and Sacajawea lakes, Scooteney Reservoir, Snake River.

Grant County: Babcock Ridge, Banks, Billy Clapp, Burke, Caliche, Canal, Corral, Corral Southwest, Moses, Priest Rapids, Quincy, Stan Coffin, Warden, and Windmill lakes, unnamed potholes at Dodson Frenchman and Frenchman Hills Nos. 1 through 4, Evergreen and Potholes reservoirs, Rocky Ford Creek and Winchester Wasteway.

Grays Harbor County: Duck and Failor lakes, Grays Harbor.

Island County: Crockett and Lone lakes.

Jefferson County: Crocker and Leland lakes.

King County: Alice, Angle, Bass, Desire, Fenwick, Geneva, Green, Killarney, Lucerne, Meridian, Nielson (Holm), Otter (Spring), Phantom, Pine, Pipe, Sammamish, Sawyer, Shadow, Shady, Spring, Steel, Twelve, Union, Washington, and Wilderness lakes.

Kitsap County: Buck, Horseshoe, Long, Mission, Square, Tahuya, and Wye lakes.

Kittitas County: Lavendar and Mattoon lakes.

Klickitat County: Celilo, Horsethief, and Spearfish lakes, Columbia River.

Lewis County: Carlisle, Mayfield, Plummer, and Riffe lakes, Swofford Pond, Chehalis and Cowlitz rivers and the Interstate Avenue Slough.

Mason County: Isabella, Island, Limerick, Mason, Spencer, and Trails End (Prickett) lakes.

Okanogan County: Conconully, Green, Osooyoos, Palmer, Pearrygin, and Whitestone lakes, Okanogan River.

Pacific County: Black, Island, Loomis, and O'Neil lakes, Willapa Bay.

Pend Oreille County: Davis, Diamond, Fan, Horseshoe, Mashall, Nile, and Sacheen lakes, Little Spokane and Pend Oreille rivers.

Pierce County: Bay, Clear, Harts, Hidden, Ohop, Rapjohn, Spanaway, Tapps, and Whitman lakes.

San Juan County: Sportsman Lake.

Skagit County: Beaver, Big, Campbell, Clear, Erie, Heart, Mcmurray, and Sixteen lakes.

Skamania County: Coldwater and Drano lakes, Columbia River.

Snohomish County: Goodwin, Meadow, Nina, Roesiger, Shoecraft, Silver, Stevens, and Swartz lakes.

Spokane County: Eloika, Liberty, Long, Newman, and Silver lakes.

Stevens County: Black, Deep, Gillette, Heritage, Loon, McDowell, Sherry, Thomas, and Waitts lakes, Long Lake Reservoir.

Thurston County: Capitol, Hicks, Long, Munn, Scott, and Ski lakes, Black and Chehalis rivers.

Wahkiakum County: Columbia River and Brooks Slough.

Walla Walla County: Snake River.

Whatcom County: Terrell and Whatcom lakes.

Whitman County: Bryan and Lower Granite lakes, Snake River.

Yakima County: Buena, Byron, Dog, and Freeway (Rotary) lakes, unnamed ponds at 12N - 19E - 20, Yakima River.

(4) Aquaculture provisions. It is unlawful to fail to comply with the following provisions regarding aquaculture and waters containing prohibited aquatic animal species or invasive aquatic plant species.

(a) When a natural body of water is designated by rule as infested, ongoing aquaculture operations in that body of water are restricted from transferring product, equipment or associated materials until such time as the operator of the aquaculture operation submits to the department a plan to prevent the spread of invasive aquatic plants and prohibited aquatic animal species, and has received approval from the department of such plan.

(b) Artificial water basins found to be infested with prohibited aquatic animal species are required to have the water sterilized before continuing aquaculture operations, and any private sector cultured products in such waters must be killed before sale or transfer.

(c) By permit from the department, water from bodies of water infested with invasive aquatic plants may be used in artificial water basins for aquaculture, provided that the water is treated to eliminate invasive aquatic plants prior to use.

(5) Violations of this section involving invasive aquatic animal species is punishable under RCW ((~~77.15.253~~)) 77.15.809 or 77.15.811.

(6) Violations of this section involving invasive aquatic plants is punishable under RCW 77.15.290.

AMENDATORY SECTION (Amending WSR 10-03-088, filed 1/19/10, effective 2/19/10)

WAC 232-12-017 Deleterious exotic wildlife. (1) The following animals are hereby designated as deleterious exotic wildlife:

(a) Birds:

In the family Anatidae, the mute swan (Cygnus olor).

(b) Mammals:

(i) In the family Viverridae, the mongoose (all members of the genus Herpestes).

(ii) In the family Suidae, the wild boar (*Sus scrofa* and all wild hybrids).

(iii) In the family Tayassuidae, the collared peccary (javelina) (*Tayassu tajacu*).

(iv) In the family Bovidae, all members and hybrids of the following genera: Rupicapra (Chamois); Hemitragus (Tahr); Capra (goats, ibexes except domestic goat Capra (hircus); Ammotragus (Barbary sheep or Aoudad); Ovis (sheep), except domestic sheep Ovis aries; Damaliscus (Sassabies); Alcelaphus buselaphus (Hartebeest); and Connochaetes (Wildebeests).

(v) In the family Cervidae, the European red deer (Cervus elaphus elaphus), all nonnative subspecies of Cervus elaphus, and all hybrids with North American elk; Fallow deer (Dama dama), Axis deer (Axis axis), Rusa deer or Sambar deer (Cervus unicolor, Cervus timorensis, Cervus mariannus and Cervus alfredi), Sika deer (Cervus Nippon), Reindeer (all members of the Genus Rangifer except Rangifer tarandus caribou), and Roedeer (all members of the Genus Capreolus).

(2) It is unlawful to import into the state, hold, possess, propagate, offer for sale, sell, transfer, or release live specimens of deleterious exotic wildlife, their gametes and/or embryo, except as provided under subsection (3), (4), (5), (6), or (7) of this section, and as provided in WAC ((~~232-12-01701~~)) 220-640-020.

(3) Scientific research or display: The director may authorize, by written approval, a person to import into the state, hold, possess, and propagate live specimens of deleterious exotic wildlife for scientific research or for display by zoos or aquariums who are accredited institutional members of the Association of Zoos and Aquariums (AZA), provided:

(a) The specimens are confined to a secure facility;

(b) The specimens will not be transferred to any other location within the state, except to other AZA-accredited facilities with written director approval or as otherwise authorized in writing by the director;

(c) The specimens will be euthanized and all parts incinerated at the end of the project, except for federally listed endangered or

threatened species, which may be retained or transferred where in compliance with federal law;

(d) The person will keep such records on the specimens and make such reports as the director may require; and

(e) The person complies with other requirements of this section.

(4) Retention or disposal of existing specimens lawfully in captivity:

(a) Specimens lawfully in captivity prior to January 18, 1991: A person holding exotic wildlife specimens in captivity that were classified by the fish and wildlife commission as deleterious exotic wildlife on or before January 18, 1991, may retain the specimens of such deleterious exotic wildlife such person lawfully possessed prior to January 18, 1991, provided such person complies with subsections (4)(c) through (4)(h) hereunder and the other requirements of this section;

(b) Specimens lawfully in captivity prior to June 20, 1992: A person holding the following deleterious exotic wildlife specimens in captivity that were classified by the fish and wildlife commission as deleterious exotic wildlife by operation of emergency rule filed June 19, 1992 (in the family Bovidae, Sassabies (all members of the Genus Damaliscus), Hartebeest (Alcelaphus buselaphus), Wildebeests (all members of the Genus Connochaetes), Markhor (Capra falconeri), and Marco-polo sheep (Ovis ammon); and in the family Cervidae, Fallow deer (Dama dama), Axis deer (Axis axis), Sika deer (Cervus Nippon), and Rusa deer or Sambar deer (Cervus unicolor, Cervus timorensis, Cervus mariannus and Cervus alfredi)), may retain the specimens of such deleterious exotic wildlife such person lawfully possessed prior to June 20, 1992, and the lawful progeny thereof, provided such person complies with subsection (4)(c) through (h) of this section and the other requirements of this section and except as provided under subsection (7) of this section;

(c) The person reported to the director, in writing, the species, number, and location of the specimens, as required;

(d) The specimens are confined to a secure facility at the location reported;

(e) Live specimens are not propagated, except at AZA-accredited facilities with the written permission of the director or as otherwise authorized in writing by the director;

(f) Live specimens shall be neutered, physically separated by sex, and/or rendered infertile by means of contraception, except at AZA-accredited facilities with the written permission of the director;

(g) Live specimens are not released; and

(h) Live specimens are not sold or transferred, except:

(i) Live specimens in lawful possession may be permanently removed from the state of Washington or transported directly to slaughter where in accordance with other applicable law;

(ii) Federally listed endangered or threatened species may be transferred to AZA-accredited facilities where in compliance with federal law;

(iii) Live specimens may be moved to the new primary residence of the possessor with the written approval of the director, provided that all other requirements are satisfied and the total number of locations where animals are held is not increased; and

(iv) AZA facilities may sell and/or transfer live specimens within the state with the written permission of the director.

(5) Retention or disposal of existing specimens lawfully in captivity prior to February 13, 1993: A person holding exotic wildlife

specimens in captivity that are newly classified by the fish and wildlife commission as deleterious exotic wildlife by operation of this rule (Reindeer (all members of the Genus Rangifer, except Rangifer tarandus caribou), and Roedeer (all members of the Genus Capreolus)), may retain the specimens of such deleterious exotic wildlife such person lawfully possessed prior to February 13, 1993, provided:

(a) The person reports to the director in writing by March 31, 1993, and reports annually thereafter, or as otherwise required by the director, the species, number, and location of such specimens; and

(b) The person complies with subsection (4)(d) through (h) of this section and the other requirements of this section.

(6) The provisions of this section shall not prohibit the importation, possession, propagation, sale, transfer, or release of live specimens of federally listed threatened or endangered species, their gametes and/or embryo, where in compliance with federal law.

(7) Notwithstanding the provisions of subsection (2) of this section, Fallow deer (Dama dama) and reindeer (all members of the Genus Rangifer, except Rangifer tarandus caribou) may be imported into the state, held, possessed, propagated, offered for sale, sold, and/or transferred, provided:

(a) The person complies with subsection (4)(c) through (g) of this section and the other requirements of this section, except for subsection (4)(e), (f), and (h) of this section; and

(b) The person complies with the department of agriculture WAC 16-54-180 as now or hereafter amended, except:

Animals that have resided at any time east of a line drawn through the eastern boundaries of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and the 100th Meridian where it passes through Texas, or that have had contact with or shared common ground with animals which have resided at any time east of such line, shall not be imported into the state of Washington unless specifically authorized in writing by the director of the department of agriculture and the department of fish and wildlife;

(c) No specimens affected with any infectious or communicable disease shall be imported into the state unless in compliance with all applicable laws and regulations and unless written permission is obtained from the directors of the department of agriculture and the department of fish and wildlife;

(d) The specimens are confined to a secure facility; and

(e) Reindeer may not be imported into, held, or possessed in Ferry, Stevens, or Pend Oreille counties or that portion of Spokane County north of Spokane River.

(8) Escaped animals:

(a) Escaped deleterious exotic wildlife, including Fallow deer (Dama dama) and Reindeer (all members of the Genus Rangifer, except Rangifer tarandus caribou) will be considered a public nuisance. The department or any peace officer may seize, capture, or destroy deleterious exotic wildlife that have escaped the possessor's control. The former possessor shall be responsible for costs incurred by the department in recovering, maintaining, or disposing of such animals, as well as any damage to the state's wildlife or habitat.

(b) Escapes of deleterious exotic wildlife must be reported immediately to the department.

(c) The recapture or death of escaped deleterious exotic wildlife must be reported immediately to the department.

(9) Secure facility:

(a) All deleterious exotic wildlife will be held in a secure facility. For the purpose of this rule, a secure facility is an enclosure so constructed as to prevent danger to the environment or wildlife of the state, including escape of deleterious exotic wildlife specimens or ingress of resident wildlife ungulates (hoofed animals). The adequacy of the facility shall be determined by the director or agents of the director.

(b) For deleterious exotic wildlife listed in subsection (1)(b)(iv) and (v) of this section, the "secure facility" must comply with the fencing requirements in subsection (10) of this section, unless otherwise authorized by the director in writing.

(10) Fencing requirements:

(a) Perimeter fences must be, at a minimum, eight feet above ground level for their entire length. The bottom six feet must be mesh of sufficient size to prevent resident wildlife ungulates (hoofed animals) from entering and deleterious exotic wildlife from escaping. Supplemental wire required to attain a height of eight feet may be smooth, barbed, or woven wire (at least 12-1/2 gauge) with strands spaced not more than six inches apart.

(b) Perimeter fences constructed of high tensile wire must be supported by a post or stay at minimum intervals of eight feet.

(c) Perimeter fences must be at least 12-1/2 gauge woven wire, 14-1/2 gauge high-tensile woven wire, chain link, nonclimbable woven fence, or other fence approved by the director.

If the wire used is not a full eight feet in height, it must be overlapped one row and securely fastened at every other vertical row or woven together with cable.

(d) Electric fencing materials may be used on perimeter fences only as a supplement to conventional fencing materials.

(e) All gates in the perimeter fences must be self-closing, equipped with two locking devices, and installed only in locations that have been approved by the director. Double gates may be required at points in the perimeter fences subject to frequent vehicle traffic that is not related to activities involving the holding of deleterious exotic wildlife.

(f) Posts used in the perimeter fences must be:

(i) Wood (pressure treated), five-inch minimum diameter or an equivalent as approved by the director;

(ii) Spaced no more than twenty-four feet apart with stays or supports at eight foot intervals between the posts;

(iii) Extended at least eight feet above ground level; and

(iv) Have corners braced with wood or with an equivalent material as approved by the director.

(g) Fences must be maintained at all times to prevent deleterious exotic wildlife from escaping or resident wildlife ungulates (hoofed animals) from entering the enclosure. If such animals do pass through, under, or over the fence because of any topographic feature or other conditions, the person possessing deleterious exotic wildlife must immediately supplement the fence to prevent continued passage.

(h) For any fence existing prior to February 13, 1993, a person may petition the director in writing for a variance from the above fencing requirements. Any such petition must be filed no later than May 31, 1993, and must identify all aspects in which the existing fence does not meet the fencing requirements contained herein. On approval of the director, such person may maintain such existing fence with normal repair. However, any extension or relocation of existing fence must meet the fencing requirements contained herein.

(11) Marking requirements:

(a) All live specimens of deleterious exotic wildlife, except those listed in subsection (1)(a) and (b) of this section, shall be permanently and individually identified by methods approved by the director.

(b) Identification assigned to an individual animal may not be transferred to any other animal.

(c) All specimens of deleterious exotic wildlife identified in subsection (1)(b)(iv) and (v) of this section must be individually identified by the methods specified below:

(i) All live specimens of such deleterious exotic wildlife shall be marked with USDA Official ear tags or with ear tags supplied or approved by the department. Tags shall be applied in sequential order; and

(ii) All live specimens of such deleterious exotic wildlife shall be marked with a tattoo with an identifying number that has been recorded with the director. The tattoo must be placed on the left ear of the animal.

(d) All lawful progeny of deleterious exotic wildlife must be tagged and tattooed by December 31 of the year of birth or upon leaving the holding facility, whichever is earlier.

(e) Where allowed, if an animal is sold or transferred within the state, the tag and tattoo must accompany the animal. The new owner or possessor shall not renumber the animal.

(f) Where allowed, live specimens of deleterious exotic wildlife shall be marked prior to importation.

(g) No unmarked deleterious exotic wildlife may be sold or otherwise transferred from the holding facility.

(12) Testing of specimens:

(a) Where allowed, prior to entry into the state of Washington, a person importing any member of the Genus Cervus, which is identified in subsection (1)(b)(v) of this section herein, must submit records of genetic tests conducted by a professionally recognized laboratory to identify red deer genetic influence (genetic material from any member of any subspecies, race, or species of the elk-red deer-wapiti complex Cervus elaphus not indigenous to the state of Washington). Such testing shall be at the possessor's expense. Animals that are deemed by department of wildlife biologists upon examination to exhibit either: Behavioral (vocalization), morphological (size, rump patch, color), or biochemical indications of such influence (hemoglobin, superoxide dismutase, transferrin and post-transferrin, or others to be developed) may not be imported.

(b) The director may require a person currently possessing any member of the Genus Cervus that are identified in subsection (1)(b)(v) of this section to submit records of genetic tests conducted by a professionally recognized laboratory to identify red deer genetic influence (genetic material from any member of any subspecies, race, or species of the elk-red deer-wapiti complex Cervus elaphus not indigenous to the state of Washington) for each individual cervid to the department. Such testing shall be at the possessor's expense. The director may require that any animal identified as a red deer or having nonindigenous genetic influence be destroyed, removed from the state, or neutered.

(c) The director may require that all specimens of deleterious exotic wildlife lawfully in captivity be tested for brucellosis (brucella abortus), tuberculosis (mycobacterium bovis and mycobacterium tuberculosis), meningeal worm (Paralophostrongylus tenuis), and muscle

worm (Elaphostrongylus cervis) in accordance with the procedures specified in department of agriculture WAC 16-54-180 as now or hereafter amended and/or for other disease or parasites determined to pose a risk to wildlife. The results of such tests shall be filed with the director as required.

(13) Reporting:

(a) A person holding deleterious exotic wildlife in captivity shall submit a completed report no later than March 30, 1993, and then no later than January 31 of each year, or as otherwise required by the director, on a form provided by the department.

(b) Persons possessing deleterious exotic wildlife must notify the director within ten days of any change of such persons' address and/or location of the holding facility.

(14) Inspection:

(a) All holding facilities for deleterious exotic wildlife located in the state are subject to inspection for compliance with the provisions of this section.

(b) Such inspections shall be conducted at reasonable times.

(15) Notification and disposition of diseased animals:

(a) Any person who has reason to believe that deleterious exotic wildlife being held pursuant to this rule have or have been exposed to a dangerous or communicable disease or parasite shall notify the department immediately.

(b) Upon having reason to believe that deleterious exotic wildlife held pursuant to this rule have been exposed to or contracted a dangerous or contagious disease or parasite, the director may order inspection of such animals by a licensed, accredited veterinarian or inspection agent. Inspection shall be at the expense of the possessor.

(c) The director shall determine when destruction of animals, quarantine, or disinfection is required at any facility holding deleterious exotic wildlife, pursuant to this rule. If the director determines that destruction, quarantine, or disinfection is required, a written order shall be issued to the possessor describing the procedure to be followed and the time period for carrying out such actions. Such activities shall be at the expense of the possessor.

(16) Quarantine area:

(a) Any facility holding deleterious exotic wildlife must have an approved quarantine facility within its exterior boundary or submit an action plan to the director that guarantees access to an approved quarantine facility within the state of Washington.

(i) An approved quarantine facility is one that meets criteria set by the Washington state department of agriculture.

(ii) The quarantine area must meet the tests of isolation, separate feed and water, escape security, and allowances for the humane holding and care of its occupants for extended periods of time.

(b) Should the imposition of a quarantine become necessary, the possessor must provide an on-site quarantine facility or make arrangements at such possessor's expense to transport the animals to the approved quarantine facility named in the quarantine action plan.

(17) Seizure:

(a) The department of wildlife may seize any unlawfully possessed deleterious exotic wildlife.

(b) The cost of any seizure and/or holding of deleterious exotic wildlife may be charged to the possessor of such animals.

AMENDATORY SECTION (Amending WSR 12-05-082, filed 2/16/12, effective 3/18/12)

WAC 232-12-019 Game fish—Classification ((~~of game fish~~)). As provided in RCW 77.12.020 and in addition to those species identified in RCW 77.08.020 the following species of the class *Osteichthyes* are classified as game fish:

Scientific Name	Common Name
Salvelinus confluentus	Bull Trout
Catostomus columbianus	Bridgelip Sucker
Catostomus macrocheilus	Largescale Sucker
Catostomus catostomus	Longnose Sucker
Catostomus platyrhynchus	Mountain Sucker
Ctenopharyngodon idella	Grass Carp
Hybrids involving genus Esox	Tiger Muskellunge
Meilocheilus caurinus	Peamouth Chub
Oncorhynchus tshawytscha (((~~in its landlocked form as defined in WAC 232-12-018~~)))	Chinook salmon
Oncorhynchus kisutch (((~~in its landlocked form as defined in WAC 232-12-018~~)))	Coho salmon
Pylodictus olivaris	Flathead Catfish
Ptychocheilus oregonensis	Northern Pikeminnow
Salmo trutta and Salvelinus fontinalis hybrid	Tiger Trout

Northern pikeminnow lawfully taken may be offered for sale, sold, purchased, or traded.

AMENDATORY SECTION (Amending WSR 09-09-083, filed 4/15/09, effective 5/16/09)

WAC 232-12-062 Party hunting. Party hunting is defined as shooting at or killing big game or turkeys for another, killing big game or turkeys with the intention of having another person tag the animal; or tagging a big game animal or turkey that another person has killed.

Party hunting is illegal for big game and turkey, except for hunters with disabilities who have a designated hunting companion as defined in WAC ((~~232-12-828~~)) 220-413-140.

AMENDATORY SECTION (Amending WSR 13-02-043, filed 12/21/12, effective 1/21/13)

WAC 232-12-063 Live wildlife——Facility, fencing, and marking requirements. (1) **Secure facility:**

(a) All captive wildlife held under a department issued permit must be held in a secure facility. For the purposes of this rule, a secure facility is an enclosure constructed to prevent danger to the environment or wildlife of the state, including escape of live wildlife specimens in captivity or ingress of resident wildlife ungulates (hoofed animals).

(b) For wildlife listed in WAC ((~~232-12-064~~)) 220-450-030(2), the secure facility must comply with the fencing requirements in subsection (2) of this section.

(2) **Fencing requirements:**

(a) Perimeter fences must be, at a minimum, 8 feet above ground level for their entire length. The bottom 6 feet must be mesh of sufficient size to prevent resident wildlife ungulates (hoofed animals) from entering and captive wildlife from escaping. If the wire used is not a full 8 feet in height, it must be overlapped one row and securely fastened at every other vertical row or woven together with cable. Supplemental wire required to attain a height of 8 feet may be smooth, barbed, or woven wire (at least 12 1/2 gauge) with strands spaced not more than 6 inches apart.

(b) Perimeter fences constructed of high tensile wire must be supported by a post or stay at minimum intervals of 8 feet.

(c) Perimeter fences must be at least 12 1/2 gauge woven wire, 14 1/2 gauge high-tensile woven wire, chain link, nonclimbable woven fence, or other fence approved by the director.

(d) Electric fencing materials may be used on perimeter fences only as a supplement to conventional fencing materials.

(e) All gates in the perimeter fences must be self-closing, equipped with 2 locking devices, and installed only in locations that have been approved by the director. Double gates may be required at points in the perimeter fences subject to frequent vehicle traffic that is not related to activities involving the holding of captive wildlife.

(f) Posts used in the perimeter fences must be:

(i) Wood (pressure treated), 5-inch minimum diameter or an equivalent as approved by the director;

(ii) Spaced no more than 24 feet apart with stays or supports at eight foot intervals between the posts;

(iii) Extended at least 8 feet above ground level; and

(iv) Constructed with corners braced with wood or with an equivalent material as approved by the director.

(g) Fences must be maintained at all times to prevent captive wildlife from escaping or resident wildlife ungulates (hoofed animals) from entering the enclosure. If animals pass through, under, or over the fence because of any topographic feature or other conditions, the person possessing wildlife must immediately supplement the fence to prevent continued passage.

(3) **Marking requirements:**

(a) All live specimens of wildlife identified in WAC ((~~232-12-064~~)) 220-450-030(2) must be individually identified by:

(i) USDA official ear tags or ear tags supplied or approved by the department. Tags must be applied in sequential order; and

(ii) A tattoo with an identifying number that has been recorded with the director. The tattoo must be placed on the left ear of the animal.

(b) Identification assigned to an individual animal may not be transferred to any other animal.

(c) Where allowed, all lawful progeny of wildlife identified in WAC ((~~232-12-064~~)) 220-450-030(2) must be tagged and tattooed by December 31st of the year of birth or upon leaving the holding facility, whichever is earlier.

(d) Where allowed, if wildlife identified in WAC ((~~232-12-064~~)) 220-450-030(2) is sold or transferred within the state, the tag and tattoo must accompany the animal. The new owner or possessor may not renumber the animal.

(e) Where allowed, live specimens of wildlife identified in WAC ((~~232-12-064~~)) 220-450-030(2) must be marked prior to importation.

(f) Wildlife identified in WAC ((~~232-12-064~~)) 220-450-030(2) may not be sold or otherwise transferred from the holding facility.

(4) Violation of this section is a misdemeanor punishable under RCW 77.15.750, Unlawful use of a department permit——Penalty.

AMENDATORY SECTION (Amending WSR 15-10-033, filed 4/28/15, effective 5/29/15)

WAC 232-12-064 Live wildlife——Taking from the wild, importation, possession, transfer, and holding in captivity. (1) It is unlawful to take live wildlife, wild birds, or game fish from the wild without a permit issued by the director except as otherwise provided by department rule. This subsection does not apply to starlings, house sparrows, Eurasian collared doves, and rock doves taken by falconers, or rock doves and Eurasian collared doves taken by bird dog trainers.

(2) Notwithstanding the provisions of WAC ((~~232-12-027(1), 232-12-067~~)) 220-430-010(1), 220-450-050, and subsections (3) and (4) of this section, and except as provided under subsection (7), (8), (9), or (10) of this section, it is unlawful to import into the state, hold, possess, propagate, offer for sale, sell, transfer, or release live specimens of or the gametes and/or embryos of the following species in the family *Cervidae*.

(3) It is unlawful to import into the state or to hold live wildlife taken, held, possessed, or transported contrary to federal or state law, local ordinance, or department rule. It is unlawful to import live wild animals, wild birds, or game fish without first presenting to the department the health certificate required by the Washington department of agriculture under WAC 16-54-180. However, raptors used for falconry or propagation may be imported if the importer has health certificates for the raptors. Importers must produce proof of lawful importation for inspection if asked to do so by a department employee.

(4) It is unlawful to possess or hold in captivity live wild animals, wild birds, or game fish unless lawfully acquired. Any person possessing or holding wild animals, wild birds, or game fish in captivity must provide proof of lawful acquisition and possession for in-

spection if asked to do so by a department employee. The proof must identify the wild animals', wild birds', or game fish's:

(a) Species;

(b) Age and sex;

(c) Origin;

(d) Receiving party's name;

(e) Source's name and address;

(f) Invoice/statement date; and

(g) Documentation of prior transfers.

(5) Live wild animals, wild birds, or game fish held in captivity, or their progeny or parts thereof, may not be sold or otherwise used commercially except as provided by department rule.

(6) It is unlawful to release wildlife from captivity except as provided in WAC ((~~232-12-271~~)) 220-450-010. It is unlawful to release fish into any state waters, including private, natural, or man-made ponds, without first obtaining a fish planting permit. However, if a person catches game fish and keeps the fish alive on stringers, in live wells, or in other containers while fishing, he or she may release the fish back into the same waters that he or she caught the game fish in.

(7) **Scientific research or display:** The director may issue written authorization for a person to import into the state, hold, possess and propagate live specimens of wildlife listed in subsection (2) of this section, for scientific research or for display by zoos or aquariums who are accredited institutional members of the Association of Zoos and Aquariums (AZA), provided that the person:

(a) Confines the specimens to a secure facility;

(b) Does not transfer specimens to any other location within the state without the director's written authorization, and the specimens are transferred to other AZA-accredited facilities and transported by AZA-accredited institutional members or their authorized agents;

(c) Does not sell or otherwise dispose of specimens within the state, unless the director gives written approval to sell or dispose of the specimens;

(d) Keeps records on the specimens and make reports as the director requires; and

(e) Complies with the requirements in this section.

(8) **Retention or disposal of existing specimens lawfully in captivity prior to June 20, 1992:** A person who holds live Roosevelt and Rocky Mountain elk, mule deer and black-tailed deer, white-tailed deer, and moose may retain the specimens of the wildlife the person lawfully possessed prior to June 20, 1992, and the lawful progeny of that wildlife, provided the person complies with the requirements of this section, and:

(a) Reports to the director, in writing, the species, number, and location of the specimens as required;

(b) Confines the specimens to a secure facility at the location reported, and the facility meets the requirements listed in WAC ((~~232-12-063~~)) 220-450-040;

(c) Does not propagate live specimens except at AZA-accredited facilities with the director's written permission or as otherwise authorized in writing by the director;

(d) Does not release live specimens, except with the director's written permission;

(e) Does not sell or transfer live specimens, except:

(i) Live specimens in lawful possession prior to June 20, 1992, and their lawful progeny may be permanently removed from Washington

state or transported directly to slaughter in accordance with applicable law;

(ii) Federally listed endangered or threatened species may be transferred to AZA-accredited facilities in compliance with federal law;

(iii) Live specimens may be moved to the new primary residence of the possessor with the director's written approval, provided all other requirements of this section are satisfied and the total number of locations where animals are held is not increased; and

(iv) AZA-accredited facilities may sell and/or transfer live specimens within the state with the written permission of the director.

(f) Live specimens must be neutered, physically separated by sex, and/or rendered infertile by means of contraception, except at AZA-accredited facilities with the director's written permission.

(9) **Retention or disposal of existing specimens lawfully in captivity prior to February 13, 1993:** A person holding live specimens of wildlife newly listed in subsection (2) of this section by operation of this rule (Caribou (*Rangifer tarandus caribou*)), may retain the specimens of such wildlife the person lawfully possessed prior to February 13, 1993, provided:

(a) The person reports to the director in writing by March 31, 1993, and reports annually thereafter, or as otherwise required by the director, the species, number, and location of such specimens; and

(b) The person complies with subsection (8)(b) through (f) of this section and the other requirements of this section.

(10) The provisions of this section do not prohibit the importation, possession, propagation, sale, transfer, or release of live specimens of federally listed threatened or endangered species, their gametes or embryos, where in compliance with federal law.

(11) **Escaped wildlife:**

(a) Escaped wildlife is considered a public nuisance. The department or any peace officer may seize, capture, or destroy wildlife that have escaped the possessor's control. The former possessor is responsible for costs incurred by the department in recovering, maintaining, or disposing of such animals, as well as any damage to the state's wildlife or habitat.

(b) Possessors must report escaped wildlife to the department immediately.

(c) Possessors must report the recapture or death of escaped wildlife to the department immediately.

(12) **Testing specimens:**

(a) If the director issues a permit to allow any member of the Genus *Cervus*, identified in subsection (2) of this section, then prior to the animal's entry into Washington state, the person must submit records of genetic tests conducted by a professionally recognized laboratory to identify red deer genetic influence. Red deer genetic influence is genetic material from any member of any subspecies, race, or species of the elk-red deer-wapiti complex *Cervus elaphus* not indigenous to the state of Washington. Upon examination by department biologists, animals deemed to exhibit behavioral (vocalization), morphological (size, rump patch, color), or biochemical indications of such influence (hemoglobin, superoxide dismutase, transferrin and post-transferrin, or others to be developed) may not be imported.

(b) A person currently holding any member of the genus *Cervus elaphus* identified in subsection (2) of this section must immediately submit to the director records of genetic tests conducted by a profes-

sionally recognized laboratory to identify red deer genetic influence, as defined in (a) of this subsection, for each individual cervid. Genetic testing will be at the possessor's expense. Any animals identified as red deer or having nonindigenous genetic influence must be destroyed, removed from the state, or neutered immediately.

(c) The director may require wildlife listed in subsection (2) of this section that are lawfully held in captivity to be tested for brucellosis (*Brucella abortus*), tuberculosis (*Mycobacterium bovis* and *Mycobacterium tuberculosis*), meningeal worm (*Paralophostrongylus tenuis*), and muscle worm (*Elaphostrongylus cervis*) in accordance with the procedures specified in department of agriculture WAC 16-54-180. The director may also require testing for other diseases or parasites determined to pose a risk to wildlife. Results of those tests must be filed with the director as required.

(13) **Reporting:**

(a) A person holding wildlife listed in subsection (2) of this section in captivity must submit a completed report no later than March 30, 1993, and then no later than January 31 of each year, or as otherwise required by the director, on a form provided by the department.

(b) Persons possessing wildlife listed in subsection (2) of this section must notify the director within 10 days of any change of such persons' address and/or location of the holding facility.

(14) **Inspection:** All holding facilities for captive wildlife located in the state are subject to inspection, conducted at a reasonable time, for compliance with the provisions of this section.

(15) **Notification and disposition of diseased animals:**

(a) Any person who has reason to believe that wildlife being held pursuant to this rule have contracted or been exposed to a dangerous or communicable disease or parasite must notify the department immediately.

(b) Upon reason to believe that wildlife held pursuant to this rule have contracted or been exposed to a dangerous or contagious disease or parasite, the director may order inspection of such animals by a licensed, accredited veterinarian, certified fish pathologist, or inspection agent. Inspection will be at the possessor's expense.

(c) The director will determine when destruction of wildlife or quarantine, disinfection, or sterilization of facilities is required at any facility holding wildlife pursuant to this rule. If the director determines that destruction of wildlife or quarantine, disinfection, or sterilization of facilities is required, he or she will issue a written order to the possessor describing the procedure to be followed and the time period for carrying out such actions. The destruction of wildlife or quarantine, disinfection, or sterilization of facilities will be at the possessor's expense.

(16) **Quarantine area:**

(a) Facilities holding wildlife listed in subsection (2) of this section must have an approved quarantine facility within its exterior boundary or submit an action plan to the director that guarantees access to an approved quarantine facility within the state of Washington.

(i) An approved quarantine facility is one that meets criteria set by the Washington department of agriculture in chapter 16-54 WAC.

(ii) The quarantine area must meet the tests of isolation, separate feed and water, escape security, and allowances for the humane holding and care of its occupants for extended periods of time.

(b) If quarantine becomes necessary, the possessor of any wildlife requiring quarantine must provide an on-site quarantine facility or make arrangements at the possessor's expense to transport his or her wildlife to an approved quarantine facility.

(17) **Seizure:**

(a) The department may seize any unlawfully possessed wildlife.

(b) The cost of any seizure or holding of wildlife may be charged to the possessor of the wildlife.

(18) Violation of this section is a misdemeanor punishable under RCW 77.15.750, Unlawful use of a department permit——Penalty.

AMENDATORY SECTION (Amending WSR 84-09-053, filed 4/16/84)

WAC 232-12-066 Revocation, modification, or suspension of a permit to hold wild animals, wild birds, or game fish in captivity. A permit issued hereunder may be revoked, modified or suspended by the director ((~~for cause as provided in WAC 232-12-197~~)). Cause for revocation or suspension shall include, but not be limited to, failure to provide adequate holding facilities and equipment or the failure to provide adequate care, feed or maintenance of wildlife subject to the permit or for inhumane treatment of wildlife.

AMENDATORY SECTION (Amending WSR 06-07-081, filed 3/14/06, effective 4/14/06)

WAC 232-12-067 Sale of fish and wildlife by zoos and aquariums. (1) It is unlawful for publicly owned zoos or aquariums who lawfully acquired fish, shellfish, wildlife or the nests of birds under WAC ((~~220-20-045 or 232-12-064~~)) 220-200-150 or 220-450-030 to offer for sale or sell such animals or nests or the progeny of such animals except outside the state or except within the state to other publicly owned zoos or aquariums or accredited institutional members of the American Zoo and Aquarium Association (AZA).

(2) Publicly owned zoos and aquariums will keep accurate and current records of the sale of fish, shellfish and wildlife progeny as required by the director. These records will be maintained on a calendar year basis and retained for a period of 5 years.

(3) It is unlawful for any publicly owned zoo or aquarium to fail to complete and submit to the department by January 31 of each year a report containing information required by the director.

(4) Fish and wildlife officers may inspect at reasonable times and in a reasonable manner the fish, shellfish, wildlife, nests of birds, permits, records, and facilities of any publicly owned zoo or aquarium offering for sale or selling such animals or nests.

AMENDATORY SECTION (Amending WSR 15-10-033, filed 4/28/15, effective 5/29/15)

WAC 232-12-141 Wild animal trapping. (1) The trapping season authorizes the taking of furbearing animals for their hides and pelts only. Furbearers may not be taken from the wild and held alive for sale or personal use without a special permit from the director.

(2) Any wildlife trapped for which the season is not open shall be released unharmed. Any wildlife that cannot be released unharmed must be left in the trap, and the department of fish and wildlife must be notified immediately.

(3) Lawfully trapped wild animals must be lethally dispatched or immediately released. A firearm may be used to dispatch trapped animals.

(4) It is unlawful to trap for wild animals:

(a) With body-gripping traps without a special permit from the director.

(b) Unless kill traps are checked and animals removed within seventy-two hours.

(c) Unless animals captured in restraining traps (any nonkilling set) are removed within twenty-four hours of capture.

(d) Using game birds, game fish or game animals for bait, except nonedible parts of game birds, game fish or game animals may be used as bait.

For purposes of this section, the meat of animals classified as furbearing animals in WAC ((~~232-12-007~~)) 220-400-020 is not considered edible.

(e) Within thirty feet of any exposed meat bait or nonedible game parts which are visible to flying raptors.

(5) Game bird feathers may be used as an attractor.

AMENDATORY SECTION (Amending WSR 16-04-066, filed 1/28/16, effective 2/28/16)

WAC 232-12-142 Use of body-gripping traps—Special trapping permit required. (1) As used in this section, unless the context clearly requires otherwise, the following definitions apply:

(a) "Body-gripping trap" as defined by RCW 77.15.192 means a trap that grips an animal's body or body part. Body-gripping trap includes, but is not limited to, steel-jawed leghold traps, padded-jaw leghold or padded foot-hold traps, Conibear traps, neck snares, and nonstrangling foot snares. Cage and box traps, suitcase-type live beaver traps, and common rat and mouse traps are not considered body-gripping traps.

(b) "Conibear or Conibear-type trap" means any trap of various manufacturers having design and operational characteristics essentially the same as or like that developed by Frank Conibear and designed and set to grip and hold an animal's body across its main axis.

(c) "Padded-jaw leghold" or "padded foot-hold trap" means a trap designed and set to grip the foot of an animal, both jaws of which are covered with rubber pads having a minimum thickness of one-eighth inch.

(d) "Nonstrangling-type foot snare" means a cable or wire designed and set to encircle and hold an animal's foot or limb. Noose traps used in falconry are not considered nonstrangling-type foot snare traps because they are not designed to ultimately kill the bird but rather to ensure the bird's health and safety and cause no harm by using slip nooses which are constructed of monofilament nylon.

(e) "Special trapping permit" means a permit issued to a person under the authority of RCW 77.15.194 and the provisions of this section to use certain body-gripping traps to abate an animal problem for thirty days.

(f) "Permittee" means the person to whom a special trapping permit is granted.

(2) It is unlawful to trap wildlife using body-gripping traps without a special trapping permit issued by the department.

(3) It is unlawful to fail to comply with any conditions of a special trapping permit to trap.

(4) Persons issued a special trapping permit must submit a report of wildlife taken to the department within ten days after the permit expiration date as defined on the permit.

(5) It is unlawful to knowingly offer to sell, barter, or otherwise exchange the raw fur or carcass of a mammal that has been trapped pursuant to a special trapping permit.

(6) A person seeking a special trapping permit shall complete and submit a department-provided application.

(7) To conduct wildlife research, the applicant shall submit a scientific collection permit application as provided by the department.

(8) One permit renewal may be requested by completing the justification and applicant certification on the report of animals taken.

(9) The conditions of a special trapping permit shall be determined by the department and be annotated on the permit.

(10) All parts of animals taken under a special trapping permit must be properly disposed of in a lawful manner. Raw fur may only be retained for personal use or education purposes which do not result in retail sale or commerce.

(11) Any retention of raw fur obtained through the use of a special trapping permit requires a valid Washington state trapper's license unless the carcass is accompanied by a transfer authorization, as described in WAC ((~~232-12-077~~)) 220-200-120, from a licensed trapper.

(12) A copy of the permit shall be in the immediate possession of the person authorized to trap pursuant to a permit.

(13) A special trapping permit may be denied when, in the judgment of the department:

(a) Other appropriate nonlethal methods to abate damage have not been utilized;

(b) The alleged animal problem either does not exist or the extent is insufficient to justify lethal removal;

(c) The use of the requested body-gripping trap(s) would result in direct or indirect harm to people or domestic animals;

(d) The use of the requested body-gripping trap(s) would conflict with federal or state law, local ordinance or department rule.

(e) The application is incomplete.

(14) A special trapping permit may be revoked if the department determines:

(a) Information contained in the application was inaccurate or false;

(b) The permittee or person trapping under the permit fails to comply with any of the permit conditions; or

(c) The permittee or person trapping under the permit exceeds the number of animals authorized.

(d) Information becomes available that otherwise would have led to the denial of the original application or the inclusion of additional conditions in the permit.

(15) If the department denies or revokes a special trapping permit the department will provide the applicant a written notice including a statement of the specific reason(s) for the denial or revocation.

(a) The applicant may request an appeal to contest the denial or revocation pursuant to chapter 34.05 RCW. The department must receive an appeal request in writing within twenty days from the mailing date of the notice of denial or revocation. Address appeals to WDFW Legal Services Office, 600 Capitol Way North, Olympia, Washington 98501-1091.

(b) A notice contested by written appeal is final when that proceeding ends in a final order pursuant to chapter 34.05 RCW, or is otherwise dismissed.

(c) If there is no timely request for an appeal, then the department's denial or revocation of the permit is final and effective on the 21st calendar day following the mailing date of the notice of denial or revocation.

AMENDATORY SECTION (Amending WSR 15-10-033, filed 4/28/15, effective 5/29/15)

WAC 232-12-271 Criteria for planting aquatic plants and releasing wildlife. (1) Release by persons other than the director. It is unlawful for persons other than the director to plant aquatic plants or release any species, subspecies, or hybrids of animals which do not already exist in the wild in Washington. If such species, subspecies, or hybrid does already exist in the wild in Washington, it may be released within its established range by persons other than the director, but only after obtaining a permit from the director.

(a) Application for a permit must be made on a form provided by the department. It must be submitted at least thirty days prior to acquisition of the wildlife or aquatic plants intended for release or planting, and must provide all information indicated.

(b) Permits will only be issued if the director determines there will be no adverse impact on the wildlife or wildlife habitat of the state.

(c) Each permit shall require that at least thirty days prior to planting or release of wildlife or aquatic plants they must be made available for inspection by the director. It shall be the responsibility of the applicant to show that the wildlife will not pose a disease threat. If the director is not satisfied that the wildlife or aquatic plants do not pose a disease threat, they shall not be released or planted in the state. Director approval for release or planting may be withdrawn for cause.

(d) Each permit shall require that an applicant intending to release wildlife in the state shall report immediately to the director the outbreak of any disease among the wildlife intended to be re-

leased. If the director determines that such outbreak presents a threat to the wildlife of the state, the director may immediately order such action as necessary including quarantine or destruction of stock, sterilization of enclosures and facilities, cessation of activities, and disposal of wildlife in a manner satisfactory to the director.

(e) Each permit shall require that wildlife to be released shall not be branded, tattooed, tagged, fin clipped or otherwise marked for identification without approval of the director or as required in WAC ((~~232-12-044~~)) 220-416-110.

(f) Legally acquired pheasant of the genus *Phasianus*; gray partridge of the genus *Perdix*; chukar of the genus *Alectoris*; quail of the genus *Callipepla* and *Colinus*; and mallards (*Anas platyrhynchos*) may be released without a permit for purposes of dog training, and hunting pursuant to WAC ((~~232-12-044~~)) 220-416-110. Game birds of these species released for these purposes must be purchased from facilities that have been inspected by a certified veterinarian within the past twelve months. Rock doves and Eurasian collared doves may be released without a permit for purposes of bird dog training.

(2) Release by the director. The director may plant aquatic plants or release animal species, subspecies, or hybrids which have been planted or released previously in Washington if they do not pose a disease threat and if planting or release will not cause adverse impact on the wildlife or wildlife habitat of the state. Before releasing any species, subspecies, or hybrid of animal not already existing in the wild in Washington, the director shall report to the commission on the planned release, stating the basis for determining that the planned release fulfills the criteria set forth herein. The director may release nonnative species, subspecies, or hybrids not previously released in Washington only if the director in his or her sole discretion has determined that:

(a) There is no reasonable expectation of adverse impact on the wildlife or wildlife habitat of the state and there is an adequate plan for evaluating such impact following the release;

(b) The commission has classified the species, subspecies, or hybrids to be released pursuant to RCW 77.12.020;

(c) Suitable habitat is available;

(d) The nonnative species, subspecies, or hybrids to be released are free of exotic pathogens;

(e) The release serves the public interest.

(3) This section does not apply to release of classified or unclassified fish or shellfish by persons who have caught or taken the fish or shellfish, provided the fish or shellfish are released into the water or on the tidelands at the approximate location where taken, except that fishing contest participants may release fish at a contest-designated location in the same body of water from which the fish were taken.

AMENDATORY SECTION (Amending WSR 13-18-046, filed 8/30/13, effective 9/30/13)

WAC 232-12-275 Definitions—Oiled-wildlife and wildlife rehabilitation permits. For the purposes of WAC ((~~232-12-841~~)) 220-450-070 through ((~~232-12-871~~)) 220-450-220, the following definitions apply:

(1) "Bird" means any wild animal of the class Aves.

(2) "Dedicated workspace" means the minimum amount of floor space necessary to maintain access to oiled bird rehabilitation pens.

(3) "Director" means the director of the department of fish and wildlife or his or her designee.

(4) "Drying resources" mean the floor space and pen requirements associated with the removal of water from the skin and feathers of a bird.

(5) "Hacking" means the release, sometimes temporary, of a raptor to the wild so that it may survive on its own.

(6) "Imping" means a method of replacing a broken feather with an undamaged feather by cutting the shaft of the broken feather on the bird, trimming the replacement feather to the correct length, and gluing the shaft of the replacement feather to the shaft of the broken feather.

(7) "Imprinting" means when a very young animal fixes its attention on and follows the first object or creature it sees, hears, or touches, and becomes socially, and later sexually, bonded to that object or creature, identifying itself as whatever it imprints upon.

(8) "Indoor area" means the space within an oiled bird rehabilitation facility in which the air temperature and exchange of air can be controlled and maintained. Indoor areas can include oiled bird rehabilitation pools, morgues, freezers, isolation/intensive care units, medical laboratories, laundry and storage facilities, and electrical and mechanical equipment. These areas may consist of space for conducting intake, prewash holding, washing and rinsing, drying, necropsy, and preparing bird food.

(9) "Intake space" means the minimum amount of floor space necessary to admit live or dead birds into an oiled bird rehabilitation facility.

(10) "Mesh size" means the measured distance between one vertical side of a mesh unit and the opposite vertical side of the same mesh unit when the netting is pulled taut.

(11) "Oil" means oil of any kind and any form, such as petroleum and nonpetroleum oils including, but not limited to, crude oil and refined petroleum products, animal fats and vegetable oil, other oils of animal or vegetable origin, and other nonpetroleum oils.

(12) "Oiled bird" means a bird that has come in contact with oil.

(13) "Oiled bird rehabilitation pen" means an enclosure used to hold birds during oiled bird rehabilitation.

(14) "Oiled bird rehabilitation pool" means a container filled with fresh water used during the rehabilitation of oiled birds.

(15) "Oiled bird rehabilitation" is a specialized form of wildlife rehabilitation and means the process of caring for oiled birds during intake, prewash holding, washing and rinsing, and drying, to allow the birds to return to their natural habitat. This form of rehabilitation includes keeping the birds in pools and providing semi-static and static areas with steady air temperatures and air exchanges while the birds are in the rehabilitation facility.

(16) "Oiled bird rehabilitation facility" is a type or portion of a wildlife rehabilitation facility and means the indoor and outdoor areas used for the rehabilitation of oiled birds.

(17) "Outdoor area" means an area within an oiled bird rehabilitation facility that does not fit the definition of an indoor area.

(18) "Orphan-imprinting" means to use wildlife for the purpose of feeding, socializing, and teaching appropriate wild behavior to young wildlife.

(19) "Permit" means a wildlife rehabilitation permit without any additional endorsements.

(20) "Prewash holding resources" mean the floor-space and oiled bird rehabilitation-pen capabilities of an oiled bird rehabilitation facility to hold birds after intake and prior to washing.

(21) "Primary permittee" means the person listed on the wildlife rehabilitation permit who originally applied for and received the permit and is licensed to practice wildlife rehabilitation.

(22) "Principal veterinarian" means a licensed veterinarian who agrees, in writing, to assist, direct, and oversee a wildlife rehabilitator in conducting wildlife rehabilitation services and activities.

(23) "Public display" means to place or locate wildlife so that they may be viewed by the public.

(24) "Semi-static areas" mean dedicated indoor spaces within an oiled bird rehabilitation facility where the required size of the space will vary relative to the number of birds to be rehabilitated. These include areas for preparing bird food, conducting necropsies, and storing and freezing items.

(25) "Static areas" mean dedicated indoor spaces within an oiled bird rehabilitation facility where the required size of the space does not vary, regardless of the number of birds to be rehabilitated. These areas include isolation/intensive care units, medical laboratories, laundry facilities, and electrical and mechanical equipment.

(26) "Subpermittee" means persons listed on the primary permittee's (also "wildlife rehabilitator") wildlife rehabilitation permit who care for wildlife away from the rehabilitation facility with the permission and under the direction of the primary licensed wildlife rehabilitation permittee ("primary permittee"). The primary permittee is responsible for monitoring and approving the subpermittee's conduct, practices, and facilities.

(27) "Veterinarian" means a licensed veterinarian.

(28) "Wash/rinse resources" mean the water, cleaning agent, and space requirements necessary to remove oil from the skin and feathers of a bird.

(29) "Wildlife rehabilitation" means the care and treatment of injured, diseased, oiled, or abandoned wildlife, including, but not limited to, capturing, transporting, treating, feeding, housing, and conditioning animals so they can be released back to the wild.

(30) "Wildlife rehabilitation facility," or "facility," means the authorized site(s), as shown on the wildlife rehabilitation permit, where treatment and rehabilitation of wildlife takes place.

(31) "Wildlife rehabilitation permit" means a permit issued by the director that authorizes a person to practice wildlife rehabilitation.

(32) "Wildlife rehabilitator" means a person who conducts wildlife rehabilitation and possesses a current wildlife rehabilitator permit from the department.

AMENDATORY SECTION (Amending WSR 92-12-064, filed 6/1/92, effective 7/2/92)

WAC 232-12-277 Taxidermy and furdealing records. (1) It is unlawful for a licensed taxidermist or furdealer upon receiving wildlife for mounting, tanning, storage or processing to fail to record the following information:

(a) The taxidermist's name, address, and business phone;

(b) The date the item was received;

(c) The hunter/taker's name and address;

(d) The owner's name and address;

(e) A description of the species received;

(f) The county where taken (GMU if available);

(g) The license, tag, permit, and seal number;

(h) The date the completed item was returned to the original customer. Such record must be maintained for a minimum of two years or as long as the wildlife is retained by the taxidermist or furdealer and shall be maintained in a central location at the principle place of business either in a ledger provided by the department or on sequentially numbered pre-printed invoices provided by the taxidermist or furdealer. Taxidermists or furdealers opting to use preprinted invoices are required to maintain all sequentially numbered invoices, including voided documents.

(2) All records and wildlife held pursuant to the statutes or regulations dealing with taxidermy or furdealing must be open to inspection by a wildlife agent at reasonable times in accordance with the provisions of RCW 77.12.095.

(3) Licensed taxidermists or furdealers who have complied with the ledger requirements established in this section shall be deemed to be in compliance with the notice and reporting requirements contained in WAC ((~~232-12-021 and 232-12-077~~)) 220-413-030 and 220-200-120.

AMENDATORY SECTION (Amending WSR 02-02-062, filed 12/28/01, effective 1/28/02)

WAC 232-12-297 Endangered, threatened, and sensitive wildlife species classification.

Purpose

1.1 The purpose of this rule is to identify and classify native wildlife species that have need of protection and/or management to ensure their survival as free-ranging populations in Washington and to define the process by which listing, management, recovery, and delisting of a species can be achieved. These rules are established to ensure that consistent procedures and criteria are followed when classifying wildlife as endangered, or the protected wildlife subcategories threatened or sensitive.

Definitions

For purposes of this rule, the following definitions apply:

2.1 "Classify" and all derivatives means to list or delist wildlife species to or from endangered, or to or from the protected wildlife subcategories threatened or sensitive.

2.2 "List" and all derivatives means to change the classification status of a wildlife species to endangered, threatened, or sensitive.

2.3 "Delist" and its derivatives means to change the classification of endangered, threatened, or sensitive species to a classification other than endangered, threatened, or sensitive.

2.4 "Endangered" means any wildlife species native to the state of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state.

2.5 "Threatened" means any wildlife species native to the state of Washington that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range within the state without cooperative management or removal of threats.

2.6 "Sensitive" means any wildlife species native to the state of Washington that is vulnerable or declining and is likely to become endangered or threatened in a significant portion of its range within the state without cooperative management or removal of threats.

2.7 "Species" means any group of animals classified as a species or subspecies as commonly accepted by the scientific community.

2.8 "Native" means any wildlife species naturally occurring in Washington for purposes of breeding, resting, or foraging, excluding introduced species not found historically in this state.

2.9 "Significant portion of its range" means that portion of a species' range likely to be essential to the long term survival of the population in Washington.

Listing criteria

3.1 The commission shall list a wildlife species as endangered, threatened, or sensitive solely on the basis of the biological status of the species being considered, based on the preponderance of scientific data available, except as noted in section 3.4.

3.2 If a species is listed as endangered or threatened under the federal Endangered Species Act, the agency will recommend to the commission that it be listed as endangered or threatened as specified in section 9.1. If listed, the agency will proceed with development of a recovery plan pursuant to section 11.1.

3.3 Species may be listed as endangered, threatened, or sensitive only when populations are in danger of failing, declining, or are vulnerable, due to factors including but not restricted to limited numbers, disease, predation, exploitation, or habitat loss or change, pursuant to section 7.1.

3.4 Where a species of the class Insecta, based on substantial evidence, is determined to present an unreasonable risk to public health, the commission may make the determination that the species need not be listed as endangered, threatened, or sensitive.

Delisting criteria

4.1 The commission shall delist a wildlife species from endangered, threatened, or sensitive solely on the basis of the biological status of the species being considered, based on the preponderance of scientific data available.

4.2 A species may be delisted from endangered, threatened, or sensitive only when populations are no longer in danger of failing, declining, are no longer vulnerable, pursuant to section 3.3, or meet recovery plan goals, and when it no longer meets the definitions in sections 2.4, 2.5, or 2.6.

Initiation of listing process

5.1 Any one of the following events may initiate the listing process.

5.1.1 The agency determines that a species population may be in danger of failing, declining, or vulnerable, pursuant to section 3.3.

5.1.2 A petition is received at the agency from an interested person. The petition should be addressed to the director. It should set forth specific evidence and scientific data which shows that the species may be failing, declining, or vulnerable, pursuant to section 3.3. Within 60 days, the agency shall either deny the petition, stating the reasons, or initiate the classification process.

5.1.3 An emergency, as defined by the Administrative Procedure Act, chapter 34.05 RCW. The listing of any species previously classified under emergency rule shall be governed by the provisions of this section.

5.1.4 The commission requests the agency review a species of concern.

5.2 Upon initiation of the listing process the agency shall publish a public notice in the Washington Register, and notify those parties who have expressed their interest to the department, announcing the initiation of the classification process and calling for scientific information relevant to the species status report under consideration pursuant to section 7.1.

Initiation of delisting process

6.1 Any one of the following events may initiate the delisting process:

6.1.1 The agency determines that a species population may no longer be in danger of failing, declining, or vulnerable, pursuant to section 3.3.

6.1.2 The agency receives a petition from an interested person. The petition should be addressed to the director. It should set forth specific evidence and scientific data which shows that the species may no longer be failing, declining, or vulnerable, pursuant to section 3.3. Within 60 days, the agency shall either deny the petition, stating the reasons, or initiate the delisting process.

6.1.3 The commission requests the agency review a species of concern.

6.2 Upon initiation of the delisting process the agency shall publish a public notice in the Washington Register, and notify those parties who have expressed their interest to the department, announcing the initiation of the delisting process and calling for scientific information relevant to the species status report under consideration pursuant to section 7.1.

Species status review and agency recommendations

7.1 Except in an emergency under 5.1.3 above, prior to making a classification recommendation to the commission, the agency shall prepare a preliminary species status report. The report will include a review of information relevant to the species' status in Washington and address factors affecting its status, including those given under section 3.3. The status report shall be reviewed by the public and scientific community. The status report will include, but not be limited to an analysis of:

7.1.1 Historic, current, and future species population trends

7.1.2 Natural history, including ecological relationships (e.g. food habits, home range, habitat selection patterns).

7.1.3 Historic and current habitat trends.

7.1.4 Population demographics (e.g. survival and mortality rates, reproductive success) and their relationship to long term sustainability.

7.1.5 Historic and current species management activities.

7.2 Except in an emergency under 5.1.3 above, the agency shall prepare recommendations for species classification, based upon scientific data contained in the status report. Documents shall be prepared to determine the environmental consequences of adopting the recommendations pursuant to requirements of the State Environmental Policy Act (SEPA).

7.3 For the purpose of delisting, the status report will include a review of recovery plan goals.

Public review

8.1 Except in an emergency under 5.1.3 above, prior to making a recommendation to the commission, the agency shall provide an opportunity for interested parties to submit new scientific data relevant to the status report, classification recommendation, and any SEPA findings.

8.1.1 The agency shall allow at least 90 days for public comment.

Final recommendations and commission action

9.1 After the close of the public comment period, the agency shall complete a final status report and classification recommendation. SEPA documents will be prepared, as necessary, for the final agency recommendation for classification. The classification recommendation will be presented to the commission for action. The final species status report, agency classification recommendation, and SEPA documents will be made available to the public at least 30 days prior to the commission meeting.

9.2 Notice of the proposed commission action will be published at least 30 days prior to the commission meeting.

Periodic species status review

10.1 The agency shall conduct a review of each endangered, threatened, or sensitive wildlife species at least every five years after the date of its listing. This review shall include an update of the species status report to determine whether the status of the species warrants its current listing status or deserves reclassification.

10.1.1 The agency shall notify any parties who have expressed their interest to the department of the periodic status review. This notice shall occur at least one year prior to end of the five year period required by section 10.1.

10.2 The status of all delisted species shall be reviewed at least once, five years following the date of delisting.

10.3 The department shall evaluate the necessity of changing the classification of the species being reviewed. The agency shall report its findings to the commission at a commission meeting. The agency shall notify the public of its findings at least 30 days prior to presenting the findings to the commission.

10.3.1 If the agency determines that new information suggests that classification of a species should be changed from its present state, the agency shall initiate classification procedures provided for in these rules starting with section 5.1.

10.3.2 If the agency determines that conditions have not changed significantly and that the classification of the species should remain unchanged, the agency shall recommend to the commission that the species being reviewed shall retain its present classification status.

10.4 Nothing in these rules shall be construed to automatically delist a species without formal commission action.

Recovery and management of listed species

11.1 The agency shall write a recovery plan for species listed as endangered or threatened. The agency will write a management plan for species listed as sensitive. Recovery and management plans shall address the listing criteria described in sections 3.1 and 3.3, and shall include, but are not limited to:

11.1.1 Target population objectives

11.1.2 Criteria for reclassification

11.1.3 An implementation plan for reaching population objectives which will promote cooperative management and be sensitive to landowner needs and property rights. The plan will specify resources needed from and impacts to the department, other agencies (including federal, state, and local), tribes, landowners, and other interest groups. The plan shall consider various approaches to meeting recovery objectives including, but not limited to regulation, mitigation, acquisition, incentive, and compensation mechanisms.

11.1.4 Public education needs

11.1.5 A species monitoring plan, which requires periodic review to allow the incorporation of new information into the status report.

11.2 Preparation of recovery and management plans will be initiated by the agency within one year after the date of listing.

11.2.1 Recovery and management plans for species listed prior to 1990 or during the five years following the adoption of these rules shall be completed within 5 years after the date of listing or adoption of these rules, whichever comes later. Development of recovery plans for endangered species will receive higher priority than threatened or sensitive species.

11.2.2 Recovery and management plans for species listed after five years following the adoption of these rules shall be completed within three years after the date of listing.

11.2.3 The agency will publish a notice in the Washington Register and notify any parties who have expressed interest to the department interested parties of the initiation of recovery plan development.

11.2.4 If the deadlines defined in sections 11.2.1 and 11.2.2 are not met the department shall notify the public and report the reasons for missing the deadline and the strategy for completing the plan at a commission meeting. The intent of this section is to recognize current department personnel resources are limiting and that development of recovery plans for some of the species may require significant involvement by interests outside of the department, and therefore take longer to complete.

11.3 The agency shall provide an opportunity for interested public to comment on the recovery plan and any SEPA documents.

Classification procedures review

12.1 The agency and an ad hoc public group with members representing a broad spectrum of interests, shall meet as needed to accomplish the following:

12.1.1 Monitor the progress of the development of recovery and management plans and status reviews, highlight problems, and make recommendations to the department and other interested parties to improve the effectiveness of these processes.

12.1.2 Review these classification procedures six years after the adoption of these rules and report its findings to the commission.

Authority

13.1 The commission has the authority to classify wildlife as endangered under RCW 77.12.020. Species classified as endangered are listed under WAC ((~~232-12-014~~)) 220-610-010, as amended.

13.2 Threatened and sensitive species shall be classified as subcategories of protected wildlife. The commission has the authority to classify wildlife as protected under RCW 77.12.020. Species classified as protected are listed under WAC ((~~232-12-011~~)) 220-200-100, as amended.

AMENDATORY SECTION (Amending WSR 99-03-029, filed 1/13/99, effective 2/13/99)

WAC 232-12-830 Waters in which either a personal use freshwater or personal use saltwater fishing license is valid. In the following described waters, it is lawful to fish for food fish and gamefish with a personal use freshwater license, saltwater license, or combination license:

(1) Those waters of the Columbia River downstream from a line between Rocky Point on the Washington shore and Tongue Point on the Oregon shore.

(2) Those waters of Grays Harbor described as Catch Record Card Area 2-2 in WAC ((~~220-56-185~~)) 220-311-010, and seaward of any river mouth as defined in WAC ((~~232-12-001~~)) 220-400-010(16) and ((~~232-12-619~~)) 220-416-120(18).

(3) Those waters of Willapa Bay described as Catch Record Card Area 2-1 in WAC ((~~220-56-185~~)) 220-311-010, and seaward of any river mouth as defined in WAC ((~~232-12-001~~)) 220-400-010(16) and ((~~232-12-619~~)) 220-416-120(18).

AMENDATORY SECTION (Amending WSR 13-18-046, filed 8/30/13, effective 9/30/13)

WAC 232-12-845 Wildlife rehabilitation——Permit revocation, modification, or suspension. (1) The department may revoke, modify, or suspend a wildlife rehabilitation permit if the primary permittee or a subpermittee violates any conditions of the permit. Such violations include, but are not limited to:

(a) Violating a department rule;

(b) Failing to comply with permit conditions;

(c) Failing to provide adequate facilities for the care and housing of wildlife;

(d) Possessing a species of wildlife not expressly permitted in the wildlife rehabilitation permit or by department authorization;

(e) Failing to provide adequate care, feed for, or maintenance of the health of wildlife in the permittee's care;

(f) Treating wildlife in the permittee's care inhumanely, or negligently, or keeping the wildlife in unsanitary conditions;

(g) Publicly displaying wildlife in rehabilitation or using wildlife in rehabilitation for public education or profit;

(h) Improperly handling, imprinting, habituation, or taming wildlife at the facility; or

(i) Failing to maintain a daily patient log or ledger.

(2) A primary permittee who is in violation of permit conditions or department wildlife rehabilitation rules, or whose subpermittee is in violation of permit conditions or department wildlife rehabilitation rules, except for oiled bird facility requirements as provided in WAC ((~~232-12-869~~)) 220-450-210, may provide a corrective-action plan to return to compliance. The primary permittee must provide the plan to the department within ten days of the notice of the violation. If the department accepts the plan for corrective action, it will allow the primary permittee at least thirty days to correct the permit violation. If the primary permittee fails to return to compliance by the deadline the department gave him or her, the department may revoke his or her permit.

(3) If the department revokes, suspends, or modifies a permit, then the department or the U.S. Fish and Wildlife Service may seize and find a new rehabilitator for the primary permittee's wildlife.

(4) The department's revocation, modification, or suspension of a rehabilitation permit under this section does not preclude the department from taking criminal action against the primary permittee, subpermittee, or both.

(5) Any primary permittee whose rehabilitation permit is revoked, modified, or suspended under this section may request an administrative hearing to appeal the department's action. The department will administer such appeals in accordance with chapter 34.05 RCW.

NEW SECTION

The following section of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number

232-12-001	220-400-010
232-12-002	220-101-040
232-12-004	220-400-030
232-12-005	220-416-040
232-12-007	220-400-020
232-12-011	220-200-100
232-12-014	220-610-010
232-12-016	220-640-010
232-12-017	220-640-030
232-12-01701	220-640-020
232-12-019	220-300-380
232-12-024	220-400-050
232-12-027	220-430-010
232-12-031	220-430-020
232-12-034	220-430-030
232-12-037	220-430-040
232-12-041	220-412-120
232-12-044	220-416-110
232-12-045	220-414-010
232-12-047	220-414-020
232-12-051	220-414-060
232-12-052	220-414-100
232-12-054	220-414-070
232-12-055	220-414-080
232-12-057	220-413-070
232-12-061	220-413-020
232-12-062	220-413-040
232-12-063	220-450-040
232-12-064	220-450-030
232-12-066	220-450-020
232-12-067	220-450-050
232-12-068	220-414-040
232-12-071	220-200-110
232-12-072	220-400-070
232-12-073	220-412-030
232-12-077	220-200-120
232-12-081	220-413-050
232-12-082	220-305-060
232-12-083	220-111-010
232-12-087	220-305-050
232-12-091	220-352-260
232-12-094	220-352-270

232-12-097	220-352-280
232-12-134	220-417-020
232-12-141	220-417-030
232-12-142	220-417-040
232-12-154	220-310-220
232-12-164	220-305-090
232-12-166	220-312-100
232-12-168	220-220-220
232-12-169	220-412-110
232-12-174	220-500-190
232-12-177	220-500-080
232-12-181	220-500-200
232-12-189	220-220-120
232-12-221	220-101-060
232-12-227	220-412-010
232-12-228	220-412-020
232-12-242	220-413-060
232-12-243	220-440-030
232-12-24402	220-413-160
232-12-245	220-414-030
232-12-247	220-413-080
232-12-251	220-500-210
232-12-253	220-413-170
232-12-254	220-500-220
232-12-257	220-414-090
232-12-261	220-416-030
232-12-264	220-416-100
232-12-267	220-413-090
232-12-271	220-450-010
232-12-272	220-310-230
232-12-275	220-450-060
232-12-277	220-400-060
232-12-284	220-415-110
232-12-286	220-413-200
232-12-287	220-400-040
232-12-288	220-416-020
232-12-289	220-416-050
232-12-291	220-413-010
232-12-292	220-610-100
232-12-297	220-610-110
232-12-421	220-413-110
232-12-422	220-413-120

232-12-619	220-416-120
232-12-809	220-200-020
232-12-819	220-413-130
232-12-825	220-413-150
232-12-828	220-413-140
232-12-830	220-220-190
232-12-840	220-200-130
232-12-841	220-450-070
232-12-843	220-450-080
232-12-845	220-450-090
232-12-847	220-450-100
232-12-849	220-450-110
232-12-851	220-450-120
232-12-853	220-450-130
232-12-855	220-450-140
232-12-857	220-450-150
232-12-859	220-450-160
232-12-861	220-450-170
232-12-863	220-450-180
232-12-865	220-450-190
232-12-867	220-450-200
232-12-869	220-450-210
232-12-871	220-450-220

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
232-16-050	220-411-040
232-16-070	220-411-010
232-16-140	220-411-030
232-16-200	220-411-110
232-16-250	220-411-150
232-16-295	220-411-170
232-16-340	220-411-180
232-16-380	220-411-200
232-16-400	220-411-210
232-16-420	220-411-140
232-16-440	220-411-230
232-16-450	220-411-240
232-16-540	220-411-260
232-16-560	220-411-020
232-16-570	220-411-090
232-16-590	220-411-050
232-16-600	220-411-160
232-16-610	220-411-190
232-16-620	220-411-130
232-16-640	220-411-250
232-16-660	220-411-100
232-16-700	220-411-220
232-16-720	220-411-070
232-16-730	220-411-060
232-16-740	220-416-070
232-16-750	220-416-080
232-16-760	220-416-090
232-16-770	220-414-050
232-16-780	220-411-080
232-16-800	220-411-120

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
232-13-020	220-500-010
232-13-030	220-500-020
232-13-040	220-500-090
232-13-050	220-500-030
232-13-060	220-500-100
232-13-070	220-500-110
232-13-080	220-500-060
232-13-090	220-500-070
232-13-100	220-500-120
232-13-110	220-500-050
232-13-120	220-500-130
232-13-130	220-500-140
232-13-140	220-500-150
232-13-150	220-500-040
232-13-160	220-500-230
232-13-170	220-500-160
232-13-180	220-500-170
232-13-210	220-500-180

AMENDATORY SECTION (Amending WSR 10-13-182, filed 6/23/10, effective 7/24/10)

WAC 232-36-020 Purpose—Wildlife management and wildlife interaction. Public support for the recovery and management of healthy wildlife populations is an important aspect of wildlife conservation. Support for wildlife can diminish when people experience negative interactions with wildlife and damage to private property. The intent of the department is to provide technical advice and assistance to property owners to prevent and mitigate damages caused by wildlife. Compensation may be necessary in situations where preventative measures are not successful or when circumstances, outside the control of the private property owner, get in the way of resolving negative wildlife interactions.

AMENDATORY SECTION (Amending WSR 13-22-056, filed 11/4/13, effective 12/5/13)

WAC 232-36-030 Definitions. Definitions used in rules of the fish and wildlife commission are defined in RCW 77.08.010, and the definitions for wildlife interactions are defined in RCW 77.36.010. In addition, unless otherwise provided, the following definitions are applicable to this chapter:

"Act of damaging" means that private property is in the process of being damaged by wildlife.

"Big game" means those animals listed in RCW 77.08.030.

"Claim" means an application to the department for compensation under this chapter.

"Claimant" means owner of commercial crop, livestock, or other property who has filed a wildlife damage claim for cash compensation.

"Commercial crop" means a commercially raised horticultural and/or agricultural product and includes the growing or harvested product, but does not include livestock, forest land, or rangeland. For the purposes of this chapter, Christmas trees and managed pasture grown using agricultural methods including one or more of the following: Seeding, planting, fertilizing, irrigating, and all parts of horticultural trees, are considered a commercial crop and are eligible for cash compensation.

"Compensation" means a cash payment, materials, or service.

"Completed written claim" means that all of the information required on a department property damage claim form is supplied and complete, including all supplemental information and certifications required to process the claim.

"Damage" means economic losses caused by wildlife interactions.

"Damage claim assessment" means department approved methods to evaluate crop loss and value caused by deer or elk damage to commercial crops, livestock losses and value caused by bear, cougar, or wolves, or damages to other property.

"Domestic animal" means any animal that is lawfully possessed and controlled by a person.

"Eligible farmer" means an owner who satisfies the definition of eligible farmer pursuant to RCW 82.08.855 (4)(b)(i) through (iv).

"Emergent" means an unforeseen circumstance beyond the control of the landowner or tenant, that presents a real and immediate threat to crops, domestic animals, or fowl.

"Game animal" means wild animals that shall not be hunted except as authorized by the commission.

"Guard dog" means dogs trained for the purpose of protecting livestock from attack by wildlife or for herding livestock.

"Immediate family member" means spouse, state registered domestic partner, brother, sister, grandparent, parent, child, or grandchild.

"Immediate threat of physical harm" means that animal-to-human bodily contact is imminent; and the animal is in attack posture/mode.

"Livestock" means horses, cattle, sheep, goats, swine, donkeys, mules, llamas, and alpacas.

"Owner" means a person who has a legal right to commercial crops, livestock, or other private property that was damaged during a wildlife interaction.

"Physical act of attacking" means actual or imminent animal-to-human or animal-to-animal physical contact.

"Public hunting" means an owner satisfies the "public hunting" requirement for his or her land, as defined in WAC ((~~232-36-300~~)) 220-440-190.

"Wild animal" means those species of the class Mammalia whose members exist in Washington in a wild state.

"Wildlife control operator" means a person who has successfully completed the training and obtained one or more levels of certification from the department to assist landowners to prevent or control problems caused by wildlife.

"Wildlife interaction" means the negative interaction and the resultant damage between wildlife and commercial crops, livestock, or other property.

AMENDATORY SECTION (Amending WSR 10-13-182, filed 6/23/10, effective 7/24/10)

WAC 232-36-050 Killing wildlife for personal safety. (1) The fish and wildlife commission is authorized to classify wildlife as game, as endangered or protected species, or as a predatory bird consistent with RCW 77.08.010 and 77.12.020. The commission is also authorized, pursuant to RCW 77.36.030, to establish the limitations and conditions on killing or trapping wildlife that is threatening human safety.

(2) The conditions for killing wildlife vary, based primarily on the classification of the wildlife species and the imminent nature of the threat to personal safety. Additional conditions defined by the department may also be important, depending on individual situations. Killing wildlife for personal safety is subject to all other state and federal laws including, but not limited to, Titles 77 RCW and ((~~232~~)) 220 WAC.

(3) Killing wildlife for personal safety.

(a) It is permissible to kill wild animals engaged in the physical act of attacking a person.

(b) It is permissible to kill game animals posing an immediate threat of physical harm to a person.

AMENDATORY SECTION (Amending WSR 16-04-066, filed 1/28/16, effective 2/28/16)

WAC 232-36-051 Killing wildlife causing private property damage. The fish and wildlife commission is authorized to classify wildlife as game, and/or as endangered species or protected wildlife, and/or as a predatory bird consistent with RCW 77.08.010 and 77.12.020. The commission is also authorized, pursuant to RCW 77.36.030, to establish the limitations and conditions on killing or trapping wildlife that is causing damage on private property. The department may authorize, pursuant to RCW 77.12.240 the killing of wildlife destroying or injuring property.

The conditions for killing wildlife vary, based primarily on the classification of the wildlife species, the imminent nature of the threat to damage private property, the type of private property damage, and the preventive and nonlethal methods employed by the person prior to the damage event. Additional conditions defined by the department may also be important, depending on individual situations. Killing wildlife to address private property damage is subject to all other state and federal laws including, but not limited to, Titles 77 RCW and ((~~232~~)) 220 WAC.

(1) It is unlawful to kill protected wildlife or endangered species (as defined in RCW 77.08.010) unless authorized by commission rule or with a permit from the department, with the following additional requirements:

(a) Federally listed threatened or endangered species will require federal permits or federal authority, in addition to a state permit.

(b) All migratory birds are federally protected and may require a federal permit or federal authority, in addition to a state permit.

(2) Killing wildlife causing damage to a commercial crop or to livestock.

It is permissible to kill unclassified wildlife, predatory birds, and game animals that are in the act of damaging commercial crops or attacking livestock or other domestic animals, under the following conditions:

(a) Predatory birds (defined in RCW 77.08.010) and unclassified wildlife that are in the act of damaging commercial crops or attacking livestock or other domestic animals may be killed with the express permission of the crop, livestock, domestic animals, or property owner at any time on private property, to protect domestic animals, livestock, or commercial crops.

(b) If an owner has attempted nonlethal damage control techniques and acquires verbal or written approval from the department, they may kill an individual (one) deer or elk during the physical act of damaging commercial crops within a twelve-month period. The owner must notify the department within twenty-four hours of kill. The department will document animals harvested under this subsection and will ensure harvest is consistent with herd management objectives developed cooperatively with comanagers where available.

(c) Multiple deer or elk may be killed if they are in the act of damaging commercial crops if the owner, owner's immediate family member, agent of the owner, or owner's documented employee is issued damage prevention or kill permits and the owner has a valid, written damage prevention cooperative agreement with the department.

(d) An owner may kill an individual (one) black bear or cougar during the physical act of attacking livestock or domestic animals with or without an agreement or permit within a twelve-month period. The owner must notify the department within twenty-four hours of kill.

(3) Killing wildlife causing damage or killing wildlife to prevent private property damage.

(a) Predatory birds (as defined in RCW 77.08.010(39)), unclassified wildlife, and eastern gray squirrels may be killed by the owner of private property, owner's immediate family, agent of the owner, or the owner's documented employee with the express permission of the private real property owner at any time, to prevent private property damage on private real property.

(b) Subject to subsection (7) of this section, the following list of wildlife species may be killed by the owner of the property, owner's immediate family member, agent of the owner, owner's documented employee, or licensed hunters/trappers in a lawful manner with the express permission of the private real property owner, when causing damage to private property: Raccoon, fox, bobcat, beaver, muskrat, mink, river otter, weasel, hare, and cottontail rabbits.

(c) The department may make agreements with landowners to prevent private property damage by wildlife. The agreements may authorize permits to remove animal(s) to abate private property damage.

(d) Landowners are encouraged to allow general season hunting and trapping on their property to help minimize damage potential and concerns.

(4) Wildlife control operators may assist property owners under the conditions of their certification or permits to remove animals causing damage.

(5) Tribal members may assist property owners under the conditions of valid comanagement agreements between tribes and the department. Tribes must be in compliance with the agreements including, but not limited to, adhering to reporting requirements, possession, and harvest restrictions.

(6) Hunting licenses and/or associated tags are not required to kill wildlife under this section unless the killing is pursuant to subsections (2)(c) and (3)(b) of this section. Hunters and trappers participating in harvesting wildlife under this section must comply with provisions of each permit. Tribal members operating under subsection (5) of this section are required to meet tribal hunting license, tag, and permit requirements.

(7) Except as specifically provided in a permit from the department or a rule of the commission, people taking wildlife under this rule are subject to the laws and rules of the state.

AMENDATORY SECTION (Amending WSR 13-22-056, filed 11/4/13, effective 12/5/13)

WAC 232-36-052 Killing wolves attacking domestic animals. The commission is authorized, pursuant to RCW 77.36.030, to establish the limitations and conditions on killing or trapping wildlife that is causing damage on private property. The department may authorize, pursuant to RCW 77.12.240 the killing of wildlife destroying or injuring property. Killing wildlife to address private property damage is sub-

ject to all other state and federal laws including, but not limited to, Titles 77 RCW and ((~~232~~)) 220 WAC.

(1) An owner of domestic animals, the owner's immediate family member, the agent of an owner, or the owner's documented employee may kill one gray wolf (*Canis lupus*) without a permit issued by the director, regardless of its state classification, if the wolf is attacking their domestic animals.

(a) This section applies to the area of the state where the gray wolf is not listed as endangered or threatened under the federal Endangered Species Act.

(b) Any wolf killed under this authority must be reported to the department within twenty-four hours.

(c) The wolf carcass must be surrendered to the department.

(d) The owner of the domestic animal must grant or assist the department in gaining access to the property where the wolf was killed for the purposes of data collection or incident investigation.

(2) If the department finds that a private citizen killed a gray wolf that was not attacking a domestic animal, or that the killing was not consistent with this rule, then that person may be prosecuted for unlawful taking of endangered wildlife under RCW 77.15.120.

(3) In addition to the provisions of subsection (1) of this section, the director may authorize additional removals by permit under the authority of RCW 77.12.240.

AMENDATORY SECTION (Amending WSR 16-04-066, filed 1/28/16, effective 2/28/16)

WAC 232-36-054 Use of body-gripping traps and exceptions. (1) It is unlawful to trap for wild animals with body-gripping traps without a special permit from the director.

(2) Body-gripping traps, including conibear-type traps in water, as defined in RCW 77.15.192 may be used for the following purposes with a special trapping permit issued by the director:

(a) To protect public health and safety, in consultation with the department of health or the United States Department of Health and Human Services.

(b) To abate damages caused to private property, domestic animals, livestock or timber, which cannot be reasonably abated by nonlethal control tools. Any person requesting a special trapping permit must apply in writing, stating the threat or damages, the nonlethal control methods attempted or why they cannot be applied, and agree to use the above traps for no more than thirty days under the permit granted, pursuant to RCW 77.15.194 and WAC ((~~232-12-142~~)) 220-417-040.

(c) To protect threatened or endangered species, if such traps are used by department employees or agents of the state.

(d) To conduct wildlife research, except that conibear-type traps are prohibited for this purpose.

(3) Traps must be checked every twenty-four hours and animals removed, pursuant to RCW 77.15.194.

(4) It is unlawful to trap within thirty feet of any exposed animal carcass, meat bait or nonedible game parts which are visible to flying raptors, except that nothing in this section prohibits department employees or agents of the state from trapping within thirty feet of exposed animal carcass, meat bait or nonedible game parts.

(5) Animals taken with the use of a body-gripping trap may not be retained and must be disposed as conditioned in the special trapping permit or as specified in WAC ((~~232-36-055~~)) 220-440-090. Raw fur may only be retained for personal use or educational purposes which do not result in retail sale or commerce.

AMENDATORY SECTION (Amending WSR 16-04-066, filed 1/28/16, effective 2/28/16)

WAC 232-36-055 Disposal of wildlife killed for personal safety or for causing private property damage. The fish and wildlife commission is authorized pursuant to RCW 77.36.030, to establish the limitations and conditions on disposal of wildlife killed or trapped because they were threatening human safety or causing property damage.

Except as specifically provided in a permit from the department or a rule of the commission, people taking wildlife under this title are subject to the laws and rules of the state including, but not limited to, those found in Titles 77 RCW and 220 ((~~and 232~~)) WAC. Wildlife taken under this chapter remains the property of the state and may be disposed of in the manner and under the conditions that follow:

(1) Wildlife killed subsequent to a permit provided by the department shall be possessed or disposed of in accordance with permit provisions and consistent with RCW 77.15.170.

(2) Except as otherwise provided, all parts of wildlife killed in protection of private property without a permit authorized by the department must be lawfully disposed of as specified by the department or as otherwise provided in statute, rule, or local ordinance.

(3) Except as otherwise provided, big game animals or parts of big game animals killed in protection of private property without a permit must be reported to the department within twenty-four hours.

(4) Disposal methods: Unless otherwise specified in permits issued by the department:

(a) The person killing wildlife, or their designee, is responsible for disposal of killed wildlife and must dispose of the animal, within twenty-four hours or as soon as feasible, in a manner so as not to become a public or common nuisance or cause pollution of surface or groundwater.

(b) The person responsible for disposal of dead wildlife must dispose of it by burial, landfilling, incineration, composting, rendering, or another method approved (such as natural decomposition) that is not otherwise prohibited by federal, state, or local law or regulation.

(c) A person disposing of dead wildlife by burial must place it so that every part is covered by at least three feet of soil; at a location not less than one hundred feet from any well, spring, stream or other surface waters; not in a low-lying area subject to seasonal flooding; and not in a manner likely to contaminate groundwater.

(d) A person disposing of a dead animal must not bury or compost it within the sanitary control area of a public drinking water supply source.

AMENDATORY SECTION (Amending WSR 16-04-066, filed 1/28/16, effective 2/28/16)

WAC 232-36-065 Use of wildlife control operators to address wildlife interactions. The director or director's designee may issue permits to persons that fulfill the requirements to become a certified wildlife control operator (WCO) for purposes of assisting property owners in managing animals causing damage to private property. Only persons meeting the WCO certification requirements qualify for such a permit.

(1) Certified WCOs may use nonbody-gripping traps or body-gripping traps with a special trapping permit, outside of designated harvest season to capture wildlife causing damage or creating an animal problem, as defined in RCW 77.15.192.

(2) WCOs with a valid trapping license may retain raw fur of wildlife taken using a special trapping permit, for personal use or educational purposes that does not result in retail sale or commerce. The carcass must be disposed of in a lawful manner according to WAC ((~~232-36-055~~)) 220-440-090.

(3) WCOs who trap wildlife under the authority of a department permit may not release wildlife outside of the property boundary where they were captured without a permit from the department, except for beaver released according to RCW 77.32.585, or dispose of such wildlife without the consent of the property owner where wildlife is to be disposed.

(4) It is unlawful to trap, harass, or otherwise control wildlife on the property of another for a fee without a WCO certification.

(5) WCOs must submit a complete annual report of all control activity as directed by the department. Failure to submit a report may result in revocation of the WCO's certification or permits and denial of future certifications or permits.

(6) The department may develop additional conditions and procedures to include training requirements for WCOs consistent with this rule.

(7) WCO certification and associated permits will be revoked and future certification and permits may be denied by the director or director's designee if the department determines:

(a) Information contained in a WCO's application was inaccurate or false;

(b) The WCO fails to comply with department statutes or rules;

(c) The WCO violates a trapping or other fish and wildlife law; or

(d) The WCO is no longer eligible to possess a firearm, has been convicted of a felony or domestic violence conviction including, but not limited to, convictions under chapter 9.41 RCW.

(8) Revocation of certifications and permits shall remain in effect until all issues pertaining to revocation are resolved.

(9) If the initial application or the application to renew a WCO's certification is denied or revoked, the department will provide the applicant, in writing, a notice containing a statement of the reason(s) for the denial or revocation.

(a) The applicant may request an appeal to contest the denial or revocation pursuant to chapter 34.05 RCW. The department must receive an appeal request in writing within twenty days from the mailing date of the notice of denial or revocation. Address appeal requests to WDFW

Legal Services Office, 600 Capitol Way North, Olympia, Washington 98501-1091.

(b) A notice contested by written appeal is final when that proceeding ends in a final order pursuant to chapter 34.05 RCW, or is otherwise dismissed.

(c) If there is no timely request for an appeal, then the department's denial or revocation of the permit is final and effective on the 21st calendar day following the mailing date of the notice of denial or revocation.

(10) WCO certification is valid for three years.

(11) A WCO who provides false or misleading information in his or her WCO certification application may be subject to prosecution under RCW 9A.76.175 or 40.16.030. A WCO who fails to comply with department statutes or rules as required by his or her WCO certification and associated permit may be subject to prosecution under RCW 77.15.750. A WCO who violates trapping or other fish and wildlife laws may be subject to prosecution under the appropriate statute in Title 77 RCW for that crime or infraction.

AMENDATORY SECTION (Amending WSR 16-04-066, filed 1/28/16, effective 2/28/16)

WAC 232-36-090 Limitations to managing damage caused by big game on private property. Pursuant to this section the department shall establish guidelines for assisting landowners with minimizing big game damage to private property. Nothing in this section shall be construed to require the department to seek landowners that may be experiencing damage. It is incumbent upon the landowner to notify the department if they are experiencing damage.

(1) A landowner, lessee, or employee of and on behalf of the landowner may contact the department for assistance upon recognition of a damage or depredation event.

(2) Upon confirmation of damage or depredation, the department will offer assistance and work cooperatively with the landowner, lessee, or employee of the landowner on damage prevention measures.

(a) Damage prevention measures offered by the department shall be reasonable, fiscally responsible, and deemed effective in abating damage by the wildlife damage management profession. New techniques may be employed to determine feasibility.

(b) Practical long-term response for damage resolution shall be considered and written into agreements when feasible.

(3) The department will document when prevention measures are rejected by the landowner, lessee, or employee of the landowner.

(4) If the landowner, lessee, or employee of the landowner, rejects prevention measures offered by the department:

(a) The department is not required to take further action if at least three attempts to offer the prescribed prevention measures have been rejected.

(b) The landowner, lessee, or employee of the landowner may submit, within thirty days of offer of preventative measures, a written refusal statement documenting reasons supported by facts why they reject the prescribed measures and offer alternative solutions with justification. This written refusal statement must be submitted to the department and illustrate that the prevention measures prescribed by

the department will not result in lessening the damage or depredation and/or would cause physical damage to persons or property.

(i) The department shall take no further action until a written refusal statement has been received by the department and approved by the director or director's designee for assistance to continue.

(ii) If the written refusal letter is approved by the director or director's designee, the department may continue working with the landowner to develop alternative measures.

(5) A landowner, lessee, or employee of the landowner, is ineligible for a compensation claim and the department shall take no further action unless agreed upon prevention measures have been employed.

(6) Nothing in this section prohibits a landowner, lessee, or employee of the landowner, from killing wildlife pursuant to WAC ((~~232-36-051~~)) 220-440-060.

AMENDATORY SECTION (Amending WSR 16-04-066, filed 1/28/16, effective 2/28/16)

WAC 232-36-100 Payment for commercial crop damage——Limitations. Owners, who have worked with the department to prevent deer and elk damage, but continue to experience losses, may be eligible to file a damage claim and receive cash compensation from money appropriated by the legislature. Damages payable under this section are limited to the lost or diminished value of a commercial crop, whether growing or harvested, and will only be paid to the owner of the crop at the time of damage, without assignment. Cash compensation for claims from deer and elk damage does not include damage to other real or personal property, including other vegetation or animals, lost profits, consequential damages, or any other damages. The department is authorized to pay up to ten thousand dollars to the owner per claim.

Claims for cash compensation will be denied when:

(1) The claim is for a noncommercial crop;

(2) The owner of the commercial crop does not meet the definition of "eligible farmer" in RCW 82.08.855 (4)(b)(i) through (iv);

(3) The loss estimate is less than one thousand dollars;

(4) The owner does not have a valid damage prevention cooperative agreement signed by the owner and the department, or a waiver signed by the director, or does not provide a department approved checklist of the preventative and nonlethal means that have been employed to prevent damage;

(5) The owner has not complied with the terms and conditions of his or her agreement(s) with the department;

(6) An owner or lessee has accepted noncash compensation to offset crop damage in lieu of cash consistent with conditions of the damage prevention cooperative agreement with the department. Acceptance of noncash compensation will constitute full and final payment for crop damages within the growing season of the damaged crop or for the time period specified by the department in writing to the owner;

(7) An owner or lessee has denied the department's offer of fencing as a long-term preventative measure;

(8) The owner or lessee has denied prevention measures offered by the department. The prevention measures offered shall be applicable, legal, practical, and industry recognized;

(9) Damages to the commercial crops claimed are covered by insurance or are eligible for payment from other entities. Any portion of the actual damage not covered by others that exceeds one thousand dollars is eligible for compensation from the department;

(10) The property where the damage occurred was not open to public hunting consistent with WAC ((~~232-36-300~~)) 220-440-190 for the species causing the damage, unless, as determined by the department, the property is inconsistent with hunting or hunting would not address the damage problem. This includes all properties owned or leased by the owner adjacent to, contiguous to, or in the vicinity of the property where crop damage occurred;

(11) The crop is grown or stored on public property;

(12) The owner or lessee fails to provide on-site access to the department or designee for inspection and investigation of alleged damage or to verify eligibility for a claim;

(13) The owner has not provided a completed written claim form and all other required information, or met required timelines prescribed within WAC ((~~232-36-110~~)) 220-440-150;

(14) The owner fails to sign a statement affirming that the facts and supporting documents are truthful to the best of the owner's knowledge;

(15) The owner or designee harvested commercial crops prior to providing a seventy-two hour notice to the department;

(16) The department will prioritize payment for commercial crop damage in the order the claims were received or upon final adjudication of an appeal. If the department is unable to make a payment for commercial crop damage during the current fiscal year, the claim will be held over until the following fiscal year when funds become available. As funding becomes available to the department under this section, RCW 77.36.170, or any other source, the department must pay claims in the chronologic order. Claims that are carried over will take first priority and receive payment before any new claims are paid. The payment of a claim included on the list maintained by the department under this section is conditional on the availability of specific funding for this purpose and is not a guarantee of reimbursement.

AMENDATORY SECTION (Amending WSR 16-04-066, filed 1/28/16, effective 2/28/16)

WAC 232-36-110 Application for cash compensation for commercial crop damage—Procedure. Pursuant to this section, the department may distribute funds appropriated by the legislature to pay commercial crop damage caused by wild deer or elk in the amount of up to ten thousand dollars per claim, unless following an appeal the department is ordered to pay more (see RCW 77.36.130(2)). The department shall develop claim procedures and application forms consistent with this section for cash compensation of commercial crop damage. Partnerships with other public and private organizations to assist with completion of applications, assessment of damage, and to provide funding for compensation are encouraged.

Filing a claim:

(1) Claimants who have cooperated with the department and have a valid damage prevention cooperative agreement or a department approved checklist to prevent deer or elk damage, or a waiver from the director, yet still experience loss and meet eligibility requirements, may file a claim for cash compensation.

(2) The claimant must notify the department within seventy-two hours of discovery of crop damage and at least seventy-two hours prior to harvest of the claimed crop.

(3) A complete written claim and completed crop assessment must be submitted to the department within sixty days of harvest.

(4) Claimants may only file one claim per year. Multiple partners in a farming operation are considered one claimant. Operations involving multiple partners must designate a "primary grower" to receive payment from the department.

(5) The claim form declaration must be signed, affirming that the information provided is factual and truthful per the certification set out in RCW 9A.72.085, before the department will process the claim.

(6) In addition to a completed claim form, a claimant must provide:

(a) A copy of claimant's Schedule F of Form 1040, Form 1120, or other applicable forms filed with the Internal Revenue Service or other documentation indicating the claimant's gross sales or harvested value of commercial crops for the previous tax year.

(b) The assessment method used is consistent with WAC ((~~232-36-120~~)) 220-440-160, valuation of property damage.

(c) Proof of ownership of claimed commercial crops or contractual lease of claimed commercial crops consistent with department procedural requirements for submission of documents.

(d) Written documentation of approved methodology used to assess and determine final crop loss and value.

(e) Records documenting average yield on claimed crop and parcel, certified yield reports, production reports and weight certificates completed at the time weighed for claimed year, and other applicable documents that support yield loss and current market price. Current market price will be determined less transportation and cleaning costs when applicable.

(f) A declaration signed under penalty of perjury as provided in RCW 9A.72.085, indicating that the claimant is eligible for the claim, meets eligibility requirements listed under this section, and that all claim evaluation and assessment information in the claim application is true and accurate to the best knowledge of the claimant.

(g) A copy of the insurance policy and payment on the commercial crop where loss is claimed.

(h) Copies of any applications for other sources of loss compensation and any payment or denial documentation.

Damage claim assessment:

(7) Completion of a damage claim assessment for the amount and value of commercial crop loss is the responsibility of the claimant. A crop damage evaluation and assessment must be conducted by a licensed crop insurance adjustor in cooperation with the claimant:

(a) The claimant must submit a damage claim assessment prepared by a crop insurance adjustor licensed by the state of Washington and certified by the federal crop insurance service.

(b) The department will provide the claimant with a list of approved adjustors. The claimant may select an adjustor from the approved list and work with the department and the adjustor to arrange

for the completion of a crop damage assessment or select a state licensed adjustor of their own choosing.

(i) If the claimant selects an adjustor from the approved list, the department will provide the adjustor written authorization to proceed with an assessment and adjustor fees will be the shared responsibility of the owner and the department. The claimant portion of the assessment fees may not exceed one half or a maximum of six hundred dollars, whichever is smaller, and will be deducted from the final payment.

(ii) If the claimant selects a state licensed adjustor of their own choosing then the claimant accepts full responsibility for the assessment fees.

(c) The department or the claimant may accept the damage claim assessment provided by the licensed adjuster or may hire a state licensed adjustor of their choosing and conduct a separate assessment or evaluation of the crop loss amount and value. The party hiring an adjustor to conduct a separate assessment or evaluation is responsible for payment of all fees.

(8) Disagreement between the claimant and the department over the crop loss value may be settled through an adjudicative proceeding pursuant to chapter 34.05 RCW.

Settlement of claims:

(9) Compensation paid by the department, in addition to any other compensation received by the claimant, may not exceed the total value of the assessed crop loss.

(10) The claimant will be notified by the department upon completion of the evaluation and has sixty days to accept or appeal the department's offer for settlement of the claim, or the claim is considered accepted and not subject to appeal.

(11) The department will prioritize payment for commercial crop damage in the order the claims were received or upon final adjudication of an appeal. If the department is unable to make a payment for commercial crop damage during the current fiscal year, the claim will be held over until the following fiscal year when funds become available. As funding becomes available to the department under this section, RCW 77.36.170, or any other source, the department must pay claims in the chronologic order. Claims that are carried over will take first priority and receive payment before any new claims are paid. The payment of a claim included on the list maintained by the department under this section is conditional on the availability of specific funding for this purpose and is not a guarantee of reimbursement.

AMENDATORY SECTION (Amending WSR 16-04-066, filed 1/28/16, effective 2/28/16)

WAC 232-36-210 Application for cash compensation for livestock damage or domestic animal——Procedure. Pursuant to this section, the department may distribute money specifically appropriated by the legislature or other funding entity to pay livestock or guard dog losses caused by wild bear, cougar, or wolves in the amount of up to ten thousand dollars per claim unless, following an appeal, the department is ordered to pay more (see RCW 77.36.130(2)). The department will de-

velop claim procedures and application forms consistent with this section for cash compensation of livestock or guard dog losses. Partnerships with other public and private organizations to assist with completion of applications, assessment of losses, and to provide funding for compensation are encouraged.

Filing a claim:

(1) Claimant must notify the department within twenty-four hours of discovery of livestock or other domestic animal attack or as soon as feasible.

(2) Damage claim assessment of amount and value of domestic animal loss is the primary responsibility of the claimant.

(3) Investigation of the loss and review and approval of the assessment will be conducted by the department:

(a) The claimant must provide access to department staff or designees to investigate the cause of death or injury to domestic animals and use reasonable measures to protect evidence at the depredation site.

(b) Federal officials may be responsible for the investigation when it is suspected that the attack was by a federally listed species.

(4) To be eligible a claimant must submit a written statement, within thirty days of discovery of a loss to indicate his or her intent to file a claim.

(5) A complete, written claim must be submitted to the department within ninety days of a discovery of an attack on domestic animals or livestock to be eligible for compensation.

(6) A claim form declaration must be signed, affirming that the information provided is factual and truthful, per the certification set out in RCW 9A.72.085 before the department will process the claim.

(7) In addition to a completed claim form, a claimant must provide:

(a) Proof of legal ownership or contractual lease of claimed livestock.

(b) Records documenting the value of the domestic animal based on either market price or value at the time of loss depending upon the determination for cause of loss.

(c) Declaration signed under penalty of perjury indicating that the claimant is eligible for the claim, meets eligibility requirements listed under this chapter, and all claim evaluation and assessment information in the claim application is to the best knowledge of the claimant true and accurate.

(d) A copy of any insurance policy covering loss claimed.

(e) Copies of applications for other sources of loss compensation and any payment or denial documentation.

(f) The department approved checklist of preventative measures that have been deployed, or documented compliance with the terms and conditions of the claimant's agreement with the department, or the director approved waiver.

Settlement of claims:

(8) Subject to funds appropriated to pay for domestic animal losses, undisputed claims will be paid up to ten thousand dollars.

(9) Valuation of the lost livestock;

(a) For losses caused by wolves, livestock value will be determined by the market at the time the animals would normally be sold. Livestock will be valued based on the average weight of herd mates at the time of sale multiplied by the cash market price received and depredated cows or ewes will be replaced based on the value of a bred an-

imal of the same age and type as the one lost. Bulls will be replaced using actual purchase price prorated based on a four-year depreciation cycle minus salvage value.

(b) For losses caused by bear or cougar, livestock value will be determined by the market values at the time the animals are lost.

(c) The department may utilize the services of a certified livestock appraiser to assist in the evaluation of livestock claims.

(10) Claims for higher than normal livestock losses, reduced weight gains, or reduced pregnancy rates due to harassment of livestock caused by wolves must include:

(a) At least three years of records prior to the year of the claim. Claims will be assessed for losses in excess of the previous three-year running average;

(b) The losses must occur on large pastures or range land used for grazing, lambing, or calving where regular monitoring of livestock is impractical (and therefore discovery of carcasses infeasible) as determined by the department;

(c) Verification by the department that wolves are occupying the area;

(d) The losses cannot be reasonably explained by other causes;

(e) Compliance with the department's preventative measures checklist, or damage prevention cooperative agreement, or a waiver signed by the director.

(11) Compensation paid by the department combined with any other compensation may not exceed the total value of the assessed loss.

(12) Upon completion of an evaluation, the department will notify the claimant of its decision to either deny the claim or make a settlement offer (order). The claimant has sixty days from the date received to accept the department's offer for settlement of the claim. If the claimant wishes to appeal the offer, they must request an informal resolution or adjudicative proceeding as described in WAC ((~~232-36-400~~)) 220-440-230. The acceptance must be in writing and the signed originals must be mailed in to the department. The appeal must be in writing and may be mailed or submitted by e-mail. If no written acceptance or request for appeal is received, the offer is considered rejected and not subject to appeal.

(13) If the claimant accepts the department's offer, the department will send payment to the claimant within thirty days from receipt of the written acceptance document.

(14) The department will prioritize payment for livestock losses in the order the claims were received or upon final adjudication of an appeal. If the department is unable to make a payment for livestock losses during the current fiscal year, the claim shall be held over until the following fiscal year when funds become available. As funding becomes available to the department under this section, RCW 77.36.170, or any other source, the department must pay claims in the chronologic order. Claims that are carried over will take first priority and receive payment before any new claims are paid. The payment of a claim included on the list maintained by the department under this section is conditional on the availability of specific funding for this purpose and is not a guarantee of reimbursement.

AMENDATORY SECTION (Amending WSR 16-04-066, filed 1/28/16, effective 2/28/16)

WAC 232-36-300 Public hunting requirements. "Public hunting" generally means that land is open for licensed hunters. The intent of this provision is to allow hunting at an appropriate time, manner, and level to help prevent property damage.

As specified in WAC ((~~232-36-100~~)) 220-440-140, cash compensation for crop damage claims will only be paid when the property where the crop damage occurred is open to public hunting; unless the department determines that hunting is not practical. Public hunting is defined as:

(1) The landowner opens the property on which the damage or loss is claimed for general access to all licensed hunters during the season for the species causing damage, other species may be included to provide additional hazing, prior to the occurrence of damage; or

(2) The landowner has entered into and complied with any agreement with the department covering the land(s) on which the damage is claimed. Agreements shall require that:

(a) The land is open to general access to licensed hunters; or

(b) The landowner allows the department to select a limited number of hunters who are authorized to access the land to minimize or prevent damage; or

(c) The landowner and the department determine the number of hunters, timing, weapon options and the required permission for access to hunt on the landowner's property to effectively minimize damage.

AMENDATORY SECTION (Amending WSR 16-04-066, filed 1/28/16, effective 2/28/16)

WAC 232-36-310 Damage prevention permit hunts——Deer, elk, and turkey. (1) A landowner may enter into a damage prevention cooperative agreement (contract) with WDFW. The landowner may receive a damage prevention permit, if deemed necessary by the department. Hunts conducted pursuant to a damage prevention permit must adhere to the special seasons provided in this section. Nothing in this section prevents a landowner from protecting their property.

(a) The landowner agrees not to file a damage claim unless damage exceeds the threshold established by the department and conditioned in the damage prevention cooperative agreement, except for Elk Areas 3721 and 3722. Landowners will work with the department to allow access to hunters during the general hunting seasons as determined by the department.

(b) A damage prevention cooperative agreement may include:

(i) An approved checklist of the reasonable preventative and nonlethal means that must be employed prior to lethal removal;

(ii) A description of the properties where lethal removal is allowed;

(iii) Other conditions developed within department procedural documents.

(c) A damage prevention permit issued to a landowner by the department and provided to the hunter by the landowner authorizes the

hunter to use a deer or elk damage license or tag to hunt and take a legal animal as prescribed on the permit.

(d) A damage prevention permit may include:

(i) A description of the properties where lethal removal is allowed;

(ii) The species and sex of the animal that may be taken; the terms of the permit; the dates when lethal removal is authorized; and

(iii) Other conditions developed within department procedural documents.

(2) **General deer and elk removal criteria:**

(a) Only persons with a damage prevention permit may hunt and take one deer or one elk as designated on the permit.

(b) Hunters must have a valid big game license, damage deer/elk license or tag to participate in a damage prevention hunt during the prescribed damage prevention permit period, unless the damage permit specifies otherwise.

(c) Hunters who fill their deer or elk damage tag are ineligible to participate in another damage prevention hunt utilizing a damage prevention permit during the same season in which they already harvested wildlife under a damage prevention hunt; this does not preclude a landowner from utilizing a kill permit or their right to protect their property under WAC ((~~232-36-051~~)) 220-440-060.

(d) Persons participating with a damage prevention permit may only hunt within the prescribed area, during the specified season dates, and for the specified animal (e.g., antlerless, deer, elk) as indicated on the permit. If a deer or elk is wounded inside the damage hunt area, it may be pursued outside permit boundaries with adjacent landowner permission.

(e) A hunter who fails to comply with this subsection may be ineligible to participate in the next year's damage permit opportunities.

(3) **Deer:**

(a) Tag Required: Deer hunters must have a current valid big game license, damage deer hunting license or tag and a damage prevention permit on his/her person.

(b) Hunting Method: Any legal weapon (or as specified on the damage prevention permit).

(c) Location: Statewide.

(i) Season Framework: July 1 - March 31.

(ii) Legal Deer: Antlerless Only.

(iii) Kill Quota: 300 per license year.

(d) Location: Region One.

(i) Season Framework: July 1 - March 31.

(ii) Legal Deer: Antlerless Only.

(iii) Kill Quota: 300 per license year.

(e) Location: GMUs 105-124.

(i) Season Framework: July 1 - March 31.

(ii) Legal Deer: Whitetail Antlerless Only.

(iii) Kill Quota: 300 per license year.

(4) **Elk:**

(a) Tag Required: Elk hunters must have a valid big game license, a damage elk hunting license or tag and damage prevention permit on his/her person.

(b) Hunting Method: Any legal weapon.

(c) Location: Eastern Washington - GMUs 100, 200, and 300 series.

(i) Season Framework: July 1 - March 31.

(ii) Legal Elk: Antlerless Only.

(iii) Kill Quota: 200 per license year.

(d) Location: Western Washington - GMUs 400, 500, and 600 series.

(i) Season Framework: July 1 - March 31.

(ii) Legal Elk: Antlerless Only.

(iii) Kill Quota: 100 per license year.

(e) Location: Hanford Area - GMUs 372 and 379.

(i) Legal Elk: Antlerless Only.

(ii) Season Framework: July 1 - March 31.

(iii) Kill Quota: 70 per license year.

(f) Location: Elk Area 3721.

(i) Legal Elk: Spike or antlerless July 1 - March 31; any bull May 15 - June 30.

(ii) Season Framework: May 15 - March 31; as described in (f)(i) of this subsection.

(iii) Kill Quota: 100 Spike or antlerless per license year; 60 bulls per license year.

(g) Location: GMUs 501-578.

(i) Legal Elk: Antlerless Only.

(ii) Kill Quota: 100 per license year.

(h) Access in Elk Area 3721 may not be sold as a condition of use of these permits. The director may consider damage claims from landowners in Elk Areas 3721 and 3722 who accept these permits and do not charge for access.

(5) **General turkey removal criteria:**

(a) Only persons with a damage prevention permit may hunt and take one turkey as designated on the permit.

(b) Hunters must have a valid small game license and an unfilled turkey tag to participate in a damage prevention hunt during the prescribed damage prevention permit period, unless the damage permit specifies otherwise.

(c) Hunters who fill their turkey tag under a damage permit are ineligible to participate in another damage prevention hunt utilizing a damage prevention permit during the same season in which they already harvested wildlife under a damage prevention hunt.

(d) Persons participating with a damage prevention permit may only hunt within the prescribed area, during the specified season dates, and for the specified animal as indicated on the permit.

(e) A hunter who fails to comply with this subsection may be ineligible to participate in the next year's damage permit opportunities.

(6) **Turkey:**

(a) Tag Required: Turkey hunter must have an appropriate valid, unaltered, unnotched turkey tag or license on his/her person, along with the damage prevention permit.

(b) Hunting Method: Any legal turkey hunting method.

(c) Season Framework: October 1 - March 1.

(d) Location: Statewide.

(e) Legal Turkey: Either sex.

(f) Kill Quota: 300 per license year.

(7) It is unlawful to violate the provisions of this section. Violation of this section is punishable under RCW 77.15.400, 77.15.410, 77.15.430, or 77.15.750(1) depending on the violation. Hunters who violate this section will be punished under RCW 77.15.400, 77.15.410, 77.15.430 depending on the species hunted and circumstances of the violation.

AMENDATORY SECTION (Amending WSR 13-22-056, filed 11/4/13, effective 12/5/13)

WAC 232-36-400 Commercial crop or livestock damage claim——Dispute resolution. For claims where the owner has met all claim eligibility criteria and procedures, but ultimately rejects the written settlement offer (order) for crop or livestock loss and/or value assessment, the provisions of this section shall apply:

Informal resolution:

(1) If the owner rejects the property loss or value assessment and would like to discuss a negotiated settlement, he or she can request a meeting by notifying the department in writing within ten days of receiving the settlement offer or claim denial (order).

(2) A department representative and the owner or designee(s) will meet and attempt to come to mutual resolution.

(3) A livestock appeals committee may be established with a minimum of six citizen members appointed by the director, and a representative from the department of fish and wildlife to review and recommend a settlement if requested by the claimant or the department. The citizen members must represent a variety of interests including at least: Three statewide organizations representing the interests of livestock owners; two representing wildlife advocates; and one at large.

(4) Monetary compensation or noncash compensation, mutually agreed upon by both the department and owner, shall be binding and constitute full and final payment for claim.

(5) If parties cannot agree upon damages, or the owner wishes to appeal the claim denial or the department's settlement offer (order), the owner may request an adjudicative proceeding consistent with chapter 34.05 RCW within sixty days of receiving a copy of the department's decision.

(6) The request must comply with the following:

(a) The request must be in writing, and the signed document may be mailed or submitted by fax or e-mail;

(b) It must clearly identify the order being contested (or attach a copy of the order);

(c) It must state the grounds on which the order is being contested and include the specific facts of the order that are relevant to the appeal; and

(d) The request must identify the relief being requested from the proceeding (e.g., modifying specific provisions of the order).

(7) The proceeding may only result in the reversal or modification of an order when the preponderance of evidence shows:

(a) The order was not authorized by law or rule;

(b) A fact stated in the order is not supported by substantial evidence;

(c) The award amount offered is inconsistent with applicable procedures; or

(d) Material evidence was made available by the owner at the time of the damage assessment, but was not considered in the order.

(8) The burden of proof is on the appellant (owner) to show that he or she is eligible for a claim and that the damage assessment is reliable (see RCW 77.36.130(4)).

(9) Findings of the hearings officer are subject to the annual funding limits appropriated by the legislature and payment rules (WAC

((~~232-36-110(12), 232-36-210(9), and 232-36-260~~)) 220-440-150 and 220-440-180(9)) of the commission.

AMENDATORY SECTION (Amending WSR 10-13-182, filed 6/23/10, effective 7/24/10)

WAC 232-36-500 Unlawful taking or possession of wildlife for personal safety or causing property damage—Penalties. (1) The unlawful trapping, killing, or possession of wildlife is punishable under Title 77 RCW including, but not limited to, the following:

(a) RCW 77.15.120 for endangered wildlife;
(b) RCW 77.15.130 for protected wildlife;
(c) RCW 77.15.140 for unclassified wildlife;
(d) RCW 77.15.170 for wildlife wastage;
(e) RCW 77.15.190 and 77.15.194 for unlawful trapping or traps;
(f) RCW 77.15.290 for transportation of wildlife;
(g) RCW 77.15.400 for wild birds;
(h) RCW 77.15.410 for big game;
(i) RCW 77.15.420 for illegally taken or possessed wildlife; and
(j) RCW 77.15.430 for wild animals.

(2) A person trapping or killing wildlife who fails to notify the department pursuant to WAC ((~~232-36-055~~)) 220-440-090 may be in violation of RCW 77.15.750(1).

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
232-36-010	220-101-010
232-36-020	220-440-010
232-36-030	220-440-020
232-36-040	220-440-040
232-36-050	220-440-050
232-36-051	220-440-060
232-36-052	220-440-080
232-36-054	220-440-070
232-36-055	220-440-090
232-36-060	220-440-100
232-36-065	220-440-110
232-36-066	220-440-120
232-36-090	220-440-130
232-36-100	220-440-140
232-36-110	220-440-150
232-36-120	220-440-160

232-36-200	220-440-170
232-36-210	220-440-180
232-36-300	220-440-190
232-36-310	220-440-200
232-36-320	220-440-210
232-36-330	220-440-220
232-36-400	220-440-230
232-36-500	220-440-240
232-36-510	220-440-250

AMENDATORY SECTION (Amending WSR 02-16-069, filed 8/6/02, effective 9/6/02)

WAC 220-20-001 ((~~General~~)) Definition((~~s~~))—Residency. For purposes of establishing and maintaining residency in order to purchase and use a Washington state resident commercial or recreational hunting or fishing license, a resident license that is issued to a valid resident of Washington state remains valid for the remainder of the licensing year unless that person obtains a resident license in another state. When a person obtains a resident license in another state, the Washington state resident license becomes invalid.

AMENDATORY SECTION (Amending WSR 05-01-132, filed 12/16/04, effective 1/16/05)

WAC 220-20-013 Unlawful possession and sale of unclassified marine invertebrates. (1) It is unlawful to deliver krill taken for commercial purposes from state or offshore waters into Washington state, and it is unlawful to possess krill taken for commercial purposes. Violation of this subsection is punishable under RCW ((~~77.15.140~~)) 77.15.240.

(2) It is unlawful to traffic in krill. Violation of this subsection is punishable under RCW 77.15.260.

AMENDATORY SECTION (Amending WSR 12-09-046, filed 4/13/12, effective 5/14/12)

WAC 220-20-015 Lawful and unlawful acts—Salmon. (1) It is unlawful to operate in any river, stream or channel any gillnet gear longer than three-fourths the width of the stream; this provision shall supersede all other regulations in conflict with it.

(2) It is unlawful to operate any net for removing snags from state waters without permit from the department.

(3) It is unlawful to take, fish for or possess for commercial purposes chinook salmon less than 28 inches in length or coho salmon less than 16 inches in length, except as follows:

(a) In the Puget Sound, Grays Harbor, Willapa Bay and Columbia River commercial salmon net fisheries, there is no minimum size limit on salmon taken with gillnet gear.

(b) In the Pacific Ocean commercial salmon troll fishery, frozen chinook salmon, dressed heads off, must be 21 1/2 inches minimum, and frozen coho salmon, dressed heads off, must be 12 inches minimum, measured from the midpoint of the clavicle arch to the fork of the tail.

(c) This subsection does not apply to salmon raised in aquaculture.

(4) It is unlawful to set, maintain, or operate any reef net gear at any location which places the stern ends of either or both reef net boats of said gear less than a distance of 800 feet in front of or be-

hind the head buoys of any row or reef net gear, within the boundaries of the Lummi Island Reef Net Fisheries Area, as described in RCW 77.50.050.

(5) It is permissible to possess salmon for any purpose that were lawfully obtained from state and federal government fish hatcheries and facilities. Subsections (3) and (12) of WAC ((~~220-20-010~~)) 220-305-010 and subsection (3) of WAC ((~~220-20-015~~)) 220-354-010 do not apply to salmon possessed under this subsection.

(6) It is unlawful to take or fish for food fish from a commercial salmon trolling vessel with gear other than lawful troll line gear while said vessel is engaged in commercial fishing or has commercially caught fish aboard.

(7) It is unlawful to angle for salmon for personal use from any vessel that is engaged in commercial salmon trolling or has commercially caught salmon aboard.

AMENDATORY SECTION (Amending WSR 07-21-128, filed 10/23/07, effective 11/23/07)

WAC 220-20-021 Sale of commercially caught sturgeon, bottomfish and halibut. (1) It is unlawful for any person while engaged in commercial fishing for sturgeon, bottomfish or halibut to:

(a) Keep sturgeon smaller or greater than the size limits provided for in WAC ((~~220-20-020~~)) 220-353-030, keep more than one sturgeon for personal use, or keep more than the equivalent of one daily limit of sport caught bottomfish for personal use. Any lingcod to be retained for personal use taken east of the mouth of the Sekiu River must be greater than 26 inches in length and may not exceed 40 inches in length. All commercially taken sturgeon, bottomfish, and halibut retained for personal use must be recorded on fish receiving tickets.

(b) Sell any sturgeon, bottomfish, or halibut taken under such license to anyone other than a licensed wholesale dealer within or outside the state of Washington, except that a person who is licensed as a wholesale dealer under the provisions of RCW 77.65.280 may sell to individuals or corporations other than licensed wholesale dealers.

(c) Remove from the body cavity of the sturgeon any eggs or roe prior to the time the sturgeon is sold to a wholesale dealer licensed under RCW 77.65.280.

(2) It is unlawful for any wholesale dealer licensed under RCW 77.65.280 to purchase or attempt to purchase sturgeon eggs from sturgeon taken by any person licensed to take sturgeon for commercial purposes under chapter 77.65 RCW if the sturgeon eggs have been removed from the body cavity of the sturgeon prior to the sale of the sturgeon.

(3) It is unlawful to purchase, sell, barter or attempt to purchase, sell, or barter any sturgeon eggs taken from sturgeon caught in the Columbia River below Bonneville Dam.

(4) It is unlawful to remove either the head or tail from a sturgeon prior to the time the sturgeon is sold to a wholesale dealer licensed under RCW 77.65.280 and delivered to a fish processing plant.

AMENDATORY SECTION (Amending WSR 06-23-114, filed 11/17/06, effective 12/18/06)

WAC 220-20-025 General provisions—Shellfish. (1) It is unlawful to drive or operate any motor-propelled vehicle, land any airplane or ride or lead any horse on the razor clam beds of the state of Washington, as defined in WAC ((~~220-16-257~~)) 220-320-030. A violation of this subsection shall be punished as an infraction.

(2) It is unlawful to possess soft-shelled crab for any commercial purpose.

(3) It is unlawful to possess in the field any crab from which the back shell has been removed.

(4) It is unlawful to willfully damage crab or other shellfish. Any crab taken incidentally to a net fishery must be immediately returned to the water with the least possible damage to the crab.

(5) "Shellfish" includes all bodily parts but does not include five pounds or less of relic shells of classified shellfish or relic shells of unclassified freshwater and marine invertebrates. A relic (dead) shell is defined as one which apparently died of natural causes and contains no meat or soft parts; it readily exhibits noticeable sediment, vegetation, algal or mineral stains, discolorations, soiling, weathering or other visual evidence on its interior surface which clearly and unambiguously shows the shell has not been cooked-out or freshly cleaned. No license or permit is required to take or possess up to five pounds of relic shells per day. It is unlawful to take or possess more than five pounds of relic shells without first obtaining a scientific collection permit. Notwithstanding the provisions of this section, it is unlawful to remove relic oyster shells from tidelands.

AMENDATORY SECTION (Amending WSR 94-01-001, filed 12/1/93, effective 1/1/94)

WAC 220-20-050 Display of registration, salmon guide, and angler permit decals. (1) At the time a vessel is first designated on any license pursuant to WAC ((~~220-20-051~~)) 220-351-030, the department will issue a permanent vessel registration number and a set of two vessel registration decals. The vessel registration decals must be affixed to the registered vessel in a permanent manner and be clearly visible from each side of the vessel.

(2) Salmon guides, upon designating a vessel to be used, will be issued salmon guide license decals for that vessel, which decals must be affixed to the vessel in a permanent manner and be clearly visible from each side of the vessel. Each guide using the vessel must have separate license decals for the vessel. Salmon guide license decals will be issued annually upon renewal of the salmon guide license.

(3) Angler permit decals will be issued annually to each salmon charter licensee upon designation of a vessel and the angler permit decals must be affixed to the vessel in a permanent manner and be clearly visible from each side of the vessel.

AMENDATORY SECTION (Amending WSR 04-08-025, filed 3/29/04, effective 4/29/04)

WAC 220-20-080 Sale under a direct retail endorsement. It is unlawful for any fisher selling salmon, sturgeon or Dungeness crab taken by that fisher under a direct retail endorsement, or for a wholesale dealer accepting salmon, sturgeon or crab from such a fisher, to fail to comply with the requirements of this section.

(1) A direct retail endorsement will not be issued to a licensee who is other than a natural person. Applicants for the endorsement must present a letter from the county health department of the fisher's county of residence certifying that the methods used by the fisher for transport, storage and display of product meet the county and statewide standards for food service operations. If the fisher is landing product from a documented vessel, the letter may be from the county health department of the hailing port of the vessel. Additionally, applicants must present a valid food and beverage service worker's permit at the time of application, and pay the direct retail administrative cost of fifty dollars. The health department letter, permit, and administrative cost are required for each application or renewal for a direct retail endorsement.

(2) Any fisher who offers salmon, sturgeon or crab for retail sale must complete a fish receiving ticket for all salmon, sturgeon or crab aboard the harvesting vessel before the product is offered for retail sale, except if the salmon, sturgeon or crab are being offered for sale directly off the catcher vessel, the fisher may complete the ticket with an estimated number or weight. At the completion of the retail activity, the fisher who has completed a ticket with an estimated number or weight is required to enter the actual number and weight of salmon, sturgeon or crab that were sold at retail. The price shown on the fish receiving ticket must be the actual sale price of the salmon, sturgeon or crab.

(3) Any fisher selling salmon, sturgeon or crab at retail if the product is taken from an area under the quick reporting requirements of WAC ((~~220-69-240~~)) 220-352-180, is required to comply with the quick reporting requirement.

(4) Sturgeon and crab offered for retail sale must be landed in the round. Salmon may be cleaned or headed but not steaked or filleted prior to landing.

(5) In order to allow inspection and sampling, each fisher offering salmon, sturgeon or crab for retail sale at any location other than the harvesting vessel or, if from the harvesting vessel, in an amount having a retail value greater than one hundred fifty dollars must notify the department eighteen hours prior to sale and identify the location of the fisher's vessel, temporary food service establishment or restaurant or other business which prepares and sells food at retail to which the fisher is selling the salmon, sturgeon or crab. The only acceptable notification is by telephone to 360-902-2936, fax to 902-2155, or e-mail to enforcement-web@dfw.wa.gov.

(6) Each fisher offering salmon, sturgeon or crab for retail sale must maintain a sequentially numbered receipt book, which receipt book contains a receipt duplicate copy, and must give each purchaser of salmon, sturgeon or crab a receipt showing the number, weight and value of salmon, sturgeon or crab sold to that purchaser. The duplicate receipts must be retained by the seller for one year.

(7) If salmon, sturgeon or crab offered for retail sale and documented on a fish receiving ticket are subsequently sold to a licensed wholesale dealer, the sale must be documented by a sale receipt, not a fish receiving ticket, and it is the responsibility of the wholesale dealer to maintain the product separately, until the product is resold or processed.

(8) Violations of this section are punishable under RCW 77.15.640, Wholesale fish buying and dealing—Rules violations.

AMENDATORY SECTION (Amending WSR 09-06-042, filed 2/25/09, effective 5/1/09)

WAC 220-20-100 ((~~General provisions~~)) Closed areas—Marine ((~~protected~~)) preserves and conservation areas. (1) It is unlawful to fish for or possess fish, shellfish, or wildlife taken from any conservation area defined in chapter ((~~220-16~~)) 220-303 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~~)) 220-310-150.

(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.

AMENDATORY SECTION (Amending WSR 13-03-153, filed 1/23/13, effective 2/23/13)

WAC 220-20-117 Gaffing and use of other body-penetrating devices ——Personal use. (1) It is unlawful to club, gaff, snag, snare, dip net, harass, spear, stone, or otherwise molest, mutilate, injure, kill, destroy, or shoot with a firearm, crossbow, bow and arrow, or compressed air gun, any fish or shellfish or fish or shellfish parts for personal-use purposes, except:

(a) A person may use a dip net or club in the landing of fish taken by personal-use angling, unless otherwise provided; and a person may use a gaff in the landing of tuna, halibut and dogfish, and a harpoon in the landing of halibut, in all catch record card areas;

(b) A person may use a spear in underwater spear fishing, as provided in WAC ((~~220-56-160~~)) 220-310-130;

(c) A person may use a bow and arrow or spear to take carp or as provided by department rule;

(d) A person may snag herring, smelt, anchovies, pilchard, sand lance, and squid when using forage fish jigger gear or squid jigs; and

(e) A person may shoot halibut when landing them with a dip net, harpoon or gaff for personal use only.

(2) It is unlawful to possess fish or shellfish or parts of fish or shellfish taken using the unlawful methods described in subsection (1) of this section.

(3) It is unlawful to use a device that penetrates the body of a sturgeon under any circumstance, whether the sturgeon is legal to retain or not.

(4) Violation of this section is a gross misdemeanor punishable under RCW 77.15.370, Unlawful recreational fishing in the first degree ——Penalty.

(5) It is unlawful to attempt acts that violate this section. Violation of this subsection is punishable under RCW 77.15.380, Unlawful recreational fishing in the second degree——Penalty.

AMENDATORY SECTION (Amending WSR 13-03-153, filed 1/23/13, effective 2/23/13)

WAC 220-20-118 General rules——Commercial fishery. (1) It is unlawful for any person to possess any food fish or shellfish within the jurisdiction of the state of Washington, except in areas open to commercial fishing or where the possession of salmon or other food fish or shellfish for commercial purposes is permissible under state law or department rule.

(2) It is permissible to fish for, possess, process, and otherwise deal in food fish and fish offal or scrap for any purpose, except it is unlawful to use any of the following listed species for purposes other than human consumption or fishing bait:

Pacific halibut (*Hippoglossus stenolepis*)

Pacific herring (except as prescribed in WAC ((~~220-49-020~~)) 220-356-110)	(*Clupea harengus pallasi*)
Anchovy (except as provided for in WAC ((~~220-33-060, 220-36-03001, 220-44-020, and 220-40-030~~)) 220-358-070, 220-356-020, 220-356-030, 220-356-010)	(*Engraulis mordax*)
Salmon	
Chinook	(*Oncorhynchus tshawytscha*)
Coho	(*Oncorhynchus kisutch*)
Chum	(*Oncorhynchus keta*)
Pink	(*Oncorhynchus gorbuscha*)
Sockeye	(*Oncorhynchus nerka*)
Masu	(*Oncorhynchus masu*)
Sardine	(*Sardinops sagax*)

(3) Violation of this section is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

AMENDATORY SECTION (Amending WSR 13-03-153, filed 1/23/13, effective 2/23/13)

WAC 220-20-121 Possession of food fish and shellfish—Identification—Commercial. (1) It is unlawful to possess any food fish or shellfish in a condition where the species, length, weight, or sex cannot be determined if a species, species group or category, length, weight, or sex limit is prescribed for that species on a vessel engaging in commercial fishing or that has commercially caught fish aboard, except:

(a) It is permissible to possess fish or shellfish legally taken for commercial purposes, landed, and properly accounted for on a completed fish receiving ticket;

(b) It is permissible to possess, transport through the waters of the state, or land dressed sablefish;

(c) It is permissible to possess, transport through the waters of the Pacific Ocean, or land dressed salmon caught during a legal commercial salmon troll fishery, provided that frozen dressed Chinook salmon are 21 1/2 inches or more in length and frozen dressed coho salmon are 12 inches or more in length, measured from the midpoint of the clavicle arch to the fork of the tail;

(d) It is permissible to possess, transport through the waters of the Pacific Ocean, or land dressed halibut if allowed by International Pacific Halibut Commission (IPHC) rules and such fish meet any IPHC size requirements so long as halibut is landed with the heads still attached; and

(e) It is permissible to possess, transport through the waters of the Pacific Ocean, or land dressed lingcod when taken during a lawful commercial fishery.

(2) Violation of this section is a gross misdemeanor under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

(3) "Dressed fish" is defined as provided in WAC ((~~220-16-330~~)) 220-350-050.

AMENDATORY SECTION (Amending WSR 13-03-153, filed 1/23/13, effective 2/23/13)

WAC 220-20-124 Placing commercial gear in closed waters—Unlawful. (1) It is unlawful to place any commercial food fish or shellfish gear in any waters closed to commercial fishing, except reef nets, brush weirs, or gear tested in accordance with WAC ((~~220-20-123~~)) 220-353-080 and under department supervision.

(2) It is unlawful to take, fish for, or possess food fish with any type of commercial fishing gear in the waters of Carr Inlet north of north latitude 47°20', from August 15 through November 30, except as provided in chapter ((~~220-47~~)) 220-354 WAC.

(3) Violation of this section is punishable under RCW 77.15.520 or 77.15.550.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-20-001	220-200-050
220-20-005	220-351-050
220-20-010	220-305-010
220-20-011	220-305-020
220-20-012	220-353-090
220-20-013	220-353-100
220-20-015	220-354-010
220-20-016	220-354-030
220-20-019	220-353-120
220-20-020	220-353-030
220-20-021	220-353-110
220-20-025	220-320-060
220-20-026	220-340-040
220-20-038	220-340-050
220-20-039	220-353-130
220-20-040	220-200-140
220-20-045	220-200-150

220-20-050	220-351-020
220-20-051	220-351-030
220-20-060	220-351-040
220-20-065	220-351-010
220-20-070	220-310-240
220-20-075	220-220-140
220-20-080	220-352-250
220-20-100	220-305-080
220-20-110	220-101-050
220-20-115	220-220-180
220-20-116	220-305-040
220-20-117	220-310-120
220-20-118	220-353-010
220-20-119	220-353-020
220-20-120	220-305-030
220-20-121	220-353-050
220-20-122	220-353-060
220-20-123	220-353-080
220-20-124	220-353-070
220-20-125	220-357-030
220-20-126	220-353-040
220-20-130	220-355-130
220-20-135	220-351-080

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-150-010	220-650-010
220-150-020	220-650-020
220-150-030	220-650-030
220-150-033	220-650-040
220-150-035	220-650-050
220-150-037	220-650-060
220-150-040	220-650-070
220-150-043	220-650-080
220-150-050	220-650-090
220-150-060	220-650-100
220-150-070	220-650-110
220-150-080	220-650-120

NEW SECTION

The following sections of the Washington Administrative Code are decodified and recodified as follows:

Old WAC Number	New WAC Number
220-95-027	220-351-060
220-95-032	220-351-070
220-95-100	220-340-760
220-95-110	220-340-740

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-95-013	2001-2002 Puget Sound salmon license economic adjustment assistance program established—Fund allocation—Expiration.
WAC 220-95-018	2001-2002 Puget Sound salmon license economic adjustment assistance program eligibility.
WAC 220-95-022	2001-2002 Puget Sound salmon license economic adjustment assistance program application.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-90-010	220-356-130
220-90-015	220-356-140

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-88F-010	220-360-300
220-88F-020	220-360-310
220-88F-030	220-360-320

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-88E-010	220-360-200
220-88E-020	220-360-210
220-88E-030	220-360-220
220-88E-040	220-360-230

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-87-010	220-360-400
220-87-020	220-360-410

AMENDATORY SECTION (Amending WSR 10-18-012, filed 8/20/10, effective 9/20/10)

WAC 232-30-250 Provisions for accidental take by falconers. (1) When a raptor being used in falconry accidentally takes any species of wildlife (quarry) for which the hunting season is not currently open, the falconer must release the quarry if it is not seriously injured. If the quarry has been seriously injured or killed, the falconer may not retain or possess the quarry, but the raptor may feed upon the quarry before leaving the site of the kill.

(2) If the accidentally killed quarry is a species identified on the Washington candidate species list (for endangered, threatened, or sensitive status) or is a federally or state endangered or threatened species, or specifically identified by the director, the falconer shall, before leaving the site of the kill, record upon a form provided by the department, or upon a facsimile, the falconer's name, falconry permit number, date, species and sex (if known) of the quarry, and exact location of the kill. The falconer shall submit the information to the department by April 1st following the close of the current hunting season or within ten days of the kill if not during a hunting season. A falconer must also report take of any federally threatened or endangered listed species to the U.S. Fish and Wildlife Service.

(3) Accidental kill by any falconer in any license year shall not exceed a total of five individuals of any combination of species designated under subsection (2) of this section. Following an accidental kill by any falconer of any species designated under subsection (2) of this section, the falconer shall cease hunting for the day.

(4) Falconers must ensure that their activities do not cause the take of federally or state listed threatened or endangered wildlife, for example, by avoiding flying a raptor in the vicinity of the listed species. Notwithstanding any other section of this rule, take of species designated as endangered, threatened, or sensitive in Washington under WAC ((~~232-12-011 or 232-12-014~~)) 220-200-100 or 220-610-010 is not permitted except by permit from the director.

(5) Violation of this section is an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending WSR 10-18-012, filed 8/20/10, effective 9/20/10)

WAC 232-30-460 Facilities for a raptor when in transport, using it for hunting, or are away from facilities, and temporary housing. (1) A raptor must have a suitable perch and protection from extreme temperatures, wind, and excessive disturbance. A "giant hood" or similar container is an example of an acceptable means for transporting and/or housing a raptor when away from a falconry facility.

(2) A raptor may be temporarily housed outside of a falconer's permanent facilities when a falconer is not transporting it or using it for hunting for no more than one hundred twenty consecutive calendar days if the raptor has suitable facilities as described in WAC ((~~232-30-440~~)) 220-420-300.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
232-30-100	220-420-020
232-30-110	220-420-080
232-30-120	220-420-010
232-30-130	220-420-040
232-30-140	220-420-030
232-30-151	220-420-070
232-30-152	220-420-060
232-30-153	220-420-050
232-30-160	220-420-090
232-30-171	220-420-100
232-30-172	220-420-110
232-30-173	220-420-120
232-30-174	220-420-130
232-30-175	220-420-140
232-30-210	220-420-160
232-30-215	220-420-180
232-30-220	220-420-220
232-30-222	220-420-170
232-30-224	220-420-200
232-30-230	220-420-150
232-30-232	220-420-190
232-30-240	220-420-340
232-30-242	220-420-410
232-30-244	220-420-260
232-30-250	220-420-390
232-30-260	220-420-250
232-30-310	220-420-210
232-30-410	220-420-270
232-30-420	220-420-280
232-30-430	220-420-290
232-30-440	220-420-300
232-30-450	220-420-310
232-30-460	220-420-315
232-30-470	220-420-320
232-30-510	220-420-230
232-30-520	220-420-240
232-30-530	220-420-330
232-30-540	220-420-350

232-30-550	220-420-360
232-30-560	220-420-400
232-30-570	220-420-370
232-30-580	220-420-380

AMENDATORY SECTION (Amending WSR 94-12-009, filed 5/19/94, effective 6/19/94)

WAC 220-16-015 ((~~General~~)) Definitions—Trawl gear. (1) "Otter trawl" shall be defined as a cone or funnel-shaped net which is towed or drawn through the water by one or two vessels. Otter trawl nets may be used both on and off the seabed. Otter trawl nets may be fished with or without trawl doors, and may employ warps or cables to direct fish. Otter trawl nets are restricted to the following three categories:

(a) "Bottom trawl" means an otter trawl in which the otter boards or the footrope of the net contact the seabed, and includes Danish and Scottish seine gear.

(b) "Roller trawl" or "bobbin trawl" are identical, and mean an otter trawl with footropes equipped with rollers or bobbins made of wood, steel, rubber, plastic, or other hard material which protects the net during fishing on the seabed.

(c) "Pelagic trawl" means an otter trawl in which the otter boards may be in contact with the seabed but the footrope of the net remains above the seabed. Pelagic trawl nets may not have footropes protected at the trawl mouth with rollers, bobbins, or discs.

(2) "Beam trawl" shall be defined as a type of bottom trawl, consisting of a bag-shaped trawl net utilizing a beam to spread the mouth of the net horizontally as it is towed and not having weighted otter frames or otter doors. The minimum mesh size for beam trawl nets is four and one-half inches in a food fish fishery and one and one-half inches in a shrimp fishery, unless otherwise provided.

(3) "Shrimp trawl" shall be defined as a tapered, funnel-shaped trawl net in which the mesh size is two inches or less in the intermediate and codend sections of the trawl. Otter doors, otter boards, or a beam may be used to spread the mouth of the net horizontally as it is towed. The mouth of the net is formed on the upper edge by a line to which floats are attached (headrope) and on the lower edge by a line which is usually weighted (footrope). Additional webbing is frequently attached to the codend section to prevent the net from chafing.

(4) "Scallop dredge" shall be defined as trawl gear with a leading rigid frame opening with a trailing bag of metal rings or net mesh, which is legal gear for harvest of scallops.

(5) "Codend" shall be defined as the terminal, closed end of a trawl net.

(a) Single-walled codend is a codend constructed of a single wall of webbing knitted with single-ply mesh, or with double-ply mesh (double twine tied into a single knot).

(b) Double-walled codend is a codend constructed of two walls of webbing. The double-walled portion of the codend must be tied knot-to-knot to the trawl net, and may not be longer than twenty-five trawl meshes or twelve feet, whichever is greater. The use of double-walled codends is unlawful in pelagic trawls, roller trawls, and bobbin trawls.

(6) "Chafing gear" shall be defined as webbing or other material attached to the bottom (underside) or around the codend of a trawl net to protect the codend from wear. Chafing gear must not be connected to the terminal (closed) end of the codend.

(7) "Trawl riblines" shall be defined as heavy ropes or lines that run down the sides, top or underside of a trawl net from the mouth of the net to the terminal end of the codend to strengthen the net during fishing.

(8) "Trawl mesh size" shall be defined as the distance between the inside of one knot and the inside of the opposite vertical knot in trawl mesh. Minimum trawl mesh size requirements are met if a wedge of legal size can be passed without undue force through sixteen of twenty sets of two meshes each of wet mesh in the codend.

AMENDATORY SECTION (Amending WSR 82-14-056, filed 7/1/82)

WAC 220-16-126 Definitions—Troll spread. "Troll spread" shall be defined as a readily detachable line more than 4 inches in length, which has one or more lures attached to it, and is attached to the main troll line which cannot be removed from the vessel during its operation.

AMENDATORY SECTION (Amending WSR 12-09-046, filed 4/13/12, effective 5/14/12)

WAC 220-16-211 Geographical definitions—Puget Sound tributaries. The term "Puget Sound tributaries" includes the waters of all fresh water rivers and streams tributary to Puget Sound as defined in WAC ((~~220-16-210~~)) 220-300-280 and all tributaries flowing into said rivers and streams.

AMENDATORY SECTION (Amending WSR 00-08-038, filed 3/29/00, effective 5/1/00)

WAC 220-16-257 Definitions—Razor clam beds. "Razor clam beds" are defined as that portion of Pacific Ocean beaches westerly of a line 150 feet waterward of the extreme upper limit of the hard sand area. The detached Willapa Bay Spits that are north of Leadbetter Channel, west of Ellen Sands and south of the Willapa Ship Channel are also defined as "razor clam beds," as are those portions of the mouths of Grays Harbor and Willapa Bay which contain razor clams.

AMENDATORY SECTION (Amending WSR 06-01-013, filed 12/9/05, effective 1/9/06)

WAC 220-16-260 Puget Sound Crab Management Regions. The following areas are defined as Puget Sound Crab Management Regions:

(1) Crab Management Region 1 - (North Puget Sound). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, and 22B.

(2) Crab Management Region 2-East - (Eastern Central Puget Sound). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, and 26A-E (see WAC ((~~220-52-046~~)) 220-340-455).

(3) Crab Management Region 2-West - (Western Central Puget Sound). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 25B, 25D, and 26A-W (see WAC ((~~220-52-046~~)) 220-340-455).

(4) Crab Management Region 3, subarea 3-1 - (Eastern Strait of Juan de Fuca). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23A and 23B.

(5) Crab Management Region 3, subarea 3-2 - (Central Strait of Juan de Fuca). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23D, 25A, and 25E.

(6) Crab Management Region 3, subarea 3-3 - (Western Strait of Juan de Fuca). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23C and 29.

(7) Crab Management Region 4 - (Southern Central Puget Sound). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 26B and 26C.

(8) Crab Management Region 5 - (Hood Canal). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 25C, 27A, 27B, and 27C.

(9) Crab Management Region 6 - (South Puget Sound). All waters of Marine Fish-Shellfish Management and Catch Reporting Areas 26D, 28A, 28B, 28C, and 28D.

AMENDATORY SECTION (Amending Order 817, filed 5/29/69)

WAC 220-16-300 ((~~General~~)) Definitions—Personal use. The taking or possession of food fish or shellfish for personal use is defined as the taking or fishing for food fish and shellfish or parts thereof by angling or by such other means, with such gear and for such limits as the director may authorize for personal use, or possessing the same for the use of the person fishing for, taking or possessing the same, and not for sale or barter.

AMENDATORY SECTION (Amending Order 817, filed 5/29/69)

WAC 220-16-305 ((~~General~~)) Definitions—Commercial purposes. The taking, fishing for, possession, processing, or otherwise dealing in or disposing of food fish and shellfish for commercial purposes is defined as the taking or fishing for food fish with any gear unlawful for fishing for personal use, or taking or possessing food fish and shellfish in excess of the limits permitted for personal use, or taking, fishing for, handling, processing, or otherwise disposing of or dealing in food fish with the intent of disposing of such food fish,

shellfish or parts thereof for profit or by sale, barter, trade or in commercial channels.

AMENDATORY SECTION (Amending Order 817, filed 5/29/69)

WAC 220-16-310 ((~~General~~)) Definitions——Net length measurement. The length of any net is defined as its measurement along the cork line.

AMENDATORY SECTION (Amending WSR 86-13-038, filed 6/12/86)

WAC 220-16-315 ((~~General~~)) Definitions——Net mesh measurement. The size of a mesh of any net except purse seine net, trawl net, and Hood Canal shrimp pot net shall be defined as the distance between the inside of one knot to the outside of the opposite vertical knot of one mesh when the mesh is stretched vertically, while wet, by using a tension of ten pounds on any three consecutive meshes, then measuring the middle mesh of the three while under tension; purse seine net mesh - See WAC ((~~220-47-301~~)) 220-354-100; trawl net mesh - See WAC ((~~220-16-015; Hood Canal shrimp pot net - See WAC 220-52-053~~)) 220-350-210.

AMENDATORY SECTION (Amending WSR 08-07-003, filed 3/5/08, effective 4/5/08)

WAC 220-16-320 ((~~General~~)) Definitions——Fish length measurement. The length of a fish, unless otherwise provided, is defined as the shortest distance between the extreme tip of the tail and extreme tip of the snout or jaw, whichever extends the farthest, measured while the fish is lying in a prone and normal position, except:

The term "fork length" means the distance from the extreme tip of the snout to the center of the fork of the tail.

AMENDATORY SECTION (Amending WSR 12-23-016, filed 11/9/12, effective 12/10/12)

WAC 220-16-330 ((~~General~~)) Definitions——Dressed fish. (1) A dressed fish is defined as one from which the viscera or the viscera and head have been removed, unless otherwise defined by department rule.

(2) The length of any dressed fish is defined as the shortest distance between the posterior end of the gill opening and the fork of the tail.

AMENDATORY SECTION (Amending Order 866, filed 6/12/70)

WAC 220-16-335 ((~~General~~)) Definitions—Spawning salmon. The term "spawning male salmon" is one from which the milt flows freely. The term "spawning female salmon" is one from which the eggs flow freely or has matured to the point that the eggs may be extruded by pressure applied to the abdomen of the salmon.

AMENDATORY SECTION (Amending WSR 85-09-017, filed 4/9/85)

WAC 220-16-340 ((~~General~~)) Definitions—Bottomfish. The term "bottomfish," unless otherwise provided, is defined as including Pacific cod, Pacific tomcod, Pacific hake, walleye pollock all species of dabs, sole and flounders (except Pacific halibut), lingcod and all other species of greenling, ratfish, sablefish, cabezon, buffalo sculpin, great sculpin, red Irish lord, brown Irish lord, Pacific staghorn sculpin, wolf-eel, giant wry mouth, plainfin midshipman, spiny dogfish, six gill shark, soupfin shark and all other species of shark, and all species of skate, rockfish, rattails and surfperches except shiner perch.

AMENDATORY SECTION (Amending WSR 00-08-038, filed 3/29/00, effective 5/1/00)

WAC 220-16-345 ((~~General~~)) Definitions—Time. All Times referred to in any order or regulation shall be Pacific Standard Time, except that during the period from the first Sunday in April through the last Sunday in October all times referred to shall be Pacific Daylight Time.

AMENDATORY SECTION (Amending Order 817, filed 5/29/69)

WAC 220-16-350 ((~~General~~)) Definitions—Jack salmon. A jack salmon is defined as any salmon which has matured and begun its spawning migration one or more years before the normal term of maturity of other members of its species, and which has visibly developed eggs or milt.

AMENDATORY SECTION (Amending Order 817, filed 5/29/69)

WAC 220-16-355 ((~~General~~)) Definitions—Soft-shelled crab. A soft-shelled crab is defined as a crab whose shell, including shell

covering of the legs, is not fully hardened and said shell is flexible and depresses to digital pressure.

AMENDATORY SECTION (Amending Order 1105, filed 12/28/73)

WAC 220-16-360 ((~~General~~)) Definitions—Bait purposes. The taking or possession of food fish for bait is defined as capturing food fish which will be used to entice or lure other fish or shellfish to a hook, lure, trap or other fishing gear for the purpose of capture for sport or commercial use and shall not include food fish or shellfish taken for feeding to zoo or domestic animals.

AMENDATORY SECTION (Amending Order 76-148, filed 12/2/76)

WAC 220-16-370 ((~~General~~)) Definitions—Sac-roe herring purposes. Taking or possessing herring for sac-roe purposes is defined as capturing herring which will have the roe (eggs) removed for separate processing or resale. Sac-roe is *not* equivalent to human consumption even though the carcasses may subsequently be used for food.

AMENDATORY SECTION (Amending WSR 84-09-026, filed 4/11/84)

WAC 220-16-375 Geographical definition—Westport Boat Basin. "Westport Boat Basin" shall include those waters of Grays Harbor inside the breakwater surrounding the boat basin and inside of lines drawn between lighted day markers 10 and 11 and between lighted day markers 1 and 2 which mark the two entrances to the boat basin.

AMENDATORY SECTION (Amending WSR 84-09-026, filed 4/11/84)

WAC 220-16-380 Geographical definition—English Camp Tidelands. "English Camp Tidelands" includes those waters of Wescott Bay lying inside the boundaries of San Juan Island National Historical Park (English Camp).

AMENDATORY SECTION (Amending WSR 87-09-066, filed 4/21/87)

WAC 220-16-395 Geographical definition—Buoy 13 line. The term "Buoy 13 line" is defined as a line drawn true north-south through Grays Harbor Channel Marker Number 13 near the mouth of Grays Harbor.

AMENDATORY SECTION (Amending WSR 88-18-066, filed 9/2/88)

WAC 220-16-400 Geographical definition—Lower Columbia River. "Lower Columbia River" is defined as Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E as defined in WAC ((~~220-22-010~~)) 220-301-010 and tributaries to these areas.

AMENDATORY SECTION (Amending WSR 90-03-068, filed 1/19/90, effective 2/19/90)

WAC 220-16-420 Definitions—Explosive substance. The term "explosive substance" includes, but is not limited to, any gaseous discharge that generates pressure waves capable of harming food fish or shellfish.

AMENDATORY SECTION (Amending WSR 90-07-003, filed 3/8/90, effective 4/8/90)

WAC 220-16-430 Definitions—Spawn on kelp. "Spawn on kelp" is defined as herring eggs which have been deposited on any type of aquatic vegetation. It is unlawful to take spawn on kelp for commercial purposes unless a person has a spawn on kelp permit issued by the director.

AMENDATORY SECTION (Amending WSR 90-06-026, filed 2/28/90, effective 3/31/90)

WAC 220-16-450 Geographical definition—Light 26 Line. The "Light 26 Line" is defined as a line in the Columbia River from the landward end of the Chinook Jetty following the jetty to Chinook Jetty Light No. 7, then southerly in a straight line to Desdemona Sands Light, then southeasterly in a straight line through Light 26 to the Oregon shore.

AMENDATORY SECTION (Amending WSR 05-17-007, filed 8/3/05, effective 9/3/05)

WAC 220-16-470 Definitions—Wild fish. "Wild" when used to describe the difference between a hatchery fish and a nonhatchery fish, except salmon, means a fish with all fins intact. A fish missing an adipose or ventral fin with a healed scar at the site is not a wild fish. When "wild" is used to describe a salmon, "wild" means a salmon with an unclipped adipose fin, regardless of whether the salmon is

ventral fin clipped. A salmon with a clipped adipose fin and having a healed scar at the site of the clipped fin is not a wild salmon.

AMENDATORY SECTION (Amending WSR 98-06-031, filed 2/26/98, effective 5/1/98)

WAC 220-16-475 Definition—Forage fish. "Forage fish" is defined as anchovy, herring, sand lance, sardine and smelt.

AMENDATORY SECTION (Amending WSR 11-15-001, filed 7/6/11, effective 8/6/11)

WAC 220-16-490 Geographical definition—Bonilla-Tatoosh Line. The "Bonilla-Tatoosh Line" is defined as a line projected from the most westerly point on Cape Flattery (48°22.863' N. lat., 124°43.907' W. long.) to the lighthouse on Tatoosh Island, WA (48°23.493' N. lat., 124°44.207' W. long.) then to the light on Bonilla Point on Vancouver Island, British Columbia (48°35.73' N. lat., 124°43.00' W. long.).

AMENDATORY SECTION (Amending WSR 98-06-031, filed 2/26/98, effective 5/1/98)

WAC 220-16-610 Definitions—Anadromous waters. "Anadromous waters" is defined as all waters that are not landlocked.

AMENDATORY SECTION (Amending WSR 04-07-009, filed 3/4/04, effective 5/1/04)

WAC 220-16-800 Definitions—Hardshell clam. "Hardshell clam" means all clams classified as shellfish under WAC ((~~220-12-020~~)) 220-320-010 except geoduck clams, horse clams, and mud or softshell clams.

AMENDATORY SECTION (Amending WSR 04-07-009, filed 3/4/04, effective 5/1/04)

WAC 220-16-810 Definitions—In a wild state. "In a wild state," when used to describe a population of animals, means the population is naturally reproducing within the state.

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-16-002	220-300-010
220-16-005	220-200-010
220-16-010	220-300-060
220-16-015	220-350-210
220-16-025	220-350-010
220-16-028	220-350-030
220-16-035	220-350-040
220-16-040	220-350-060
220-16-046	220-350-170
220-16-051	220-350-020
220-16-065	220-350-080
220-16-075	220-350-110
220-16-080	220-350-120
220-16-085	220-350-130
220-16-090	220-350-150
220-16-095	220-350-160
220-16-100	220-320-040
220-16-101	220-300-070
220-16-102	220-300-080
220-16-105	220-350-180
220-16-110	220-350-190
220-16-120	220-350-200
220-16-125	220-350-220
220-16-126	220-350-230
220-16-140	220-350-070
220-16-145	220-300-050
220-16-200	220-300-300
220-16-205	220-300-310
220-16-210	220-300-280
220-16-211	220-300-290
220-16-215	220-300-240
220-16-220	220-300-250
220-16-225	220-300-260
220-16-240	220-300-230
220-16-245	220-200-060
220-16-250	220-300-150
220-16-257	220-320-030
220-16-260	220-320-110

220-16-265	220-320-070
220-16-270	220-320-120
220-16-290	220-350-240
220-16-300	220-300-170
220-16-305	220-300-090
220-16-310	220-350-090
220-16-315	220-350-100
220-16-320	220-300-110
220-16-330	220-350-050
220-16-335	220-300-200
220-16-340	220-300-040
220-16-345	220-200-070
220-16-350	220-300-140
220-16-355	220-320-050
220-16-360	220-300-030
220-16-370	220-350-140
220-16-375	220-300-320
220-16-380	220-300-330
220-16-395	220-300-340
220-16-400	220-300-270
220-16-405	220-300-180
220-16-410	220-200-030
220-16-420	220-300-100
220-16-430	220-300-190
220-16-440	220-302-100
220-16-450	220-300-350
220-16-460	220-302-110
220-16-470	220-300-210
220-16-475	220-300-130
220-16-480	220-303-080
220-16-490	220-300-360
220-16-550	220-303-040
220-16-590	220-303-050
220-16-610	220-300-020
220-16-700	220-303-020
220-16-710	220-303-070
220-16-720	220-303-010
220-16-730	220-302-030
220-16-740	220-303-090
220-16-750	220-303-060
220-16-760	220-303-030
220-16-780	220-302-010

220-16-790	220-302-120
220-16-800	220-320-020
220-16-810	220-200-040
220-16-820	220-302-060
220-16-830	220-302-020
220-16-840	220-302-070
220-16-850	220-302-040
220-16-860	220-302-050
220-16-870	220-302-080
220-16-880	220-302-090

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-100-010	220-600-030
220-100-020	220-600-020
220-100-027	220-600-060
220-100-030	220-600-010
220-100-040	220-600-040
220-100-045	220-600-070
220-100-055	220-600-080
220-100-057	220-600-050
220-100-058	220-600-090
220-100-060	220-600-100
220-100-065	220-600-110
220-100-070	220-600-120
220-100-075	220-600-130
220-100-080	220-600-140
220-100-095	220-600-150
220-100-110	220-600-160
220-100-115	220-600-170

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-72-011	220-340-130
220-72-015	220-340-140
220-72-076	220-340-150
220-72-086	220-340-170
220-72-089	220-340-160

NEW SECTION

The following chapter of the Washington Administrative Code is decodified and recodified as follows:

Old WAC Number	New WAC Number
220-60-010	220-340-200
220-60-020	220-340-210
220-60-040	220-340-220
220-60-050	220-340-230
220-60-060	220-340-240
220-60-070	220-340-250
220-60-080	220-340-260
220-60-090	220-340-270
220-60-110	220-340-280