



# PROPOSED RULE MAKING

## CR-102 (October 2017) (Implements RCW 34.05.320) Do NOT use for expedited rule making

CODE REVISER USE ONLY

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STATE OF WASHINGTON  
FILED

DATE: March 21, 2018

TIME: 10:50 AM

WSR 18-07-114

**Agency:** Department of Fish and Wildlife (WDFW)

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

- Preproposal Statement of Inquiry was filed as WSR 17-19-096 filed on September 19, 2017 ; or**
- Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or**
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**
- Proposal is exempt under RCW \_\_\_\_\_.**

**Title of rule and other identifying information:** (describe subject) The department is amending several regulations in WAC chapter 220-330 that affect harvesting clams and oysters for personal use and include the following:

WAC 220-330-110 Clams other than razor clams, mussels – Areas and seasons;  
WAC 220-330-140 Oysters – Areas and seasons

**Hearing location(s):**

Date:	Time:	Location: (be specific)	Comment:
Tuesday, May 8, 2018	5:30 p.m. to 7:30 p.m..	WDFW Port Townsend District Office 375 Hudson Street, Marina Room Port Townsend, WA 98368	

**Date of intended adoption:** On or after May 9, 2018 (Note: This is **NOT** the **effective** date)

**Submit written comments to:**

Name: Scott Bird, WDFW Rules Coordinator  
Address: 600 Capitol Way N. Olympia, WA 98501-1091  
Email: Rules.Coordinator@dfw.wa.gov  
Fax: (360) 902-2155  
Other:  
By (date) May 7, 2018

**Assistance for persons with disabilities:**

Contact Delores Noyes  
Phone: (360) 902-2349  
Fax:  
TTY: (360) 902-2207  
Email: Delores.Noyes@dfw.wa.gov  
Other:  
By (date) May 4, 2018

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Recent clam and oyster survey data, sport harvest projections, and negotiations affecting intertidal treaty and non-treaty fisheries, along with public health considerations and administrative tasks, call for recreational clam and oyster seasons to be extended or shortened on some public beaches. This proposal reflects these changes.

**Reasons supporting proposal:** The amendments in the rule proposal will perpetuate shellfish resources while maximizing recreational fishing opportunity and protecting public health

**Statutory authority for adoption:** RCWs 77.04.012, 77.12.047, and 77.04.020

**Statute being implemented:** RCWs 77.04.012, 77.12.047, and 77.04.020

**Is rule necessary because of a:**

- Federal Law?  Yes  No  
Federal Court Decision?  Yes  No  
State Court Decision?  Yes  No

If yes, CITATION:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None.

**Name of proponent:** (person or organization) WDFW

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Chris Eardley	375 Hudson Street, Port Townsend, WA 98368	360-302-3030 x302
Implementation:	Ron Warren	1111 Washington Street SE, Olympia, WA 98504	360-902-2799
Enforcement:	Chief Steve Bear	1111 Washington Street, Olympia, WA 98501	360-902-2373

**Is a school district fiscal impact statement required under RCW 28A.305.135?**

- Yes  No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

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

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

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

- No: Please explain: The proposed rule changes do not affect hydraulics.

**Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW \_\_\_\_.

Explanation of exemptions, if necessary:

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. These rule changes clarify dates for anticipated open periods and areas for harvesting clams and oysters for personal use. There are no anticipated professional services required to comply. Based on the department's analysis, the proposed rules do not require any additional equipment, supplies, labor, or administrative costs on the part of the public.

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

**Date:** March 21, 2018

**Name:** Scott Bird

**Title:** Rules Coordinator

**Signature:**



**WAC 220-330-110 Clams other than razor clams, mussels—Areas and seasons.** It is permissible to take, dig for, and possess clams and mussels for personal use from public tidelands year-round, except the following restrictions apply to the public tidelands at the beaches listed below:

(1) Ala Spit: All public tidelands of Ala Spit are open May 1 through May 31 only.

(2) Alki Park: Closed year-round.

(3) Alki Point: Closed year-round.

(4) Bay Center Oyster Reserve (Willapa Harbor reserves): Palix River channel, extending from the Palix River bridge to beyond Bay Center to the north of Goose Point, is closed year-round.

(5) Bay View State Park: Closed year-round.

(6) Belfair State Park: Open year-round.

(7) Blaine Marine Park: Closed year-round.

(8) Blake Island State Park Marina: Closed year-round.

(9) Blowers Bluff North: Closed year-round.

(10) Brown's Point Lighthouse: Closed year-round.

(11) Budd Inlet: All state-owned tidelands of Budd Inlet south of a line drawn due west from the southern boundary of Burfoot Park to the opposite shore near 68th Avenue N.W. are closed year-round.

(12) Cama Beach State Park: Closed year-round.

(13) Camano Island State Park: Closed year-round.

(14) Chimacum Creek Tidelands (Irondale Beach Park): Public tidelands south of the main Chimacum Creek channel are closed year-round.

(15) Chuckanut Bay: All tidelands of Chuckanut Bay north of the BNSF Railroad trestle are closed year-round.

(16) Coupeville: Closed year-round.

(17) Cultus Bay: Closed year-round.

(18) Dave Mackie County Park: Closed year-round.

(19) Des Moines City Park: Closed year-round.

(20) Discovery Park: Closed year-round.

(21) DNR-142: Closed year-round.

(22) DNR-144 (Sleeper): Closed year-round.

(23) Dockton County Park: Closed year-round.

(24) Dosewallips State Park: Open year-round only in the area defined by boundary markers and signs posted on the beach.

(25) Dosewallips State Park South: Closed year-round south of the line defined by boundary markers on the beach.

(26) Drayton West: All public tidelands of Drayton Harbor are closed year-round, except tidelands identified as approved by the department of health and defined by boundary markers and signs posted on the beach are open year-round.

(27) Duckabush: Open November 1 through April 30 only.

(28) Dungeness Spit and Dungeness National Wildlife Refuge Tidelands: Open May 15 through September 30 only.

~~((28))~~ (29) Eagle Creek: Open July 1 through July 31 only.

~~((29))~~ (30) East San de Fuca: Tidelands east of the Rolling Hills Glencairn Community dock are closed year-round.

~~((30))~~ (31) Eld Inlet Oyster Reserves (Mud Bay reserves): Closed year-round.

((+31+)) (32) English Camp: Tidelands between the National Park Service dinghy dock to the southern park boundary are closed year-round.

((+32+)) (33) Evergreen Rotary Park (Port Washington Narrows): Closed year-round.

((+33+)) (34) Fay Bainbridge Park: Closed year-round.

((+34+)) (35) Fort Flagler State Park: Open January 1 through April 15 and July 1 through December 31 only, except that portion of Rat Island and the spit west and south of the park boundary is closed year-round from two white posts on the north end of the island at the vegetation line south to the end of the island.

((+35+)) (36) Freeland County Park: Open January 1 through May 15 only.

((+36+)) (37) Frye Cove County Park: Open May 1 through May 31 only.

((+37+)) (38) Fudge Point State Park: Closed year-round.

((+38+)) (39) Gertrude Island: All tidelands of Gertrude Island are closed year-round.

((+39+)) (40) Golden Gardens: Closed year-round.

((+40+)) (41) Graveyard Spit: Closed year-round.

((+41+)) (42) Guss Island: All tidelands of Guss Island are closed year-round.

((+42+)) (43) Hoodspout: Tidelands at Hoodspout Salmon Hatchery are closed year-round.

((+43+)) (44) Hope Island State Park (South Puget Sound): Open May 1 through May 31 only.

((+44+)) (45) Howarth Park/Darlington Beach: Closed year-round.

((+45+)) (46) Illahee State Park: Open April 1 through July 31 only.

((+46+)) (47) Indian Island County Park/Lagoon Beach: From the jetty boundary with Port Townsend Ship Canal east to the beach access stairs on Flagler Road near milepost 4 open August 15 through September 30 only.

((+47+)) (48) Joemma Beach State Park: Closed year-round.

(49) Kayak Point County Park: Closed year-round.

((+48+)) (50) Kitsap Memorial State Park: Closed year-round.

((+49+)) (51) Kopachuck State Park: Open ((June)) April 1 through ((July)) May 31 only.

((+50+)) (52) Lent Landing (Port Washington Narrows): Closed year-round.

((+51+)) (53) Liberty Bay: All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed year-round, except the western shoreline of Liberty Bay from the unincorporated Kitsap County line south to Virginia Point is open October 1 through April 30 only.

((+52+)) (54) Lincoln Park: Closed year-round.

((+53+)) (55) Lions Park (Bremerton): Closed year-round.

((+54+)) (56) Lofall: Closed year-round.

((+55+)) (57) Long Island Oyster Reserve (Willapa Harbor reserves): Diamond Point on the northwest side of Long Island between reserve monuments 39 and 41 and Pinnacle Rock on the southwest side of Long Island between reserve monuments 58 and 59 is open year-round.

((+56+)) (58) Long Island Slough Oyster Reserve (Willapa Harbor reserves): Closed year-round.

((+57+)) (59) Long Point West: Closed year-round.

((+58+)) (60) Lower Roto Vista Park: Closed year-round.

((+59+)) (61) Manchester State Park: Closed year-round.

((+60+)) (62) March Point Recreation Area: Closed year-round.

((+61+)) (63) McNeil Island: All tidelands of McNeil Island are closed year-round.

((+62+)) (64) Meadowdale County Park: Closed year-round.

((+63+)) (65) Mee-Kwa-Mooks Park: Closed year-round.

((+64+)) (66) Monroe Landing: Closed year-round.

((+65+)) (67) Mukilteo: Closed year-round.

((+66+)) (68) Mystery Bay State Park: Open October 1 through April 30 only.

((+67+)) (69) Nahcotta Tidelands: State-owned tidelands east of the Willapa Bay Field Station and Nahcotta Tidelands interpretive site are closed year-round.

((+68+)) (70) Nemah Oyster Reserve (Willapa Harbor reserves): Oyster reserves between reserve monuments 10 and 11 are closed year-round.

((+69+)) (71) Nisqually National Wildlife Refuge: All state-owned tidelands of the Nisqually River delta south of a line drawn from Luhr Beach boat ramp to Sequelitchew Creek are closed year-round.

((+70+)) (72) North Bay (Case Inlet): State-owned oyster reserves and contiguous state-owned tidelands south and east of the powerline crossing are open September 1 through December 31 only.

((+71+)) (73) North Beach County Park: Closed year-round.

((+72+)) (74) North Tabook Point: Closed year-round.

((+73+)) (75) Oak Bay County Park: Open May 1 through May 31 only.

((+74+)) (76) Oak Harbor: Closed year-round.

((+75+)) (77) Oak Harbor Beach Park: Closed year-round.

((+76+)) (78) Oak Harbor City Park: Closed year-round.

((+77+)) (79) Oakland Bay: State-owned oyster reserves are open year-round except in areas defined by boundary markers and signs posted on the beach.

((+78+)) (80) Old Mill County Park (Silverdale): Closed year-round.

((+79+)) (81) Olympia Shoal: Closed year-round.

((+80+)) (82) Pat Carey Vista Park: Closed year-round.

((+81+)) (83) Penrose Point State Park: Open March 1 through April 30 only, except that portion of Mayo Cove within the commercially prohibited growing area is closed year-round.

((+82+)) (84) Picnic Point County Park: Closed year-round.

((+83+)) (85) Pitship Point: Closed year-round.

((+84+)) (86) Pitt Island: All tidelands on Pitt Island are closed year-round.

((+85+)) (87) Pleasant Harbor State Park: Closed year-round.

((+86+)) (88) Pleasant Harbor WDFW Boat Launch: Closed year-round.

((+87+)) (89) Point Defiance: Closed year-round.

((+88+)) (90) Point No Point South: Closed year-round.

((+89+)) (91) Point Whitney Lagoon: Open January 1 through April 30 only.

((+90+)) (92) Point Whitney Tidelands (excluding Point Whitney Lagoon): Open January 1 through ~~(March 31)~~ April 30 only.

((+91+)) (93) Port Angeles Harbor: All public tidelands of Port Angeles Harbor and interior tidelands of Ediz Hook are closed year-round.

((+92+)) (94) Port Gamble Heritage Park Tidelands: Open year-round.

((+93+)) (95) Port Gardner: Closed year-round.

((+94)) (96) Port Townsend Ship Canal/Portage Beach: Open January 1 through ~~((June 15))~~ May 31 only.  
 ((+95)) (97) Post Point: Closed year-round.  
 ((+96)) (98) Potlatch DNR tidelands: Open April 1 through August 31 only.  
 ((+97)) (99) Potlatch State Park: Open April 1 through August 31 only.  
 ((+98)) (100) Priest Point County Park: Closed year-round.  
 ((+99)) (101) Purdy Spit County Park: The southern shore of the spit from the boat ramp east to the southern utility tower near Purdy Bridge is open April 1 through April 30 only.  
 ((+100)) (102) Quilcene Bay Tidelands: All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed to the harvest of clams year-round, except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open year-round.  
 ((+101)) (103) Retsil: Closed year-round.  
 ((+102)) (104) Richmond Beach Saltwater Park: Closed year-round.  
 ((+103)) (105) Salt Creek Recreation Area (DNR-419): Closed year-round.  
 ((+104)) (106) Saltair Beach (Kingston Ferry Terminal): Closed year-round.  
 ((+105)) (107) Saltwater State Park: Closed year-round.  
 ((+106)) (108) Samish Bay: Public tidelands of Samish Bay between Scotts Point and an unnamed point on the shore (latitude N48.5745°; longitude W122.4440°) are closed year-round.  
 ((+107)) (109) Scenic Beach State Park: Closed year-round.  
 ((+108)) (110) Seahurst County Park: Closed year-round.  
 ((+109)) (111) Semiahmoo County Park: Closed year-round.  
 ((+110)) (112) Semiahmoo Marina: Closed year-round.  
 ((+111)) (113) Sequim Bay State Park: Open January 1 through June 30 only.  
 ((+112)) (114) Shine Tidelands State Park: Open January 1 through May 15 only.  
 ((+113)) (115) Silverdale Waterfront Park: Closed year-round.  
 ((+114)) (116) Sinclair Inlet: All public tidelands of Sinclair Inlet west of a line drawn from the intersection of Bancroft Road and Beach Drive East northerly to Point Herron are closed year-round.  
 ((+115)) (117) Skagit Bay Estuary Wildlife Areas: All public tidelands of Skagit Bay Estuary Wildlife Area, Fir Island Farms Reserve Wildlife Area, Island Wildlife Area, Camano Island Wildlife Area and Leque Island Wildlife Area are closed year-round.  
 ((+116)) (118) South Carkeek Park: Closed year-round.  
 ((+117)) (119) South Mukilteo: Closed year-round.  
 ((+118)) (120) Southworth: Closed year-round.  
 ((+119)) (121) Spencer Spit State Park: Open March 1 through July 31 only.  
 ((+120)) (122) Stuart Island State Park - Reid Harbor (South Beach): Closed year-round.  
 ((+121)) (123) Taylor Bay: Closed year-round.  
 ((+122)) (124) Totten Inlet Oyster Reserve (Oyster Bay reserves): Closed year-round.  
 ((+123)) (125) Triton Cove Tidelands: Open July 15 through August 31 only.  
 ((+124)) (126) Twanoh State Park: Open ~~((July 15))~~ September 1 through September 30 only.  
 ((+125)) (127) Walker County Park: Closed year-round.

~~((126))~~ (128) West Dewatto: DNR Beach 44A open July 1 through September 30 only.

~~((127))~~ (129) West Pass Access: Closed year-round.

~~((128))~~ (130) West Penn Cove: From the property boundary at the Grasser's Lagoon access on Highway 20 to the dock extending across the tidelands from Captain Whidbey Inn on Madrona Road ~~((open June 1 through December 31 only))~~ is closed year-round.

~~((129))~~ (131) Willapa River Oyster Reserve (Willapa Harbor reserves): Reserves located in the Willapa River channel extending west and upriver from a point approximately one-quarter mile from the blinker light marking the division of Willapa River channel and the North River channel are closed year-round.

~~((130))~~ (132) Wolfe Property State Park: Open January 1 through May 15 only.

~~((131))~~ (133) Woodard Bay Natural Resource Conservation Area: Closed year-round.

~~((It is permissible to take, dig for, and possess clams, cockles, borers, and mussels, not including razor clams, for personal use in Grays Harbor and Willapa Harbor year-round, except from state oyster reserves, which are closed to clam digging year-round.))~~

It is permissible to take, dig for, and possess clams, cockles, borers, and mussels, not including razor clams, for personal use from the Pacific Ocean beaches from November 1 through March 31 only.

Violation of the provisions of this section shall be an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending WSR 17-18-004, filed 8/24/17, effective 9/24/17)

**WAC 220-330-140 Oysters—Areas and seasons.** It is permissible to take and possess oysters for personal use from public tidelands year-round except the following restrictions apply to the public tidelands at the beaches listed below:

(1) Ala Spit: All public tidelands of Ala Spit open May 1 through May 31 only.

(2) Alki Park: Closed year-round.

(3) Alki Point: Closed year-round.

(4) Bay Center Oyster Reserve (Willapa Harbor reserves): Palix River channel, extending from the Palix River bridge to beyond Bay Center to the north of Goose Point, is closed year-round.

(5) Bay View State Park: Closed year-round.

(6) Blaine Marine Park: Closed year-round.

(7) Blake Island State Park Marina: Closed year-round.

(8) Blowers Bluff North: Closed year-round.

(9) Brown's Point Lighthouse: Closed year-round.

(10) Budd Inlet: All state-owned tidelands of Budd Inlet south of a line drawn from the southern boundary of Burfoot Park to the opposite shore near 68th Avenue N.W. are closed year-round.

(11) Cama Beach State Park: Closed year-round.

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(13) Chimacum Creek Tidelands (Irondale Beach Park): Public tidelands south of the main Chimacum Creek channel are closed year-round.



(14) Chuckanut Bay: All tidelands of Chuckanut Bay north of the BNSF Railroad trestle are closed year-round.

(15) Coupeville: Closed year-round.

(16) Cultus Bay: Closed year-round.

(17) Dave Mackie County Park: Closed year-round.

(18) Des Moines City Park: Closed year-round.

(19) Discovery Park: Closed year-round.

(20) DNR-142: Closed year-round.

(21) DNR-144 (Sleeper): Closed year-round.

(22) Dockton County Park: Closed year-round.

(23) Dosewallips State Park: Open year-round only in the area defined by boundary markers and signs posted on the beach.

(24) Dosewallips State Park South: Closed year-round south of the line defined by boundary markers on the beach.

(25) Drayton West: All public tidelands of Drayton Harbor are closed year-round, except tidelands identified as approved by the department of health and defined by boundary markers and signs posted on the beach are open year-round.

(26) Duckabush: Open November 1 through April 30 only.

(27) Dungeness Spit/National Wildlife Refuge: Open May 15 through September 30 only.

((+27+)) (28) East San de Fuca: Tidelands east of the Rolling Hills Glencairn Community dock are closed year-round.

((+28+)) (29) Eld Inlet Oyster Reserves (Mud Bay reserves): Closed year-round.

((+29+)) (30) English Camp: Tidelands between the National Park Service dinghy dock to the southern park boundary are closed year-round.

((+30+)) (31) Evergreen Rotary Park (Port Washington Narrows): Closed year-round.

((+31+)) (32) Fay Bainbridge Park: Closed year-round.

((+32+)) (33) Fort Flagler State Park: Open January 1 through April 15 and July 1 through December 31 only, except that portion of Rat Island and the spit west and south of the park boundary is closed year-round from two white posts on the north end of the island at the vegetation line south to the end of the island.

((+33+)) (34) Freeland County Park: Open January 1 through May 15 only.

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((+40+)) (41) Hoodspout: Tidelands at the Hoodspout Salmon Hatchery are closed year-round.

((+41+)) (42) Hope Island State Park (South Puget Sound): Open May 1 through May 31 only.

((+42+)) (43) Howarth Park/Darlington Beach: Closed year-round.

((+43+)) (44) Illahee State Park: Open April 1 through July 31 only.

((+44+)) (45) Indian Island County Park/Lagoon Beach: From the jetty boundary with Port Townsend Ship Canal east to the beach access

stairs on Flagler Road near milepost 4 open August 15 through September 30 only.

~~((45))~~ (46) Joemma Beach State Park: Closed year-round.

~~((46))~~ (47) Kayak Point County Park: Closed year-round.

~~((46))~~ (48) Kitsap Memorial State Park: Closed year-round.

~~((47))~~ (49) Kopachuck State Park: Open ~~((March))~~ April 1 through ~~((July))~~ May 31 only.

~~((48))~~ (50) Lent Landing (Port Washington Narrows): Closed year-round.

~~((49))~~ (51) Liberty Bay: All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed year-round, except the western shoreline of Liberty Bay from the unincorporated Kitsap County line south to Virginia Point is open October 1 through April 30 only.

~~((50))~~ (52) Lincoln Park: Closed year-round.

~~((51))~~ (53) Lions Park (Bremerton): Closed year-round.

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~~((53))~~ (55) Long Island Oyster Reserve (Willapa Harbor reserves): Diamond Point on the northwest side of Long Island between reserve monuments 39 and 41 and Pinnacle Rock on the southwest side of Long Island between reserve monuments 58 and 59 is open year-round.

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~~((58))~~ (60) March Point Recreation Area: Closed year-round.

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~~((62))~~ (64) Monroe Landing: Closed year-round.

~~((63))~~ (65) Mukilteo: Closed year-round.

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~~((65))~~ (67) Nahcotta Tidelands: State-owned tidelands east of the Willapa Bay Field Station and Nahcotta Tidelands interpretive site are open year-round.

~~((66))~~ (68) Nemah Oyster Reserve (Willapa Harbor reserves): Oyster reserves between reserve monuments 10 and 11 are closed year-round.

~~((67))~~ (69) Nisqually National Wildlife Refuge: All state-owned tidelands of the Nisqually River delta south of a line drawn from Luhr Beach boat ramp to Sequelitchew Creek are closed year-round.

~~((68))~~ (70) North Bay (Case Inlet): State-owned oyster reserves and contiguous state-owned tidelands south and east of the powerline crossing are open September 1 through December 31 only.

~~((69))~~ (71) North Beach County Park: Closed year-round.

~~((70))~~ (72) North Tabook Point: Closed year-round.

~~((71))~~ (73) Oak Bay County Park: Open May 1 through May 31 only.

~~((72))~~ (74) Oak Harbor: Closed year-round.

~~((73))~~ (75) Oak Harbor Beach Park: Closed year-round.

~~((74))~~ (76) Oak Harbor City Park: Closed year-round.

~~((75))~~ (77) Oakland Bay: State-owned oyster reserves are open year-round except in areas defined by boundary markers and signs posted on the beach.

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((+77+)) (79) Olympia Shoal: Closed year-round.

((+78+)) (80) Pat Carey Vista Park: Closed year-round.

((+79+)) (81) Penrose Point State Park: Open March 1 through April 30 only, except that part of Mayo Cove within the commercially prohibited growing area is closed year-round.

((+80+)) (82) Pitship Point: Closed year-round.

((+81+)) (83) Picnic Point County Park: Closed year-round.

((+82+)) (84) Pitt Island: Closed year-round.

((+83+)) (85) Pleasant Harbor State Park: Closed year-round.

((+84+)) (86) Pleasant Harbor WDFW Boat Launch: Closed year-round.

((+85+)) (87) Point Defiance: Closed year-round.

((+86+)) (88) Point No Point South: Closed year-round.

((+87+)) (89) Point Whitney Tidelands (excluding Point Whitney Lagoon): Open January 1 through June 30 only.

((+88+)) (90) Port Angeles Harbor: All public tidelands of Port Angeles Harbor and interior tidelands of Ediz Hook are closed year-round.

((+89+)) (91) Port Gamble Heritage Park Tidelands: Open year-round.

((+90+)) (92) Port Gardner: Closed year-round.

((+91+)) (93) Port Townsend Ship Canal/Portage Beach: Open January 1 through ~~((June 15))~~ May 31 only.

((+92+)) (94) Post Point: Closed year-round.

((+93+)) (95) Potlatch DNR Tidelands: Open April 1 through August 31 only.

((+94+)) (96) Potlatch State Park: Open April 1 through August 31 only.

((+95+)) (97) Priest Point County Park: Closed year-round.

((+96+)) (98) Purdy Spit County Park: The southern shore of the spit from the boat ramp east to the southern utility tower near Purdy Bridge is open April 1 through April 30 only.

((+97+)) (99) Quilcene Bay Tidelands: All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed year-round except those state-owned tidelands on the west side of the bay north of the Quilcene Boat Haven are open year-round.

((+98+)) (100) Retsil: Closed year-round.

((+99+)) (101) Richmond Beach Saltwater Park: Closed year-round.

((+100+)) (102) Salt Creek Recreation Area (DNR-419): Closed year-round.

((+101+)) (103) Saltair Beach (Kingston Ferry Terminal): Closed year-round.

((+102+)) (104) Saltwater State Park: Closed year-round.

((+103+)) (105) Samish Bay: Public tidelands of Samish Bay between Scotts Point and an unnamed point on the shore (latitude N48.5745°; longitude W122.4440°) are closed year-round.

((+104+)) (106) Scenic Beach State Park: Closed year-round.

((+105+)) (107) Seahurst County Park: Closed year-round.

((+106+)) (108) Semiahmoo County Park: Closed year-round.

((+107+)) (109) Semiahmoo Marina: Closed year-round.

((+108+)) (110) Sequim Bay State Park: Open January 1 through June 30 only.

((+109+)) (111) Shine Tidelands State Park: Open January 1 through May 15 only.

((+110+)) (112) Silverdale Waterfront Park: Closed year-round.  
((+111+)) (113) Sinclair Inlet: All public tidelands of Sinclair Inlet west of a line drawn from the intersection of Bancroft Road and Beach Drive East northerly to Point Herron are closed year-round.  
((+112+)) (114) Skagit Bay Estuary Wildlife Areas: All public tidelands of the Skagit Bay Estuary Wildlife Area, Fir Island Farms Reserve Wildlife Area, Island Wildlife Area, Camano Island Wildlife Area and Leque Island Wildlife Area are closed year-round.  
((+113+)) (115) South Carkeek Park: Closed year-round.  
((+114+)) (116) South Mukilteo: Closed year-round.  
((+115+)) (117) Southworth: Closed year-round.  
((+116+)) (118) Spencer Spit State Park: Open March 1 through July 31 only.  
((+117+)) (119) Stuart Island State Park - Reid Harbor (South Beach): Closed year-round.  
((+118+)) (120) Taylor Bay: Closed year-round.  
((+119+)) (121) Totten Inlet Oyster Reserve (Oyster Bay reserves): Closed year-round.  
((+120+)) (122) Walker County Park: Closed year-round.  
((+121+)) (123) West Pass Access: Closed year-round.  
((+122+)) (124) West Penn Cove: From the property boundary at the Grasser's Lagoon access on Highway 20 to the dock extending across the tidelands from Captain Whidbey Inn on Madrona Road (~~open June 1 through December 31 only~~) is closed year-round.  
((+123+)) (125) Willapa River Oyster Reserve (Willapa Harbor reserves): Reserves located in the Willapa River channel extending west and upriver from a point approximately one-quarter mile from the blinker light marking the division of Willapa River channel and the North River channel are closed year-round.  
((+124+)) (126) Wolfe Property State Park: Open January 1 through May 15 only.  
((+125+)) (127) Woodard Bay Natural Resource Conservation Area: Closed year-round.  
It is permissible to take and possess oysters for personal use from the Pacific Ocean beaches from November 1 through March 31 only.  
Violation of the provisions of this section shall be an infraction, punishable under RCW 77.15.160.