



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: December 27, 2019

TIME: 3:31 PM

WSR 20-02-082

Agency: Washington State Department of Fish and Wildlife (WDFW)

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 19-22-021 on October 28, 2019 ; 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 Chapters that affect harvesting clams and oysters for personal use and include the following:

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

WAC 220-330-140 Oysters – Areas and seasons

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
February 4, 2020	5:30pm	WDFW Port Townsend District Office 375 Hudson Street, Port Townsend WA 98368	

Date of intended adoption: February 5, 2020 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: WDFW Rules Coordinator

Address: PO Box 43152 Olympia, WA 98501

Email: Rules.Coordinator@dfw.wa.gov

Fax: 360-902-2155

Other:

By (date) February 4, 2020

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) February 4, 2020

Purpose of the proposal and its anticipated effects, including any changes in existing rules: In accordance with recent clam and oyster survey data, recreational harvest projections, co-management agreements, and public health considerations, recreational clam and oyster seasons require extension or shortening on some public beaches. This rule proposal reflects these changes.

Reasons supporting proposal: The amendments to the rules will perpetuate shellfish resources while maximizing recreational fishing opportunity and protecting public health.

Statutory authority for adoption: RCWs 77.04.012, 77.04.055, 77.12.045, and 77.12.047

Statute being implemented: RCWs 77.04.012, 77.04.055, 77.12.045, and 77.12.047

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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) Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Camille Speck	375 Hudson Street, Port Townsend, WA 98368	360-302-3030
Implementation:	Kelly Cunningham	1111 Washington Street SE, Olympia WA 98501	360-902-2325
Enforcement:	Chief Steve Bear	1111 Washington Street SE, 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: This proposal does not involve 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)(e)
(Dictated by statute)

RCW 34.05.310 (4)(c)
(Incorporation by reference)

RCW 34.05.310 (4)(f)
(Set or adjust fees)

RCW 34.05.310 (4)(d)
(Correct or clarify language)

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 and closed 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 or businesses

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:

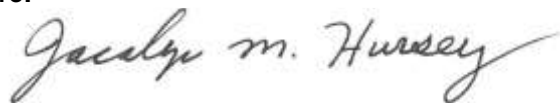
- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: December 27, 2019

Name: Jacalyn M Hursey

Title: Rules Coordinator

Signature:



WAC 220-330-110 Clams other than razor clams, and mussels—Areas and seasons. It is (~~permissible~~) lawful 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~~) January 1 through May 31 and August 1 through December 31 only.

(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 west 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) 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: The area defined by boundary markers and signs posted on the beach is open (~~August~~) June 15 through September (~~7~~) 30 only.

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

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

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

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

(28) Eagle Creek: Open June 1 through August 31 only.

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

- (30) Eld Inlet Oyster Reserves (Mud Bay reserves): Closed year-round.
- (31) English Camp: Tidelands between the National Park Service dinghy dock to the southern park boundary are closed year-round.
- (32) Evergreen Rotary Park (Port Washington Narrows): Closed year-round.
- (33) Fay Bainbridge Park: Closed year-round.
- (34) 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) Freeland County Park: Open October 1 through May 31 only.
- (36) Frye Cove County Park: Open May 1 through May 31 only.
- (37) Fudge Point State Park: Closed year-round.
- (38) Gertrude Island: All tidelands of Gertrude Island are closed year-round.
- (39) Golden Gardens: Closed year-round.
- (40) Graveyard Spit: Closed year-round.
- (41) Guss Island: All tidelands of Guss Island are closed year-round.
- (42) Hoodsport: Tidelands at Hoodsport Salmon Hatchery are closed year-round.
- (43) Hope Island State Park (South Puget Sound): Open May 1 through May 31 only.
- (44) Howarth Park/Darlington Beach: Closed year-round.
- (45) Illahee State Park: Open April 1 through July 31 only.
- (46) 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 ((7)) 30 only.
- (47) Joemma Beach State Park: Closed year-round.
- (48) Kayak Point County Park: Closed year-round.
- (49) Kitsap Memorial State Park: Closed year-round.
- (50) Kopachuck State Park: Open April 1 through May 31 only.
- (51) Lent Landing (Port Washington Narrows): Closed year-round.
- (52) 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.
- (53) Lincoln Park: Closed year-round.
- (54) Lions Park (Bremerton): Closed year-round.
- (55) Lofall: Closed year-round.
- (56) Long Island Oyster Reserve, Diamond Point and Pinnacle Rock (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.
- (57) Long Island Slough Oyster Reserve (Willapa Harbor reserves): Closed year-round.
- (58) Long Point West: Closed year-round.
- (59) Lower Roto Vista Park: Closed year-round.
- (60) March Point Recreation Area: Closed year-round.
- (61) McNeil Island: All tidelands of McNeil Island are closed year-round.
- (62) Meadowdale County Park: Closed year-round.

- (63) Mee-Kwa-Mooks Park: Closed year-round.
- (64) Monroe Landing: Closed year-round.
- (65) Mukilteo: Closed year-round.
- (66) Mystery Bay State Park: Open October 1 through April 30 only.
- (67) Nahcotta Tidelands: State-owned tidelands east of the Willapa Bay Field Station and Nahcotta Tidelands interpretive site are closed year-round.
- (68) Nemah Oyster Reserve (Willapa Harbor reserves): Oyster reserves between reserve monuments 10 and 11 are closed year-round.
- (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 Sequialitchew Creek are closed year-round.
- (70) North Bay (Case Inlet): All state-owned tidelands north of the power transmission lines and those extending 1,900 feet south of the power transmission lines along the eastern shore are open March 1 through April 30 and September 1 through September 30, from one hour before official sunrise until one hour after official sunset only.
- (71) North Beach County Park: Closed year-round.
- (72) Oak Bay County Park: (~~Open April 1 through April 30 only~~) Closed year-round.
- (73) Oak Harbor: Closed year-round.
- (74) Oak Harbor Beach Park: Closed year-round.
- (75) Oak Harbor City Park: Closed year-round.
- (76) Oakland Bay: State-owned oyster reserves are open year-round except in areas defined by boundary markers and signs posted on the beach.
- (77) Old Mill County Park (Silverdale): Closed year-round.
- (78) Olympia Shoal: Closed year-round.
- (79) Pat Carey Vista Park: Closed year-round.
- (80) 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.
- (81) Picnic Point County Park: Closed year-round.
- (82) Pitship Point: Closed year-round.
- (83) Pitt Island: All tidelands on Pitt Island are closed year-round.
- (84) Pleasant Harbor State Park: Closed year-round.
- (85) Pleasant Harbor WDFW Boat Launch: Closed year-round.
- (86) Point Defiance: Closed year-round.
- (87) Point No Point South: Closed year-round.
- (88) Point Whitney Lagoon: Open January 1 through (~~April 15~~) May 31 only.
- (89) Point Whitney Tidelands (excluding Point Whitney Lagoon): Open January 1 through (~~April 15~~) May 31 only.
- (90) Port Angeles Harbor: All public tidelands of Port Angeles Harbor and interior tidelands of Ediz Hook are closed year-round.
- (91) Port Gamble Heritage Park Tidelands: Open (~~year-round~~) January 1 through May 15 and July 15 through December 31 only.
- (92) Port Gardner: Closed year-round.
- (93) Port Townsend Ship Canal/Portage Beach: Open January 1 through (~~May 31~~) April 15 only.
- (94) Post Point: Closed year-round.
- (95) Potlatch DNR tidelands: Open April 1 through July ((7)) 31 only.
- (96) Potlatch State Park: Open April 1 through July ((7)) 31 only.

- (97) Priest Point County Park: Closed year-round.
- (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.
- (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 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.
- (100) Retsil: Closed year-round.
- (101) Richmond Beach Saltwater Park: Closed year-round.
- (102) Salt Creek Recreation Area (DNR-419): Closed year-round.
- (103) Saltair Beach (Kingston Ferry Terminal): Closed year-round.
- (104) Saltwater State Park: Closed year-round.
- (105) Samish Bay: Public tidelands of Samish Bay between Scotts Point and ((an unnamed)) a point on the shore ((~~latitude N48.5745°; longitude W122.4440°~~)) (48° 34.47'N, 122° 26.64'W) are closed year-round.
- (106) Scenic Beach State Park: Closed year-round.
- (107) Seahurst County Park: Closed year-round.
- (108) Semiahmoo County Park: Closed year-round.
- (109) Semiahmoo Marina: Closed year-round.
- (110) Sequim Bay State Park: Open January 1 through June 30 only.
- (111) Shine Tidelands State Park: Open January 1 through May 15 only.
- (112) Silverdale Waterfront Park: Closed year-round.
- (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.
- (114) 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.
- (115) South Carkeek Park: Closed year-round.
- (116) Southworth: Closed year-round.
- (117) Spencer Spit State Park: Open March 1 through July 31 only.
- (118) Stuart Island State Park - Reid Harbor (South Beach): Closed year-round.
- (119) Taylor Bay: Closed year-round.
- (120) Totten Inlet Oyster Reserve (Oyster Bay reserves): Closed year-round.
- (121) Triton Cove Tidelands: Open June 1 through August 31 only.
- (122) Twanoh State Park: Open August ((±)) 15 through September 30 only.
- (123) Walker County Park: Closed year-round.
- (124) West Dewatto: DNR Beach 44A open July 1 through September 30 only.
- (125) West Pass Access: Closed year-round.
- (126) 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 is open ((July 15)) August 1 through September ((15)) 30 only.
- (127) 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.

(128) Wolfe Property State Park: Open January 1 through May 15 only.

(129) Woodard Bay Natural Resource Conservation Area: Closed year-round.

(130) It is (~~(permissible)~~) lawful 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.))~~

WAC 220-330-140 Oysters—Areas and seasons. It is (~~permissible~~) lawful 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.

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~~((7))~~ (8) Blake Island State Park Marina: Closed year-round.

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~~((9))~~ (10) Brown's Point Lighthouse: Closed year-round.

~~((10))~~ (11) Budd Inlet: All state-owned tidelands of Budd Inlet south of a line drawn from the southern boundary of Burfoot Park west to the opposite shore near 68th Avenue N.W. are closed year-round.

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~~((13))~~ (14) Chuckanut Bay: All tidelands of Chuckanut Bay north of the ~~(BNSF)~~ railroad trestle are closed year-round.

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~~((16))~~ (17) Dave Mackie County Park: Closed year-round.

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~~((18))~~ (19) Discovery Park: Closed year-round.

~~((19))~~ (20) DNR-142: Closed year-round.

~~((20))~~ (21) DNR-144 (Sleeper): Closed year-round.

~~((21))~~ (22) Dockton County Park: Closed year-round.

~~((22))~~ (23) Dosewallips State Park: Open year-round only in the area defined by boundary markers and signs posted on the beach.

~~((23))~~ (24) Dosewallips State Park South: Closed year-round south of the line defined by boundary markers and signs posted on the beach.

~~((24))~~ (25) Drayton (~~West~~) Harbor: All public tidelands of Drayton Harbor are (~~closed~~) open year-round, except the tidelands identified as (~~approved~~) prohibited or approved by the department of health and defined by boundary markers and signs posted on the beach are (~~open~~) closed year-round.

~~((25))~~ (26) Duckabush: Open November 1 through April 30 only.

~~((26))~~ (27) Dungeness Spit/National Wildlife Refuge: Open May 15 through September 30 only.

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~~((33))~~ (34) Freeland County Park: Open October 1 through May 31 only.

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 ((+62+)) (63) Monroe Landing: Closed year-round.
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 ((+64+)) (65) Mystery Bay State Park: Open October 1 through April 30 only.
 ((+65+)) (66) Nahcotta Tidelands: State-owned tidelands east of the Willapa Bay Field Station and Nahcotta Tidelands interpretive site are open year-round.
 ((+66+)) (67) Nemah Oyster Reserve (Willapa Harbor reserves): Oyster reserves between reserve monuments 10 and 11 are closed year-round.
 ((+67+)) (68) 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+)) (69) North Bay (Case Inlet): All state-owned tidelands north of the power transmission lines and those extending 1,900 feet south of the power transmission lines along the eastern shore are open March 1 through April 30 and September 1 through September 30, from one hour before official sunrise until one hour after official sunset only.
 ((+69+)) (70) North Beach County Park: Closed year-round.
 ((+70+)) (71) Oak Bay County Park: (~~Open April 1 through April 30 only~~) Closed year-round.
 ((+71+)) (72) Oak Harbor: Closed year-round.
 ((+72+)) (73) Oak Harbor Beach Park: Closed year-round.
 ((+73+)) (74) Oak Harbor City Park: Closed year-round.
 ((+74+)) (75) Oakland Bay: State-owned oyster reserves are open year-round except in areas defined by boundary markers and signs posted on the beach.
 ((+75+)) (76) Old Mill County Park (Silverdale): Closed year-round.
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 ((+89+)) (90) Port Gamble Heritage Park Tidelands: Open (~~year-round~~) January 1 through May 15 and July 15 through December 31 only.

((+90)) (91) Port Gardner: Closed year-round.
 ((+91)) (92) Port Townsend Ship Canal/Portage Beach: Open January 1 through ~~((May 31))~~ April 15 only.
 ((+92)) (93) Post Point: Closed year-round.
 ((+93)) (94) Potlatch DNR Tidelands: Open April 1 through July ((7)) 31 only.
 ((+94)) (95) Potlatch State Park: Open April 1 through July ((7)) 31 only.
 ((+95)) (96) Priest Point County Park: Closed year-round.
 ((+96)) (97) 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)) (98) 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)) (99) Retsil: Closed year-round.
 ((+99)) (100) Richmond Beach Saltwater Park: Closed year-round.
 ((+100)) (101) Salt Creek Recreation Area (DNR-419): Closed year-round.
 ((+101)) (102) Saltair Beach (Kingston Ferry Terminal): Closed year-round.
 ((+102)) (103) Saltwater State Park: Closed year-round.
 ((+103)) (104) Samish Bay: Public tidelands of Samish Bay between Scotts Point and ~~((an unnamed))~~ a point on the shore ((latitude N48.5745°; longitude W122.4440°)) (48°34.47'N, 122°26.64'W) are closed year-round.
 ((+104)) (105) Scenic Beach State Park: Closed year-round.
 ((+105)) (106) Seahurst County Park: Closed year-round.
 ((+106)) (107) Semiahmoo County Park: Closed year-round.
 ((+107)) (108) Semiahmoo Marina: Closed year-round.
 ((+108)) (109) Sequim Bay State Park: Open January 1 through June 30 only.
 ((+109)) (110) Shine Tidelands State Park: Open January 1 through May 15 only.
 ((+110)) (111) Silverdale Waterfront Park: Closed year-round.
 ((+111)) (112) 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)) (113) 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)) (114) South Carkeek Park: Closed year-round.
 ((+114)) (115) Southworth: Closed year-round.
 ((+115)) (116) Spencer Spit State Park: Open March 1 through July 31 only.
 ((+116)) (117) Stuart Island State Park - Reid Harbor (South Beach): Closed year-round.
 ((+117)) (118) Taylor Bay: Closed year-round.
 ((+118)) (119) Totten Inlet Oyster Reserve (Oyster Bay reserves): Closed year-round.
 ((+119)) (120) Walker County Park: Closed year-round.
 ((+120)) (121) West Pass Access: Closed year-round.
 ((+121)) (122) 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 is open (~~(July 15)~~) August 1 through September (~~(15)~~) 30 only.

~~((122))~~ (123) 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.

~~((123))~~ (124) Wolfe Property State Park: Open January 1 through May 15 only.

~~((124))~~ (125) Woodard Bay Natural Resource Conservation Area: Closed year-round.

(126) It is (~~(permissible)~~) lawful 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.))~~