

# Chapter 220-36 WAC

## GRAYS HARBOR

### WAC

220-36-015	Gillnet gear—Grays Harbor specifications.
220-36-020	Grays Harbor salmon fishing—Lawful gear.
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### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-36-010	Salmon fishing areas. [Order 1049, § 220-36-010, filed 4/11/73; Order 925, § 220-36-010, filed 6/3/71; Order 726, § 4 (part), filed 4/24/67; subsection 2 amended by Order 638, filed 4/28/65; subsection 1 from Orders 336 and 256, filed 3/1/60; subsection 2 from Orders 465 and 256, filed 3/1/60.] Repealed by Order 76-35, filed 5/11/76.
220-36-022	Salmon fishing areas—Weekly periods. [Statutory Authority: RCW 75.08.080. WSR 87-21-041 (Order 87-161), § 220-36-022, filed 10/14/87; WSR 86-15-016 (Order 86-55), § 220-36-022, filed 7/10/86; WSR 85-13-073 (Order 85-64), § 220-36-022, filed 6/19/85; WSR 84-15-008 (Order 84-66), § 220-36-022, filed 7/6/84; WSR 83-13-054 (Order 83-53), § 220-36-022, filed 6/15/83; WSR 82-13-048 (Order 82-63), § 220-36-022, filed 6/11/82; WSR 81-13-005 (Order 81-37), § 220-36-022, filed 6/8/81; WSR 80-09-072 (Order 80-69), § 220-36-022, filed 7/18/80; Order 77-71, § 220-36-022, filed 8/18/77; Order 77-44, § 220-36-022, filed 6/3/77; Order 76-73, § 220-36-022, filed 8/16/76; Order 1221, § 220-36-022, filed 7/1/75; Order 1133, § 220-36-022, filed 7/19/74.] Repealed by WSR 88-19-098 (Order 88-116), filed 9/20/88. Statutory Authority: RCW 75.08.080.
220-36-024	Salmon fishing areas—Mesh sizes—Gear. [Statutory Authority: RCW 75.08.080. WSR 87-21-041 (Order 87-161), § 220-36-024, filed 10/14/87; WSR 86-15-016 (Order 86-55), § 220-36-024, filed 7/10/86; WSR 85-13-073 (Order 85-64), § 220-36-024, filed 6/19/85; WSR 84-15-008 (Order 84-66), § 220-36-024, filed 7/6/84; WSR 83-13-054 (Order 83-53), § 220-36-024, filed 6/15/83; WSR 82-13-048 (Order 82-63), § 220-36-024, filed 6/11/82; WSR 81-13-005 (Order 81-37), § 220-36-024, filed 6/8/81; WSR 80-09-072 (Order 80-69), § 220-36-024, filed 7/18/80; Order 77-71, § 220-36-024, filed 8/18/77; Order 76-73, § 220-36-024, filed 8/16/76; Order 1221, § 220-36-024, filed 7/1/75; Order 1133, § 220-36-024, filed 7/19/74.] Repealed by WSR 88-19-098 (Order 88-116), filed 9/20/88. Statutory Authority: RCW 75.08.080.
220-36-030	Emergencies. [From Order 525, filed 5/3/61; Order 507, filed 4/13/60; Orders 483 and 256, filed 3/1/60.] Repealed by deletion, Order 726, filed 4/24/67.
220-36-040	Seasons and lawful gear—Other varieties. [Subsections 1 and 2 from Order 525, filed 5/3/61; Orders 336 and 256, filed 3/1/60; subsections 3-6 from Orders 336 and 256, filed 3/1/60; subsection 7 from Order 605, filed 4/21/64; Orders 336 and 256, filed 3/1/60.] Repealed and reenacted by Order 726, filed 4/24/67, as WAC 220-36-030.

**WAC 220-36-015 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.

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 10-12-061 (Order 09-108), § 220-36-015, filed 5/27/10, effective 6/27/10. Statutory Authority: RCW 75.08.080. WSR 89-16-056 (Order 89-71), § 220-36-015, filed 7/28/89, effective 8/28/89.]

**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.

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 10-12-061 (Order 09-108), § 220-36-020, filed 5/27/10, effective 6/27/10. Statutory Authority: RCW 75.08.080. WSR 89-16-056 (Order 89-71), § 220-36-020, filed 7/28/89, effective 8/28/89; WSR 86-15-016 (Order 86-55), § 220-36-020, filed 7/10/86; WSR 80-09-072 (Order 80-69), § 220-36-020, filed 7/18/80; Order 1221, § 220-36-020, filed 7/1/75; Order 1116, § 220-36-020, filed 4/30/74; Order 1049, § 220-36-020, filed 4/11/73; Order 995, § 220-36-020, filed 6/8/72; Order 925, § 220-36-020, filed 6/3/71; Order 864, § 220-36-020, filed 5/12/70; Order 813, § 220-36-020, filed 5/5/69; Order 772-A, § 220-36-020, filed 4/15/68; subsections 1, 2 and 3 from Order 679, filed 4/20/66; subsection 4 from Order 679, filed 3/31/66; Order 638, filed 4/28/65; Order 605, filed 4/21/64; Order 569, filed 4/11/63; Order 544, filed 4/3/62; Order 525, filed 5/3/61; Order 507, filed 4/13/60.]

**WAC 220-36-021 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.

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 10-12-061 (Order 09-108), § 220-36-021, filed 5/27/10, effective 6/27/10. Statutory Authority: RCW 77.12.047. WSR 01-13-055 (Order 01-104), § 220-36-021, filed 6/15/01, effective 7/16/01. Statutory Authority: RCW 75.08.080 and 77.12.040. WSR 98-15-081 (Order 98-122), § 220-36-021, filed 7/15/98, effective 8/15/98. Statutory Authority: RCW 75.08.080. WSR 97-15-148 (Order 97-123), § 220-36-021, filed 7/23/97, effective 8/23/97; WSR 96-13-035 (Order 96-77), § 220-36-021, filed 6/11/96, effective 7/12/96; WSR 95-13-065 (Order 95-76), § 220-36-021, filed 6/19/95, effective 7/20/95; WSR 94-13-014 (Order 94-46), § 220-36-021, filed 6/3/94, effective 7/4/94; WSR 90-18-023 (Order 90-77), § 220-36-021, filed 8/24/90, effective 9/24/90; WSR 89-16-056 (Order 89-71), § 220-36-021, filed 7/28/89, effective 8/28/89; WSR 88-19-098 (Order 88-116), § 220-36-021, filed 9/20/88; WSR 87-21-041 (Order 87-161), § 220-36-021, filed 10/14/87; WSR 86-15-016 (Order 86-55), § 220-36-021, filed 7/10/86; WSR 85-13-073 (Order 85-64), § 220-36-021, filed 6/19/85; WSR 84-15-008 (Order 84-66), § 220-36-021, filed 7/6/84; WSR 83-13-054 (Order 83-53), § 220-36-021, filed 6/15/83; WSR 82-13-048 (Order 82-63), § 220-36-021, filed 6/11/82; WSR 81-13-005 (Order 81-37), § 220-36-021, filed 6/8/81; WSR 80-09-072 (Order 80-69), § 220-36-021, filed 7/18/80; Order 77-71, § 220-36-021, filed 8/18/77; Order 77-44, § 220-36-021, filed 6/3/77; Order 76-73, § 220-36-021, filed 8/16/76; Order 1221, § 220-36-021, filed 7/1/75; Order 1133, § 220-36-021, filed 7/19/74.]

**WAC 220-36-023 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, chum salmon, and white sturgeon as provided for in this section and in the times and area identified in the chart below.

Time:	Areas:
7:00 a.m. October 10 through 7:00 p.m. October 10, 2013;	Area 2A and that portion of Area 2D lying easterly of a north-south line from the confluence of the Hoquiam (N 46.96978, W 123.88022) and Chehalis rivers to Renney Island, then easterly to "Range Marker G," located on the south shore of Grays Harbor, then to the eastern boundary of Area 2D at the Highway 101 Bridge.
7:00 a.m. October 24 through 7:00 p.m. October 24, 2013;	Area 2A and Area 2D.
7:00 a.m. October 25 through 7:00 p.m. October 25, 2013;	
7:00 a.m. October 29 through 7:00 p.m. October 29, 2013;	
6:00 p.m. November 7 through 6:00 p.m. November 9, 2013; and	
6:00 p.m. November 10 through 6:00 p.m. November 12, 2013.	
7:00 a.m. November 1 through 7:00 p.m. November 1, 2013;	Area 2C
7:00 a.m. November 2 through 7:00 p.m. November 2, 2013;	
7:00 a.m. November 6 through 7:00 p.m. November 6, 2013; and	
7:00 a.m. November 14 through 7:00 p.m. November 14, 2013.	

### 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 or greater.

(b) Areas 2A and 2D from October 1 through October 15, 2013, tangle net gear only. Single-wall nets are required. Maximum mesh size must not exceed four and one-quarter inches. Mesh size is determined by placing three consecutive meshes under hand tension and taking the measurement from the inside of one vertical knot to the outside of the opposite vertical knot of the center mesh. Hand tension means sufficient linear tension to draw opposing knots of meshes into contact. Strings/slackers are required, and nets may hang no more than 28 feet from cork line to lead line. It is unlawful to use set net gear. Net construction must include sufficient floatation to ensure the cork line remains at the surface when in the act of fishing.

(c) Areas 2A and 2D from October 16 through November 30, 2013. Gillnet gear ONLY. It is unlawful to use set net gear. Mesh size must not exceed six and one-half inch maximum. Nets may be no more than fifty-five meshes deep.

It is unlawful to use a gillnet to fish for salmon or white sturgeon if the lead line weighs more than two pounds per fathom of net as measured on the cork line. It is permissible to have a gillnet with a lead line weighing more than two pounds per fathom aboard a vessel when the vessel is fishing in or transiting through Grays Harbor.

(d) Area 2C August 16 through November 30, 2013, gillnet gear ONLY. It is unlawful to use set net gear. Mesh size must not exceed eight and one-half inch maximum.

It is unlawful to use a gillnet to fish for salmon or white sturgeon if the lead line weighs more than two pounds per fathom of net as measured on the cork line. It is permissible to have a gillnet with a lead line weighing more than two pounds per fathom aboard a vessel when the vessel is fishing in or transiting through Grays Harbor.

### Other:

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

(a) 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.

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

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

(d) Each boat must have two operable recovery boxes or one box with two chambers on board when fishing Areas 2A and 2D. Each box must be operating during any time the net is being retrieved or picked. The flow in the recovery box must be a minimum of 16 gallons per minute in each chamber of the box, not to exceed 20 gallons per minute. Each chamber of the recovery box must meet the following dimensions as measured from within the box: The inside length measurement must be at or within 39-1/2 inches to 48 inches, the inside width measurements must be at or within 8 to 10 inches, and the inside height measurement must be at or within 14 to 16 inches.

Each chamber of the recovery box must include a water inlet hole between 3/4 inch and 1 inch in diameter, centered horizontally across the door or wall of the chamber and 1-3/4 inches from the floor of the chamber. Each chamber of the recovery box must include a water outlet hole opposite the inflow that is at least 1-1/2 inches in diameter. The center of the outlet hole must be located a minimum of 12 inches above the floor of the box or chamber. The fisher must demonstrate to department employees, fish and wildlife enforcement officers, or other peace officers, upon request, that the pumping system is delivering the proper volume of fresh river/bay water into each chamber.

(4) Quick reporting is required for wholesale dealers and fishers retailing their catch under a "direct retail endorsement." According to WAC 220-69-240(14), reports must be made by 10:00 a.m. the day following landing.

(5) 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 October 4, 2013, for openings in Areas 2A and 2D.

(6) Retention of any species other than coho or chum, or white sturgeon with a fork length measure of not less than 43 inches and not more than 54 inches, or hatchery Chinook marked by a healed scar at the site of the adipose fin, is prohibited in Areas 2A and 2D from October 1 through November 30, 2013.

(7) Retention of any species other than Chinook, coho, and chum, and white sturgeon with a fork length measure of not less than 43 inches and not more than 54 inches, is prohibited in Area 2C.

(8) 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 include encounters with each day's quick reporting.

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

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

(11) 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.

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 13-19-027 (Order 13-227), § 220-36-023, filed 9/9/13, effective 10/10/13; WSR 12-11-093, § 220-36-023, filed 5/18/12, effective 6/18/12; WSR 11-14-003 (Order 11-91), § 220-36-023, filed 6/22/11, effective 7/23/11; WSR 10-12-061 (Order 09-108), § 220-36-023, filed 5/27/10, effective 6/27/10. Statutory Authority: RCW 77.12.047 and 77.04.020. WSR 09-16-125 (Order 09-109), § 220-36-023, filed 8/4/09, effective 9/4/09; WSR 08-15-003 (Order 08-166), § 220-36-023, filed 7/3/08, effective 8/3/08. Statutory Authority: RCW 77.04.020, 77.12.047, and 77.65.200. WSR 07-17-010, § 220-36-023, filed 8/3/07, effective 9/3/07. Statutory Authority: RCW 77.12.047. WSR 05-17-006 (Order 05-167), § 220-36-023, filed 8/3/05, effective 9/3/05; WSR 04-16-013 (Order 04-183), § 220-36-023, filed 7/22/04, effective 8/22/04; WSR 03-18-004 (Order 03-208), § 220-36-023, filed 8/20/03, effective 9/20/03; WSR 01-13-055 (Order 01-104), § 220-36-023, filed 6/15/01, effective 7/16/01; WSR 00-23-065 (Order 00-240), § 220-36-023, filed 11/15/00, effective 12/16/00. Statutory Authority: RCW 75.08.080. WSR 99-24-104 (Order 99-206), § 220-36-023, filed 11/30/99, effective 12/31/99. Statutory Authority: RCW 75.08.080 and 77.12.040. WSR 98-15-081 (Order 98-122), § 220-36-023, filed 7/15/98, effective 8/15/98. Statutory Authority: RCW 75.08.080. WSR 97-15-148 (Order 97-123), § 220-36-023, filed 7/23/97, effective 8/23/97; WSR 96-13-035 (Order 96-77), § 220-36-023, filed 6/11/96, effective 7/12/96; WSR 95-13-065 (Order 95-76), § 220-36-023, filed 6/19/95, effective 7/20/95; WSR 94-13-014 (Order 94-46), § 220-36-023, filed 6/3/94, effective 7/4/94; WSR 93-14-042 (Order 93-54), § 220-36-023, filed 6/29/93, effective 7/30/93; WSR 90-18-023 (Order 90-77), § 220-

(9/9/13)

36-023, filed 8/24/90, effective 9/24/90; WSR 89-16-056 (Order 89-71), § 220-36-023, filed 7/28/89, effective 8/28/89.]

**WAC 220-36-025 Closed areas—Grays Harbor and tributaries.** (1) It is unlawful to take, fish for, or possess salmon taken for commercial purposes from those waters at the mouth of Grays Harbor lying westerly of a line projected from the Point Chehalis Light at Westport through the Coast Guard tower to the shore at Point Brown, and easterly of a line projected from the outermost end of the north jetty to the outermost end of the south jetty.

(2) During the period March 1 through July 31, it is unlawful for any person, including treaty Indian fishermen, to take, fish for, or possess food fish taken for any purpose from the waters of the Chehalis River or any tributary of the Chehalis River upstream of the Porter Bridge.

(3) It is unlawful to fish for or possess salmon taken for commercial purposes from the Westport Boat Basin.

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 10-12-061 (Order 09-108), § 220-36-025, filed 5/27/10, effective 6/27/10. Statutory Authority: RCW 75.08.080. WSR 86-15-016 (Order 86-55), § 220-36-025, filed 7/10/86; WSR 83-10-015 (Order 83-30), § 220-36-025, filed 4/26/83; WSR 78-07-067 (Order 78-45), § 220-36-025, filed 6/30/78; Order 77-14, § 220-36-025, filed 4/15/77; Order 1133, § 220-36-025, filed 7/19/74.]

**WAC 220-36-03001 Grays Harbor—Seasons and lawful gear—Forage fish.** (1) It is unlawful to fish for or possess anchovy, candlefish, herring, sardine, or smelt for commercial purposes in Marine Fish-Shellfish Management and Catch Reporting Area 60B except as provided for in this section.

#### General

(2) It is unlawful to fish for or possess salmon or sturgeon taken with purse seine or lampara gear.

(3) It is unlawful to fish with purse seine or lampara gear at all times in the waters of Marine Fish-Shellfish Management and Catch Reporting Area 60B if any part of the purse seine or lampara is in waters that are less than 20 feet deep.

(4) It is unlawful to fail to immediately return to the water, unharmed, all species of fish other than herring, anchovy, candlefish, and sardine taken in operation of purse seine, lampara, dip bag net, or hand net gears.

(5) A violation of subsections (1) through (4) 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.

#### Anchovy and candlefish

##### Licensing

(6) A baitfish purse seine fishery license is required to operate purse seine gear for anchovy or candlefish as provided for in this section.

(7) A baitfish lampara fishery license is required to operate lampara gear for anchovy or candlefish as provided for in this section.

(8) A smelt dip bag license is required to operate dip bag net gear for anchovy or candlefish as provided for in this section.

(9) A violation of subsections (6) through (8) of this section is punishable under RCW 77.15.500, Commercial fishing without a license—Penalty.

**Fishing period**

(10) It is unlawful to fish for or to possess anchovy, candlefish, sardine, or smelt with the use of purse seine or lampara gear at any time except January 1 through January 31, and April 16 through December 31, of any calendar year.

(11) Dip bag net gear may be used for anchovy or candlefish at all times.

(12) A violation of subsection (10) or (11) of this section is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

**Landing limitations**

(13) It is unlawful to deliver anchovy, in excess of fifteen percent of the total landing weight, for the purposes of conversion into fish flour, fishmeal, fish scrap, fertilizer, fish oil, or other fishery products.

(14) It is unlawful for any person licensed to fish under a baitfish purse seine or baitfish lampara license to retain, possess, or deliver, to a place or port, regardless of catch area, anchovy in excess of 5 metric tons (11,023 pounds) in one day, and in excess of 10 metric tons (22,046 pounds) during any calendar week beginning 12:01 a.m. Sunday through 11:59 p.m. Saturday.

(15) A violation of subsection (13) or (14) of this section is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

**Gear**

(16) It is unlawful to fish for anchovy or candlefish with purse seine or lampara gear with a mesh size of less than one-half inch stretch measure.

(17) It is unlawful to fish with purse seine or lampara gear for anchovy or candlefish if the cork line exceeds 900 feet in length, except: From June 1 through October 31, it is permissible to use gear in which the cork line does not exceed 1,400 feet in length.

(18) It is unlawful to fish for anchovy or candlefish with dip bag net gear that exceeds 18 square feet.

(19) A violation of subsections (16) through (18) of this section is punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

**Incidental catch**

(20) It is unlawful to retain sardine taken incidental to a lawful anchovy or candlefish fishery if the sardine exceeds twenty percent of the weight of the total landing.

(21) It is unlawful to retain smelt or herring taken incidental to a lawful anchovy or candlefish fishery if individual or combined weight of smelt and/or herring exceeds five percent of the weight of the total landing.

(22) A violation of subsections (20) through (21) of this section is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

**Herring****Licensing**

(23) A herring lampara limited entry license is required to operate lampara gear for herring as provided for in this section.

(24) A herring dip bag net limited entry license is required to operate dip bag net gear for herring as provided for in this section.

(25) A violation of subsection (23) or (24) of this section is punishable under RCW 77.15.500, Commercial fishing without a license—Penalty.

**Fishing period**

(26) It is unlawful to fish for or possess herring with lampara gear at any time except January 1 through January 31, and April 16 through December 31, of any calendar year.

(27) Dip bag net gear may be used for herring at all times.

(28) A violation of subsection (26) or (27) of this section is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

**Incidental catch**

(29) It is unlawful to retain anchovy, candlefish, smelt, or sardine incidental to a lawful herring fishery if the individual or combined weight of anchovy, candlefish, smelt, or sardine exceeds five percent of the total landing. A violation of this subsection is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

**Gear**

(30) It is unlawful to fish for or to possess herring taken for commercial purposes with lampara gear with a cork line that exceeds 1,400 feet in length and a mesh size of less than one-half inch stretch measure.

(31) It is unlawful to fish for herring with dip bag net gear that exceeds 18 square feet.

(32) A violation of subsection (30) or (31) of this section is punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

**Sardine****Licensing**

(33) A smelt dip bag net fishery license is required to operate the dip bag net gear for sardine as provided for in this section. A violation of this subsection is punishable under RCW 77.15.500, Commercial fishing without a license—Penalty.

**Fishing period**

(34) Dip bag net gear may be used for sardine at all times. A violation of this subsection is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

**Gear**

(35) It is unlawful to fish for sardine with dip bag net gear that exceeds 18 square feet. A violation of this subsection is punishable under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

**Smelt****Licensing**

(36) A smelt dip bag net fishery license is required to operate the hand dip net gear for smelt as provided for in this section. A violation of this subsection is punishable under RCW 77.15.500, Commercial fishing without a license—Penalty.

**Fishing period**

(37) It is unlawful to take smelt with hand dip net gear for commercial purposes during weekly closed periods extending from 8:00 a.m. Thursdays to 8:00 p.m. Saturdays. A violation of this subsection is punishable under RCW 77.15.550, Violation of commercial fishing area or time—Penalty.

**Gear**

(38) It is unlawful to take, fish for, and possess smelt taken with hand dip nets exceeding 72 inches maximum frame width. A violation of this subsection is punishable

under RCW 77.15.520, Commercial fishing—Unlawful gear or methods—Penalty.

[Statutory Authority: RCW 77.12.047. WSR 10-06-095 (Order 10-33), § 220-36-03001, filed 3/2/10, effective 4/2/10; WSR 03-05-062 (Order 03-26), § 220-36-03001, filed 2/18/03, effective 3/21/03. Statutory Authority: RCW 75.08.080. WSR 95-23-020 (Order 95-166), § 220-36-03001, filed 11/8/95, effective 12/9/95; WSR 85-06-033 (Order 85-14), § 220-36-03001, filed 3/1/85; WSR 84-08-014 (Order 84-24), § 220-36-03001, filed 3/27/84; WSR 80-09-072 (Order 80-69), § 220-36-03001, filed 7/18/80; WSR 79-05-007 (Order 79-20), § 220-36-03001, filed 4/11/79; WSR 78-07-067 (Order 78-45), § 220-36-03001, filed 6/30/78; Order 77-14, § 220-36-030 (codified as WAC 220-36-03001), filed 4/15/77; Order 76-148, § 220-36-030 (codified as WAC 220-36-03001), filed 12/2/76; Order 1049, § 220-36-030, filed 4/11/73; Order 925, § 220-36-030, filed 6/3/71; Order 864, § 220-36-030, filed 5/12/70; Order 726, § 4 (part), filed 4/24/67; subsections 1 and 2 from Order 525, filed 5/3/61; subsection 7 from Order 605, filed 4/21/64; Orders 336 and 256, filed 3/1/60.]

**WAC 220-36-031 Grays Harbor—Season and gear—Sturgeon.** It is unlawful to fish for or possess sturgeon taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Area 60B 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.

[Statutory Authority: RCW 77.12.047. WSR 07-21-128 (Order 07-266), § 220-36-031, filed 10/23/07, effective 11/23/07. Statutory Authority: RCW 75.08.080. WSR 90-18-023 (Order 90-77), § 220-36-031, filed 8/24/90, effective 9/24/90; WSR 85-06-033 (Order 85-14), § 220-36-031, filed 3/1/85.]