

WAC 220-312-080 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 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 220-640-040.

(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 77.15.260.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-312-080, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 34.05.353 (1)(c) and (e), (2)(c) and (d), and 77.12.047 (1)(o). WSR 12-11-089 (Order 12-61), § 220-56-129, filed 5/18/12, effective 6/18/12. Statutory Authority: RCW 77.12.047. WSR 10-07-105 (Order 10-64), § 220-56-129, filed 3/19/10, effective 5/1/10; WSR 06-23-114 (Order 06-289), § 220-56-129, filed 11/17/06, effective 12/18/06; WSR 05-05-035 (Order 05-15), § 220-56-129, filed 2/10/05, effective 5/1/05; WSR 03-05-057 (Order 03-24), § 220-56-129, filed 2/14/03, effective 5/1/03.]