

**WAC 220-315-010 Forage fish—Lawful gear and limits.** (1) It is unlawful to take, fish for, or possess herring, sand lance, sardines, anchovies or smelt species for personal use unless an angler takes those species with the following gear:

(a) Forage fish dip net gear not exceeding 36 inches across the bag frame with a maximum mesh size of 5/8 inch stretched mesh;

(b) Forage fish jigging gear with not more than 3 treble or 9 single hooks; or

(c) In Marine Areas 1 through 4, 2.1 (Willapa Bay), and 2.2 (Grays Harbor) it is permissible to take anchovies or sardines using dip net, cast net, jigging gear, or by angling.

(2) It is unlawful to use a dip net to take forage fish unless the operator of the net holds the handle at all times the netting is in the water.

(3) It is unlawful to operate a dip net to harvest forage fish from a vessel under power, or to use more than one forage fish dip net at a time.

(4) Only persons with WDFW disability status and a designated harvest companion card may use a hand-operated gate on a dip net while fishing for forage fish.

(5) Forage fish jigging gear hooks may not have a gap between the shank and the point exceeding 3/8 inch.

(6) It is unlawful for a fisher to operate cast net gear unless the gear is in their immediate control. The fisher must have the retrieval cord in their hand at all times when the cast net is deployed. Mesh size for cast nets is limited to 1 inch stretched mesh maximum, and cast nets may be no larger than 10 feet in diameter.

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

(8) It is unlawful to possess forage fish taken with gear in violation of the provisions of this section. Possession of forage fish while using gear in violation of the provisions of this section is a rebuttable presumption that the forage fish were taken with such gear. Violation of this subsection is punishable under RCW 77.15.380 Unlawful recreational fishing in the second degree—Penalty, unless the forage 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.

(9) Forage fish limit.

(a) Catch Record Card Areas 5 through 13 and freshwater: 10 pounds total. The possession limit is two daily limits in fresh form. Additional forage fish may be possessed in frozen or processed form;

(b) Catch Record Card Areas 1 through 4, 2.1 (Willapa Bay) and 2.2 (Grays Harbor), excluding sardines and anchovies: 10 pounds total;

(c) Catch Record Card Areas 1 through 4, 2.1 (Willapa Bay) and 2.2 (Grays Harbor), sardines and anchovies: 25 pounds total;

(d) The possession limit is two daily limits in fresh form. Additional forage fish may be possessed in frozen or processed form.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055. WSR 20-04-058 (Order 20-19), § 220-315-010, filed 1/30/20, effective 7/1/20. 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), re-codified as § 220-315-010, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012 and 77.12.047. WSR 13-11-125 (Order 13-105), § 220-56-265, filed 5/21/13, effective 6/21/13. Statutory Authority:

RCW 77.12.047. WSR 10-07-105 (Order 10-64), § 220-56-265, filed 3/19/10, effective 5/1/10; WSR 06-09-021 (Order 06-67), § 220-56-265, filed 4/11/06, effective 5/12/06; WSR 06-05-085 (Order 06-23), § 220-56-265, filed 2/14/06, effective 5/1/06; WSR 03-05-057 (Order 03-24), § 220-56-265, filed 2/14/03, effective 5/1/03; WSR 02-08-048 (Order 02-53), § 220-56-265, filed 3/29/02, effective 5/1/02. Statutory Authority: RCW 77.12.040 and 75.08.080. WSR 98-06-031, § 220-56-265, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. WSR 95-04-066 (Order 95-10), § 220-56-265, filed 1/30/95, effective 5/1/95; WSR 88-10-013 (Order 88-15), § 220-56-265, filed 4/26/88; WSR 80-03-064 (Order 80-12), § 220-56-265, filed 2/27/80, effective 4/1/80.]