

Chapter 220-352 WAC
COMMERCIAL FISHERIES—FISH RECEIVING TICKETS, SALES, COMMERCIAL DUTIES, AND RECORDKEEPING

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WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

220-352-030 State of Washington fish receiving tickets—When not required—Unlawful acts. [Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-030, filed 10/30/17, effective 1/1/18. 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 § 220-352-030, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 04-17-096 (Order 04-210), § 220-69-220, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-220, filed 12/20/99, effective 1/20/00; WSR 94-01-001, § 220-69-220, filed 12/1/93, effective 1/1/94; WSR 90-03-068 (Order 90-05), § 220-69-220, filed 1/19/90, effective 2/19/90. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-220, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 83-24-049 (Order 83-203), § 220-69-220, filed 12/2/83; WSR 78-03-031 (Order 78-7), § 220-69-220, filed 2/17/78; Order 76-153, § 220-69-220, filed 12/17/76.] Repealed by WSR 18-11-052 (Order 18-92), filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090 and 77.04.130.

220-352-050 Required information on nontreaty fish receiving tickets. [Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090, and 77.32.155. WSR 17-12-105 (Order 17-112), § 220-352-050, filed 6/6/17, effective 7/7/17. 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), recodified as § 220-352-050, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.047, and 50 C.F.R. Part 660. WSR 17-03-006 (Order 17-04), § 220-69-250, filed 1/4/17, effective 1/4/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 14-02-013 (Order 13-304), § 220-69-250, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.04.020, 77.12.045, 77.12.047, and 50 C.F.R. 660. WSR 12-04-028 (Order 12-09), § 220-69-250, filed 1/26/12, effective 2/26/12. Statutory Authority: RCW 77.04.020, 77.12.047, 50 C.F.R. § 660.370, and 50 C.F.R. § 300.63. WSR 10-02-002 (Order 09-262), § 220-69-250, filed 12/23/09, effective 1/23/10. Statutory Authority: RCW 77.12.047. WSR 07-23-002 (Order 07-279), § 220-69-250, filed 11/7/07, effective 12/8/07; WSR 07-04-030, § 220-69-250, filed 1/29/07, effective 3/1/07; WSR 04-17-096 (Order 04-210), § 220-69-250, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-250, filed 12/20/99, effective 1/20/00. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order

86-102), § 220-69-250, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 85-11-020 (Order 85-43), § 220-69-250, filed 5/10/85; WSR 85-01-010 (Order 84-214), § 220-69-250, filed 12/7/84; WSR 84-08-014 (Order 84-24), § 220-69-250, filed 3/27/84; WSR 83-24-049 (Order 83-203), § 220-69-250, filed 12/2/83; Order 76-153, § 220-69-250, filed 12/17/76.] Repealed by WSR 18-11-052 (Order 18-92), filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090 and 77.04.130.

220-352-110 Description of Washington state electronic fish receiving ticket. [Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090, and 77.32.155. WSR 17-12-105 (Order 17-112), § 220-352-110, filed 6/6/17, effective 7/7/17. 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), recodified as § 220-352-110, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.047, and 50 C.F.R. Part 660. WSR 17-03-006 (Order 17-04), § 220-69-246, filed 1/4/17, effective 1/4/17. Statutory Authority: RCW 77.04.020, 77.12.045, 77.12.047, and 50 C.F.R. 660. WSR 12-04-028 (Order 12-09), § 220-69-246, filed 1/26/12, effective 2/26/12.] Repealed by WSR 18-11-052 (Order 18-92), filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090 and 77.04.130.

220-352-120 Required information on electronic fish receiving tickets. [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 § 220-352-120, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.020, 77.12.045, 77.12.047, and 50 C.F.R. 660. WSR 12-04-028 (Order 12-09), § 220-69-256, filed 1/26/12, effective 2/26/12.] Repealed by WSR 18-11-052 (Order 18-92), filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090 and 77.04.130.

220-352-180 Duties of commercial purchasers and receivers. [Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-180, filed 10/30/17, effective 1/1/18. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090, and 77.32.155. WSR 17-12-105 (Order 17-112), § 220-352-180, filed 6/6/17, effective 7/7/17. 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), recodified as § 220-352-180, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.047, and 50 C.F.R. Part 660. WSR 17-03-006 (Order 17-04), § 220-69-240, filed 1/4/17, effective 1/4/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 16-14-046, § 220-69-240, filed 6/28/16, effective 7/29/16; WSR 14-02-013 (Order 13-304), § 220-69-240, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.04.020, 77.12.045, 77.12.047, and 50 C.F.R. 660. WSR 12-04-028 and 12-05-009 (Order 12-09 and 12-09A), § 220-69-240, filed 1/26/12 and 2/3/12, effective 2/26/12 and 3/5/12. Statutory Authority: RCW 77.12.047. WSR 10-06-095 (Order 10-33), § 220-69-240, filed 3/2/10, effective 4/2/10; WSR 07-23-001 (Order 07-278), § 220-69-240, filed 11/7/07, effective 12/8/07; WSR 07-04-030, § 220-69-240, filed 1/29/07, effective 3/1/07; WSR 06-08-078 (Order 06-59), § 220-69-240, filed 4/3/06, effective 5/4/06; WSR 06-01-013 (Order 05-275), § 220-69-240, filed 12/9/05, effective 1/9/06; WSR 04-17-096 (Order 04-210), § 220-69-240, filed 8/17/04, effective 9/17/04; WSR 03-17-008 (Order 03-188), § 220-69-240, filed 8/8/03, effective 9/8/03; WSR 03-05-064 (Order 03-28), § 220-69-240, filed 2/18/03, effective 3/21/03; WSR 03-05-059 (Order 03-32), § 220-69-240, filed 2/18/03, effective 3/21/03; WSR 01-07-015 (Order 01-32), § 220-69-240, filed 3/13/01, effective 4/13/01. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-240, filed 12/20/99, effective 1/20/00; WSR 97-08-052 (Order 97-55), § 220-69-240, filed 3/31/97, effective 5/1/97. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-240, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 85-11-020 (Order 85-43), § 220-69-240, filed 5/10/85; WSR 83-24-049 (Order 83-203), § 220-69-240, filed 12/2/83; WSR 82-17-040 (Order 82-105), § 220-69-240, filed 8/13/82; WSR 81-11-006 (Order 81-31), § 220-69-240, filed 5/11/81; Order 77-14, § 220-69-240, filed 4/15/77; Order 76-153, § 220-69-240, filed 12/17/76.] Repealed by WSR 18-11-052 (Order 18-92), filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090 and 77.04.130.

220-352-190 Duties of commercial fishers. [Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-190, filed 10/30/17, effective 1/1/18. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-352-190, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 14-02-013 (Order 13-304), § 220-69-241, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.12.047. WSR 07-23-001 (Order 07-278), § 220-69-241, filed 11/7/07, effective 12/8/07; WSR 04-17-096 (Order 04-210), § 220-69-241, filed 8/17/04, effective 9/17/04; WSR 04-05-028 (Order 04-20), § 220-69-241, filed 2/10/04, effective 3/12/04; WSR 03-05-059 (Order 03-32), § 220-69-241, filed 2/18/03, effective 3/21/03. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-241, filed 12/20/99, effective 1/20/00. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-241, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 83-24-049 (Order 83-203), § 220-69-241, filed 12/2/83; WSR 81-11-006 (Order 81-31), § 220-69-241, filed 5/11/81; WSR 81-03-032 (Order 81-6), § 220-69-241, filed 1/13/81; Order 76-153, § 220-69-241, filed 12/17/76.] Repealed by WSR 18-11-052 (Order 18-92), filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090 and 77.04.130.

220-352-260 Commercial buying and processing of anadromous game fish or roe. [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), recodified as § 220-352-260, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 13-02-043 (Order 12-290), § 232-12-091, filed 12/21/12, effective 1/21/13. Statutory Authority: RCW 77.32.211 and 77.12.040. WSR 86-09-023 (Order 270), § 232-12-091, filed 4/10/86. Statutory Authority: RCW 77.12.040. WSR 85-09-014 (Order 247), § 232-12-091, filed 4/9/85; WSR 81-12-029 (Order 165), § 232-12-091, filed 6/1/81. Formerly WAC 232-12-212.] Repealed by

WSR 17-22-100, filed 10/30/17, effective 1/1/18. Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, 77.65.520.

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Records for purchase and receipt of anadromous game fish and roe. [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), recodified as § 220-352-270, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.040. WSR 81-12-029 (Order 165), § 232-12-094, filed 6/1/81. Formerly WAC 232-12-213.] Repealed by WSR 17-22-100, filed 10/30/17, effective 1/1/18. Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, 77.65.520.

WAC 220-352-010 Fish receiving ticket definitions. The following definitions apply to this chapter:

(1) "Department" means the Washington Department of Fish and Wildlife, Fish Program - Commercial Harvest Data Team, 600 Capitol Way North, Olympia, Washington 98501-1091.

(2) "Fish" means food fish classified under WAC 220-300-370, game fish classified under WAC 220-300-380, and any other fish species subject to catch or harvest reporting requirements under state or federal law.

(3) "Fish broker" means a person who facilitates the sale or purchase of raw or frozen fish or shellfish on a fee or commission basis, without assuming title to the fish or shellfish and is required to have a fish dealer license.

A broker is not required to have a fish dealer license if the fish or shellfish only transit the state of Washington, and no storage, handling, processing, or repackaging occurs within the state.

(4) "Fish buyer," "buyer," or "wholesale fish buyer" means a person who:

(a) Takes first possession or ownership of fish or shellfish directly from a commercial fisher that is landed into the state of Washington; or

(b) Takes first possession or ownership of raw or frozen fish or shellfish in the state of Washington from interstate or foreign commerce; or

(c) Engages in the wholesale buying or selling of fish or shellfish harvested by fishers exercising treaty rights; or

(d) Acts as an agent for a wholesale fish buyer, to include purchasing or receiving fish or shellfish on a contractual basis.

(5) "Fish receiving ticket" is an official department document, available in paper or electronic form, for recording the delivery of commercial fish and shellfish and related transactions identified in WAC 220-352-020.

(6) "Fisher" means a person engaged in commercial fishing activities.

(7) "Fresh" or "raw" means unprocessed and unfrozen, regardless of whether the fish or shellfish are in the round, cleaned, or packaged for retail sale.

(8) "Frozen" means completely frozen throughout. Flash frozen and surface glaze frozen fish and shellfish are unfrozen fish and shellfish.

(9) "Groundfish" refers to the flatfish, rockfish, and roundfish species managed under the Pacific Fishery Management Council's Pacific Coast Groundfish Fishery Management Plan and equivalent management plans in British Columbia and Alaska. The term is largely synonymous with the definition of "bottomfish" at WAC 220-300-040 but identifies a more limited subset of species.

(10) For deliveries made from the groundfish fisheries operating under 50 C.F.R., Part 660, the terms "to land," "landing," and "lan-

ded" are equivalent to the term "to deliver" as defined under RCW 77.15.630 (4) (b).

(11) "Location services" is a feature of an electronic computing device which enables applications and websites to automatically generate a geographic location of a person or device.

(12) "Nontreaty" means all entities not qualified by definition as "treaty."

(13) Except as provided, "original receiver" or "receiver" means a person who holds a wholesale fish buyer endorsement or a limited fish seller endorsement. Except as provided, an original receiver means the first person in possession of fish or shellfish in the state of Washington who is acting in the capacity of a buyer:

(a) A fisher who is not the holder of a limited fish seller endorsement and who sells fish or shellfish to anyone other than a wholesale fish buyer, or a fisher who delivers fish or shellfish and places the fish or shellfish into interstate or foreign commerce, is the original receiver of the fish or shellfish;

(b) A cold storage facility that holds fish or shellfish for a fisher is not an original receiver, provided that the facility does not process, package, or otherwise handle the fish or shellfish;

(c) A person transporting fish or shellfish on behalf of a fisher, and who is in possession of an accurately completed commercial food fish and shellfish transportation ticket, is not an original receiver, provided that the fish or shellfish are transported only to a cold storage facility or to a wholesale fish buyer.

(14) "Processed" means preparing and preserving and requires a fish buyer's license. Preserving includes treating with heat, including smoking and kippering. Cooked crab is processed. Preserving also includes freezing fish and shellfish.

(15) "Shellfish" means shellfish classified under WAC 220-320-010 and any other marine invertebrate species subject to catch or harvest reporting requirements under state or federal law.

(16) "Terms of use" are the rules, specifications, and requirements for the use of department-approved electronic catch reporting software or applications.

(17) "Treaty" and "treaty Indian," for purposes of fish receiving tickets only, means persons who are members of federally recognized Indian tribes who harvest fish or shellfish in Washington pursuant to an Indian treaty, whether such harvest is on or off reservation.

(18) "Working day" means Monday through Friday, exclusive of a Washington state or federal holiday.

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 22-18-053, § 220-352-010, filed 8/30/22, effective 10/1/22. Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-010, filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-010, filed 10/30/17, effective 1/1/18. 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), recodified as § 220-352-010, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.047, and 50 C.F.R. Part 660. WSR 17-03-006 (Order 17-04), § 220-69-210, filed 1/4/17, effective 1/4/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 14-02-013 (Order 13-304), § 220-69-210, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.04.020, 77.12.045, 77.12.047, and 50 C.F.R. 660. WSR

12-04-028 (Order 12-09), § 220-69-210, filed 1/26/12, effective 2/26/12. Statutory Authority: RCW 77.12.047. WSR 04-17-096 (Order 04-210), § 220-69-210, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-210, filed 12/20/99, effective 1/20/00; Order 76-153, § 220-69-210, filed 12/17/76.]

WAC 220-352-020 When state of Washington fish receiving tickets are required. (1) Wholesale fish buyers must complete a state of Washington fish receiving ticket for:

(a) All fish and shellfish delivered in the state of Washington. This includes fish or shellfish transported into Washington from another state, territory, or country as well as fish or shellfish landed or harvested in Washington and delivered into interstate or foreign commerce. Additionally, any other fish or shellfish landed by the fisher and not delivered to the buyer, such as weigh-back, zero-value product, or take-home, must also be recorded on a fish receiving ticket.

(b) Raw fish and shellfish that are transported into the state of Washington after being previously delivered in another state, territory, or country must be recorded using an import ticket.

(c) Purchase of fish or shellfish from a fisher who is also a dealer, if the fisher/dealer has not previously completed a fish receiving ticket or has not provided a copy of the fish receiving ticket or ticket number as proof.

(2) State of Washington fish receiving tickets are required for retail sales offered under a limited fish seller endorsement (WAC 220-352-250).

(3) A fish broker must comply with subsection (1) of this section unless receiving raw or frozen fish or shellfish that:

(a) Never enter into the state;

(b) Are in transit through the state of Washington and no storage, handling, processing, or repackaging occurs within the state; or

(c) Have been previously documented on a state of Washington fish receiving ticket.

(4) If a fisher wishes to donate fish or shellfish to a nonprofit or other organization but does not possess a valid wholesale fish buyer or a limited fish seller endorsement, they must deliver to an original receiver who must report the fish or shellfish on a fish receiving ticket.

(5) Fishers must ensure that a fish receiving ticket is completed for any forage fish that are:

(a) Transferred at sea to another vessel.

(b) Caught for use as bait by the catching vessel and not transferred to another vessel or an original receiver.

(6) Fish receiving tickets are not required for the following transactions:

(a) Fish or shellfish purchased from holders of a wholesale fish buyer or limited fish seller endorsement provided that the receiver or buyer complies with the recordkeeping requirements under RCW 77.15.568 and retains this information with the fish or shellfish.

(b) Fish or shellfish purchased at retail.

(c) Fresh or frozen fish or shellfish that are in transit through the state of Washington, if no storage, handling, processing, or repackaging occurs within the state.

(d) Private sector cultured aquatic products.

(e) Processed fish or shellfish except frozen fish or shellfish not previously delivered in another state, territory or country.

(f) Any importation of fish that are not classified food fish under WAC 220-300-370 or importation of shellfish that are not classified shellfish under WAC 220-370-010.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-020, filed 5/10/18, effective 6/10/18. 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), recodified as § 220-352-020, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 07-23-001 (Order 07-278), § 220-69-215, filed 11/7/07, effective 12/8/07; WSR 04-17-096 (Order 04-210), § 220-69-215, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. WSR 85-11-020 (Order 85-43), § 220-69-215, filed 5/10/85; WSR 83-24-049 (Order 83-203), § 220-69-215, filed 12/2/83; Order 76-153, § 220-69-215, filed 12/17/76.]

WAC 220-352-035 Requirement to prepare fish receiving ticket forms completely and accurately—Determining the appropriate form.

(1) Receivers must completely, accurately, and legibly prepare fish receiving tickets using a department-approved electronic or department-supplied paper form, as further specified in this section.

(2) Receivers must use an electronic fish receiving ticket form for the following:

(a) Deliveries from vessels fishing under the Pacific Fishery Management Council's Pacific Coast Groundfish Fishery Management Plan and related regulations under 50 C.F.R., Part 660. This requirement includes deliveries from research vessels but excludes deliveries of groundfish made under the trip limits for salmon troll vessels.

(b) Deliveries from directed commercial halibut vessels fishing under 50 C.F.R., Part 300 or vessels conducting research surveys for the International Pacific Halibut Commission if not previously delivered in another jurisdiction.

(c) Deliveries of groundfish harvested from the offshore waters off Alaska or British Columbia if not previously delivered in another jurisdiction.

(d) Deliveries of Dungeness crab, ocean pink shrimp, pink shrimp, coonstripe shrimp, sidestripe shrimp, or spot shrimp, and any other lawfully landed species taken incidentally by vessels fishing and delivering under a coastal Dungeness crab license, a Puget Sound Dungeness crab license, an ocean pink shrimp delivery license, an ocean pink shrimp single delivery license, a Puget Sound shrimp pot license, a Puget Sound shrimp trawl license, or a coastal spot shrimp license issued by the department.

(3) Receivers not required to report under subsection (2) of this section may report using electronic fish receiving ticket forms if they enter into an electronic fish receiving ticket reporting agreement with the department.

(a) The department reserves the discretion to limit the use of electronic fish receiving ticket reporting agreements based on species, gears, areas, times, or other factors.

(b) Electronic fish receiving ticket reporting agreements will identify how to access the appropriate electronic forms and may in-

clude terms and conditions related to the timing and manner of completion and submittal.

(c) Receivers may not submit paper fish receiving tickets for deliveries covered by an electronic fish receiving ticket reporting agreement.

(d) The department or receiver may terminate an electronic fish receiving ticket reporting agreement with thirty days notice to the other party.

(e) A receiver who fails to comply with the terms of the electronic fish receiving ticket agreement commits a violation of this chapter.

(4) A receiver that is not required or authorized by agreement to use electronic fish receiving ticket forms must report using the appropriate paper form. There are separate forms for nontreaty troll fish, marine fish, shellfish, and Puget Sound salmon; and separate forms for treaty fish and treaty shellfish.

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 21-24-031 (Order 21-259), § 220-352-035, filed 11/22/21, effective 1/1/22. Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-035, filed 5/10/18, effective 6/10/18.]

WAC 220-352-040 Required information for Washington state nontreaty fish receiving tickets. (1) The following information is required to be reported on all nontreaty fish receiving ticket forms for all deliveries except imports (WAC 220-352-020 (1)(b)):

(a) Fisher identification: The name and license number of the licensed deliverer.

(b) Address: The address of the licensed deliverer.

(c) Boat name: The name or Coast Guard number of the landing vessel, unless the fishery does not require a vessel.

(d) WDFW boat registration: The Washington department of fish and wildlife boat registration number, unless the fishery does not require a vessel.

(e) Gear: The code number or name of the specific type of gear used.

(f) Fisher's signature: The signature of the licensed deliverer as required in WAC 220-352-140.

(g) Date: Date of landing.

(h) Original receiver: Name of original receiver and the department number assigned to original receiver.

(i) Buyer identification: The name of buyer and the department number assigned to buyer.

(j) Receiver's signature: The signature of the original receiver as required in WAC 220-352-140.

(k) Number of days fished: Days spent catching fish.

(l) Fish or shellfish caught inside or outside 3-mile limit: Check one box.

(m) Catch area:

(i) The salmon catch area code if salmon are caught.

(ii) The marine fish/shellfish catch area code if marine fish are caught or shellfish are caught or harvested.

(n) Port: Port or landing location of delivery using the relevant location code in use by the department.

(o) Species description: Species must be reported using the relevant species or species category code in use by the department.

(p) Delivery amounts:

(i) Number of individuals caught: Deliveries of salmon and sturgeon and all species landed as part of an incidental catch allowance or catch ratio restriction that is expressed in numbers of fish must be reported as counts of individuals.

(ii) The number of ghost shrimp in dozens, the number of oysters in dozens or gallons.

(iii) The original total weight in round pounds of all shellfish or fish, except that pounds of legally dressed fish and shellfish may be recorded in original dressed weight so long as dressed fish and shellfish are designated as dressed on the fish receiving ticket.

(q) Value of fish and shellfish sold or purchased.

(i) Summary information for species or species groups landed: Price per pound or per unit and total value for the line.

(ii) Total amount: Total value of landing.

(r) Take-home fish: Species, number, and pounds of fish or shellfish retained for personal use.

(s) Crew: The name and signature of crew members who take home fish for personal use.

(t) Fish ticket number: Alphanumeric or numeric code assigned to uniquely identify the fish ticket.

(u) Any other fishery specific requirements under this chapter.

(2) For deliveries reported using paper fish receiving ticket forms:

(a) A valid license card or duplicate license card issued by the department used with an approved mechanical imprinter satisfies the requirements in subsection (1)(a) through (e) of this section except as provided in WAC 220-352-150.

(b) A valid dealer or buyer card issued by the department used with an approved mechanical imprinter satisfies the requirements in subsection (1)(h) and (i) of this section.

(3) For import deliveries under WAC 220-352-020 (1)(b), the receiver must:

(a) Report the following information on the fish receiving ticket form:

(i) Place of origin: Area of harvest using the department provided area code.

(ii) Date of import: Date the fish or shellfish entered Washington state.

(iii) Buyer or broker name.

(iv) Fisher or harvester name.

(v) Deliverer name.

(vi) Delivery amount: Species description and weights.

(b) Attach any previously completed fish receiving ticket, or equivalent document, or the bill of lading to the receiver's retained copy of the paper or electronic fish receiving ticket form.

(4) For deliveries reported using electronic fish receiving tickets: If required by the terms of use of a department-approved electronic catch reporting software or application, the receiver must enable location services so that geolocation may be automatically determined during completion and submission of a fish receiving ticket in accordance with WAC 220-352-060.

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 22-18-053, § 220-352-040, filed 8/30/22, effective 10/1/22. Statutory

Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-040, filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-040, filed 10/30/17, effective 1/1/18. 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 re-codified as § 220-352-040, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 14-02-013 (Order 13-304), § 220-69-230, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.04.020, 77.12.047, 50 C.F.R. § 660.370, and 50 C.F.R. § 300.63. WSR 10-02-002 (Order 09-262), § 220-69-230, filed 12/23/09, effective 1/23/10. Statutory Authority: RCW 77.12.047. WSR 07-23-002 (Order 07-279), § 220-69-230, filed 11/7/07, effective 12/8/07; WSR 07-04-030, § 220-69-230, filed 1/29/07, effective 3/1/07. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-230, filed 12/20/99, effective 1/20/00; WSR 85-11-020 (Order 85-43), § 220-69-230, filed 5/10/85; WSR 84-08-014 (Order 84-24), § 220-69-230, filed 3/27/84; WSR 83-24-049 (Order 83-203), § 220-69-230, filed 12/2/83; WSR 80-05-093 (Order 80-27), § 220-69-230, filed 5/2/80; WSR 78-03-031 (Order 78-7), § 220-69-230, filed 2/17/78; Order 76-153, § 220-69-230, filed 12/17/76.]

WAC 220-352-060 Completion, submission, distribution, and retention of copies of nontreaty fish receiving tickets. (1) Original receivers must complete state of Washington nontreaty fish receiving tickets by recording the delivery amount using the appropriate weight or quantity measure for all fish or shellfish at the conclusion of the offload and prior to the fish or shellfish being processed or transported away from the delivery site.

(2) Fish receiving tickets paper forms must be made out in quadruplicate (four copies) at the time of delivery of fish or shellfish. Original receivers must use fish receiving tickets in numerical sequence, starting with the lowest numbered ticket issued. Original receivers reporting using paper forms must:

(a) Mail the state copy (green) of the fish receiving ticket to the department of fish and wildlife (department), except for original receivers who submit a fish receiving ticket in portable document format (PDF) to satisfy quick reporting requirements for salmon and sturgeon under WAC 220-352-315, 220-352-320, 220-352-325 and 220-352-330. The department must receive the state copy no later than the sixth working day after the day the original receiver completes the fish ticket.

(b) Retain the dealer copies (white and yellow) of the fish receiving ticket for his or her records.

(c) The deliverer must retain the fisher copy (gold) for his or her records.

(3) Original receivers who are required to submit fish receiving tickets using an electronic form under WAC 220-352-035(2) must:

(a)(i) For deliveries completed on a mobile device, original receivers are required to fill out an electronic fish ticket form at the delivery location and submit it immediately following the completion of the delivery of fish or shellfish before leaving the delivery location.

In the event of a cellular or broadband outage or lack of service at the delivery site, the original receiver must submit the ticket im-

mediately upon regaining access to a cellular or broadband connection following the completion of the delivery.

(ii) For deliveries of fish and shellfish made to original receivers using a nonmobile device or desktop electronic fish ticket form, the original receiver must submit the ticket within 24 hours after the delivery is completed except:

For deliveries of coastal Dungeness crab, the original receiver must submit the ticket by the close of the next business day after the delivery is complete.

(b) Submit the ticket in compliance with the timely reporting conditions set forth in the electronic fish receiving ticket reporting agreement if reporting voluntarily under WAC 220-352-035(3).

(4) Original receivers who submit fish receiving tickets using an electronic form must print and retain a copy of the completed electronic fish receiving ticket for three years unless:

(a) The fish receiving ticket is signed electronically under WAC 220-352-140 (4)(c) and an electronic copy of the signed and completed fish receiving ticket is available to the department including WDFW officers upon request for a minimum of three years; or

(b) An alternative fish ticket retention requirement is specified in the electronic fish receiving ticket agreement governing the voluntary reporting of the delivery.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 23-22-110 (Order 2023-10), § 220-352-060, filed 10/31/23, effective 12/1/23. Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 21-24-031 (Order 21-259), § 220-352-060, filed 11/22/21, effective 1/1/22. Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-060, filed 5/10/18, effective 6/10/18. 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 § 220-352-060, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 14-02-013 (Order 13-304), § 220-69-260, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.04.020, 77.12.045, 77.12.047, and 50 C.F.R. 660. WSR 12-04-028 (Order 12-09), § 220-69-260, filed 1/26/12, effective 2/26/12. Statutory Authority: RCW 77.12.047. WSR 04-17-096 (Order 04-210), § 220-69-260, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-260, filed 12/20/99, effective 1/20/00; WSR 94-01-001, § 220-69-260, filed 12/1/93, effective 1/1/94; WSR 91-05-015 (Order 91-07), § 220-69-260, filed 2/8/91, effective 3/11/91; WSR 90-03-068 (Order 90-05), § 220-69-260, filed 1/19/90, effective 2/19/90. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-260, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 83-24-049 (Order 83-203), § 220-69-260, filed 12/2/83; WSR 80-05-093 (Order 80-27), § 220-69-260, filed 5/2/80; Order 76-153, § 220-69-260, filed 12/17/76.]

WAC 220-352-070 Description of treaty Indian fish receiving ticket and treaty Indian shellfish receiving ticket. (1) The department creates, prepares, prints, and distributes upon request the following treaty Indian fish receiving ticket forms:

- (a) The treaty Indian fish receiving ticket; and
- (b) The treaty Indian shellfish receiving ticket.

(2) Treaty Indian fish receiving ticket forms must contain space for the following information:

- (a) Tribe: Name or identification number of tribe.
- (b) Name: Name and identification number of deliverer or fisher.
- (c) Signature: Signature of deliverer.
- (d) Date: Date of harvest for bivalves (clams, oysters, geoduck), and date of landing for all fish and shellfish.
- (e) Dealer: Name of the dealer, and the department number assigned to the dealer.
- (f) Buyer: Name of the buyer, and the department number assigned to the buyer.
- (g) Gear: Code name or number of the specific gear type used.
- (h) Dealer's signature: Signature of the original receiver.
- (i) Catch area:
 - (i) River name for river-caught species;
 - (ii) Salmon catch area for saltwater-caught salmon species;
 - (iii) Marine fish/shellfish catch area for saltwater-caught non-salmon species, except bivalve shellfish; or
 - (iv) The catch area, department of natural resources tract number, or department beach identification number for harvested bivalve shellfish.
- (j) The individual number of salmon, steelhead, and sturgeon.
- (k) Species description for all fish and shellfish.
- (l) On treaty Indian shellfish receiving tickets only:
 - (i) The Washington department of health issued certification number (WDOH certification);
 - (ii) The number of ghost shrimp in dozens;
 - (iii) The number of oysters in dozens or gallons; and
 - (iv) The number of razor clams.
- (m) Species code: The department assigned species code for the species harvested.
- (n) The original total weight for each species or species group in round pounds, except:
 - (i) Pounds of legally dressed fish and shellfish may be recorded in original dressed weight so long as the fish and shellfish are designated as dressed; and
 - (ii) Weight is not required for oysters.
- (o) The value of fish and shellfish purchased.
- (p) Tribal tax: The amount of tribal tax collected.
- (q) Take-home, ceremonial, subsistence: The species, number, and pounds of fish or shellfish retained for personal, ceremonial, or subsistence use.
- (r) Tally space for dealer's use: Used at the dealer's discretion.

(3) The treaty Indian fish receiving ticket or treaty Indian shellfish receiving ticket, whichever is applicable, must be completed for any deliveries of fish or shellfish caught by Washington treaty Indians.

[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), recodified as § 220-352-070, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 14-02-013 (Order 13-304), § 220-69-234, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.12.047. WSR 07-04-030, § 220-69-234, filed 1/29/07, effective 3/1/07. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-234, filed 12/20/99,

effective 1/20/00. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-234, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 85-11-020 (Order 85-43), § 220-69-234, filed 5/10/85; WSR 83-24-049 (Order 83-203), § 220-69-234, filed 12/2/83; WSR 80-05-093 (Order 80-27), § 220-69-234, filed 5/2/80; WSR 78-03-031 (Order 78-7), § 220-69-234, filed 2/17/78; Order 76-153, § 220-69-234, filed 12/17/76.]

WAC 220-352-080 Required information on treaty Indian fish and shellfish receiving tickets. (1) It is unlawful for a person required to complete a treaty Indian fish receiving ticket or a treaty Indian shellfish receiving ticket to fail to enter the mandatory information, when applicable, referenced in WAC 220-352-070 (2)(a) through (l) and (n) through (q) on each treaty Indian fish receiving ticket or treaty Indian shellfish receiving ticket, whichever is appropriate.

(2) A valid treaty Indian identification card may be used in lieu of WAC 220-352-070 (2)(a) and (b).

(3) A valid dealer or buyer card issued by the department may be used in lieu of WAC 220-352-070 (2)(e) and (f).

(4) Violation of this section is a gross misdemeanor, punishable under RCW 77.15.630, Unlawful fish and shellfish catch accounting—Penalty.

[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 § 220-352-080, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 14-02-013 (Order 13-304), § 220-69-254, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.12.047. WSR 07-04-030, § 220-69-254, filed 1/29/07, effective 3/1/07; WSR 04-17-096 (Order 04-210), § 220-69-254, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-254, filed 12/20/99, effective 1/20/00. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-254, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 85-11-020 (Order 85-43), § 220-69-254, filed 5/10/85; WSR 83-24-049 (Order 83-203), § 220-69-254, filed 12/2/83; WSR 78-03-031 (Order 78-7), § 220-69-254, filed 2/17/78; Order 76-153, § 220-69-254, filed 12/17/76.]

WAC 220-352-090 Distribution of copies of treaty Indian fish receiving tickets. (1) State of Washington treaty Indian fish receiving tickets must be made out in quintuplicate (five copies) at the time of landing. It is unlawful for the original receiver who completes the fish receiving ticket to fail to distribute the copies as follows:

(a) The original receiver must mail the state copy (green) and the NWIFC copy (pink) to the Northwest Indian Fisheries Commission (NWIFC), P.O. Box 5247, Lacey, Washington 98509. The NWIFC must receive the state copy and NWIFC copy no later than the sixth working day after the day the original receiver completes the fish ticket;

(b) The original receiver must mail the tribal copy (yellow) with the state and NWIFC copies to the Northwest Indian Fisheries Commission, P.O. Box 5247, Lacey, Washington 98509. However, if the department has a written agreement from a specific tribe and buyer indicat-

ing the desire to transmit the tribe's copy directly to the fisher's tribe, then that one copy may be sent directly to the fisher's tribe;

(c) The original receiver must retain the dealer copy (white) for his or her records; and

(d) The deliverer must retain the fisher's copy (gold) for his or her records.

(2) A violation of this section is punishable under RCW 77.15.630, Unlawful fish and shellfish catch accounting—Penalty.

[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), recodified as § 220-352-090, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 14-02-013 (Order 13-304), § 220-69-264, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.12.047. WSR 04-17-096 (Order 04-210), § 220-69-264, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-264, filed 12/20/99, effective 1/20/00; WSR 91-05-015 (Order 91-07), § 220-69-264, filed 2/8/91, effective 3/11/91; WSR 90-03-068 (Order 90-05), § 220-69-264, filed 1/19/90, effective 2/19/90. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-264, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 85-11-020 (Order 85-43), § 220-69-264, filed 5/10/85; WSR 83-24-049 (Order 83-203), § 220-69-264, filed 12/2/83; WSR 80-05-093 (Order 80-27), § 220-69-264, filed 5/2/80; Order 76-153, § 220-69-264, filed 12/17/76.]

WAC 220-352-100 Treaty Indian identification cards. Washington treaty Indians delivering fish or shellfish may use a treaty Indian identification card, properly embossed with the tribe number and treaty Indian identification number, in lieu of hand-written fisherman information except that the fisherman's signature is required on the tribal copy of the treaty Indian fish receiving ticket.

[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), recodified as § 220-352-100, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-272, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 85-11-020 (Order 85-43), § 220-69-272, filed 5/10/85; WSR 83-24-049 (Order 83-203), § 220-69-272, filed 12/2/83; Order 76-153, § 220-69-272, filed 12/17/76.]

WAC 220-352-130 Completion, submission, distribution, and retention of copies of shellfish receiving ticket. (1) State of Washington shellfish receiving tickets paper forms must be made out in quintuplicate (five copies) at the time of delivery of shellfish. Original receivers must use fish receiving tickets in numerical sequence, starting with the lowest numbered ticket issued to the original receiver. The original receiver must:

(a)(i) Mail the state copies (green and pink) to the department of fish and wildlife (department) for any shellfish, other than geoduck clams from department of natural resources (DNR) geoduck tracts.

The department must receive the state copies no later than the sixth working day after the day the original receiver completes the ticket.

(ii) Mail one state copy (green) to the department for any geoduck clams from DNR tracts. The department must receive its copy no later than the sixth working day after the day the original receiver completes the ticket. The original receiver must give the other state copy (pink) to DNR at the time of weigh-out, unless otherwise directed by DNR.

(b) Retain the dealer copies (white and yellow) for his or her records for three years.

(c) Provide the fisher his or her copy (gold) for his or her records.

(2) Original receivers who submit fish receiving tickets using an electronic form must:

(a) Submit and retain the fish ticket in compliance with the terms and conditions set forth in the electronic fish receiving ticket reporting agreement under WAC 220-352-035(3).

(b) Print and retain a copy of the completed electronic fish receiving ticket for three years unless an alternative fish ticket retention requirement is specified in an electronic fish receiving ticket agreement.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-130, filed 5/10/18, effective 6/10/18. 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), recodified as § 220-352-130, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 14-02-013 (Order 13-304), § 220-69-26401, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.12.047 and 77.04.020. WSR 08-21-023 (Order 08-261), § 220-69-26401, filed 10/6/08, effective 11/6/08. Statutory Authority: RCW 77.12.047. WSR 05-05-026 (Order 05-16), § 220-69-26401, filed 2/10/05, effective 3/13/05; WSR 04-17-096 (Order 04-210), § 220-69-26401, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-26401, filed 12/20/99, effective 1/20/00; WSR 91-05-015 (Order 91-07), § 220-69-26401, filed 2/8/91, effective 3/11/91. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-26401, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 83-24-049 (Order 83-203), § 220-69-26401, filed 12/2/83; WSR 80-05-093 (Order 80-27), § 220-69-26401, filed 5/2/80.]

WAC 220-352-140 Signatures—Fish receiving tickets. (1) The fisher and original receiver of both treaty and nontreaty fish or shellfish must sign the appropriate completed fish receiving ticket paper form to certify that all entries on the ticket are accurate and correct.

(2) If an agent of the fisher delivers fish or shellfish to the original receiver, the receiver and the agent must complete and sign the fish receiving ticket together with the transportation ticket. The receiver and fisher shall assume complete responsibility for the correctness of all entries on the fish receiving ticket.

(3) Any employee of a licensed wholesale fish buyer who is authorized to receive or purchase fish or shellfish for that buyer on the premises of the primary business address or any of its plant loca-

tions as declared on the license application or agreement described under WAC 220-352-035(3), is authorized to initiate and sign fish receiving tickets on behalf of his or her employer. The business, firm, or licensed wholesale fish buyer that the receivers are operating under is responsible for the accuracy and legibility of all documents initiated in their name by any employee or agent.

(4) If an original receiver submits an electronic fish receiving ticket form, the fisher and original receiver must certify that all entries on the ticket are accurate and correct by either:

(a) Signing the printed and completed copy of the fish receiving ticket required under WAC 220-352-060(4);

(b) Following the terms and conditions for signature specified in an electronic fish receiving ticket reporting agreement (WAC 220-352-035(3)); or

(c) Signing electronically if the electronic form provided by the department directs the fisher and receiver to do so.

(5) If the receiver must complete an electronic fish receiving ticket form away from the place of delivery and it is impractical for the fisher to comply with subsection (4) of this section, the deliverer and receiver must sign the completed transportation ticket required by WAC 220-352-230 and attach it to the printed and signed copy of the completed electronic fish receiving ticket form, unless otherwise specified in an electronic fish receiving ticket reporting agreement (WAC 220-352-035(3)).

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 21-24-031 (Order 21-259), § 220-352-140, filed 11/22/21, effective 1/1/22. Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-140, filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-140, filed 10/30/17, effective 1/1/18. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090, and 77.32.155. WSR 17-12-105 (Order 17-112), § 220-352-140, filed 6/6/17, effective 7/7/17. 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), recodified as § 220-352-140, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.047, and 50 C.F.R. Part 660. WSR 17-03-006 (Order 17-04), § 220-69-274, filed 1/4/17, effective 1/4/17. Statutory Authority: RCW 77.04.020, 77.12.045, 77.12.047, and 50 C.F.R. 660. WSR 12-04-028 (Order 12-09), § 220-69-274, filed 1/26/12, effective 2/26/12. Statutory Authority: RCW 77.12.047. WSR 04-17-096 (Order 04-210), § 220-69-274, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-274, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 85-11-020 (Order 85-43), § 220-69-274, filed 5/10/85; WSR 83-24-049 (Order 83-203), § 220-69-274, filed 12/2/83; Order 76-153, § 220-69-274, filed 12/17/76.]

WAC 220-352-150 Imprinters—Fish receiving tickets. (1) Fishers and original receivers must mechanically imprint the fish receiving ticket paper forms with their department issued license cards.

(2) License card information may be recorded manually on the fish receiving tickets in the following exceptions:

- (a) Oregon licensed fishers delivering fish caught in the Columbia River;
- (b) Purchases made from out-of-state firms; and
- (c) Fishers selling on a delivery license who have not received a delivery license card from the department at the time of their first sale. All subsequent sales require use of a license card.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-150, filed 5/10/18, effective 6/10/18. 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 § 220-352-150, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-273, filed 12/20/99, effective 1/20/00; WSR 94-01-001, § 220-69-273, filed 12/1/93, effective 1/1/94. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-273, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 83-24-049 (Order 83-203), § 220-69-273, filed 12/2/83; Order 76-153, § 220-69-273, filed 12/17/76.]

WAC 220-352-160 Fish receiving ticket accountability—Paper forms. (1) When reporting using fish receiving ticket paper forms under WAC 220-352-035, receivers must:

- (a) Use only current state of Washington fish receiving tickets;
 - (b) Get written permission from the department to transfer fish receiving tickets, except if the receiver is a wholesale fish buyer transferring to another licensed wholesale fish buyer or limited fish seller;
 - (c) Notify the department in writing if terminating their business and to fail to return all unused fish receiving tickets and ticket books to the department within thirty days after termination of business;
 - (d) Return the state copy of all fish receiving tickets to the state. All fish receiving tickets that are incorrectly made out, voided, or otherwise unused, must be submitted to the department accompanying, and in sequence with, other fish receiving tickets; and
 - (e) Account for all lost, destroyed, or otherwise missing fish receiving tickets in writing to the department.
- (2) Any person who is not a licensed wholesale fish buyer or holder of a limited fish seller endorsement shall not have blank fish receiving ticket paper forms in his or her possession.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-160, filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-160, filed 10/30/17, effective 1/1/18. 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), recodified as § 220-352-160, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 14-02-013 (Order 13-304), § 220-69-280, filed 12/19/13, effective 1/19/14. Statutory Authority: RCW 77.12.047. WSR 07-04-030, § 220-69-280, filed 1/29/07, effective 3/1/07; WSR 04-17-096 (Order 04-210), § 220-69-280, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order

99-221), § 220-69-280, filed 12/20/99, effective 1/20/00. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-280, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 85-11-020 (Order 85-43), § 220-69-280, filed 5/10/85; WSR 83-24-049 (Order 83-203), § 220-69-280, filed 12/2/83; WSR 82-17-040 (Order 82-105), § 220-69-280, filed 8/13/82; WSR 80-05-093 (Order 80-27), § 220-69-280, filed 5/2/80; WSR 78-03-031 (Order 78-7), § 220-69-280, filed 2/17/78; Order 76-153, § 220-69-280, filed 12/17/76.]

WAC 220-352-170 Charter stamps—Charter boat and guide operator issuance duties. It is unlawful for a charter boat or guide operator to fail to comply with the charter stamp validation requirements as provided for in this section.

(1) Before any fishing commences, the charter boat or guide operator shall write the validation date across every charter stamp issued to a client in ink. The validation date is the first day on which a client may fish for, harvest or possess fish, shellfish, or seaweed.

(2)(a) Each failure to validate a charter boat stamp is punishable as an infraction under RCW 77.15.160, so long as the charter boat or guide operator has not committed prior infractions under this subsection in the same calendar year involving a cumulative stamp value of more than one hundred fifty dollars.

(b) Each failure to validate a charter boat stamp is punishable as a gross misdemeanor under RCW 77.15.813 when the charter boat or guide operator has previously committed infractions under (a) of this subsection in the same calendar year involving a cumulative value of more than one hundred fifty dollars.

[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), recodified as § 220-352-170, filed 2/15/17, effective 3/18/17; WSR 17-01-054 (Order 16-327), § 220-69-23801, filed 12/14/16, effective 1/14/17.]

WAC 220-352-200 Duties of commercial shellfish shuckers. Every person shucking shellfish for resale, excluding privately cultured aquatic products, is required to have a wholesale fish buyer endorsement. It is unlawful for shellfish shuckers originally receiving shellfish that are not private sector cultured aquatic products to fail to completely, accurately, and legibly prepare a state of Washington shellfish receiving ticket for each day's activities.

(1) Failure to be licensed under this section is punishable under RCW 77.15.620.

(2) Failure to prepare a fish receiving ticket under this section is punishable under RCW 77.15.630.

[Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-200, filed 10/30/17, effective 1/1/18. 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), recodified as § 220-352-200, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 04-17-096 (Order 04-210), § 220-69-242, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-242, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 83-24-049 (Or-

der 83-203), § 220-69-242, filed 12/2/83; Order 76-153, § 220-69-242, filed 12/17/76.]

WAC 220-352-210 License cards. Upon lawful application, a commercial fishery license in the form of a license card will be issued by the department. The license card will be designed for use with an approved mechanical imprinting device. The license card will contain the licensee's name; license type and gear code; license year; license number. Upon designating a vessel the license card will additionally contain the vessel name for documented vessels; the state registration number for undocumented vessels if state registration is required; the department vessel registration number for vessels for which neither documentation nor state registration is required; the primary operator and date of birth; up to two alternate operators and date of birth for each.

[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), recodified as § 220-352-210, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 04-17-096 (Order 04-210), § 220-69-270, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. WSR 94-01-001, § 220-69-270, filed 12/1/93, effective 1/1/94; WSR 83-24-049 (Order 83-203), § 220-69-270, filed 12/2/83; Order 76-153, § 220-69-270, filed 12/17/76.]

WAC 220-352-220 Wholesale fish buyer plates. (1) Upon lawful application for a wholesale fish buyer's endorsement, a wholesale fish buyer's plate will be issued by the department for any receiver acting as or intending to act as an original receiver. The receiver's plate will be designed for use with an approved mechanical imprinting device and shall contain the wholesale fish buyer's name, wholesale fish buyer's endorsement number, year for which the endorsement is valid, and department wholesale fish buyer number.

(2) Upon lawful application for a wholesale fish buyer's license or a branch plant license, a wholesale fish buyer's plate will be issued by the department for any wholesale fish buyer acting or intending to act on the behalf of an original receiver. The wholesale fish buyer's plate will be designed for use with an approved mechanical imprinting device and shall contain the wholesale fish buyer's name, wholesale fish buyer's endorsement number, year for which the endorsement is valid, department wholesale fish buyer number, buyer name, and department buyer number.

[Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-220, filed 10/30/17, effective 1/1/18. 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), recodified as § 220-352-220, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-271, filed 12/20/99, effective 1/20/00; WSR 80-05-093 (Order 80-27), § 220-69-271, filed 5/2/80; WSR 78-03-031 (Order 78-7), § 220-69-271, filed 2/17/78; Order 76-153, § 220-69-271, filed 12/17/76.]

WAC 220-352-230 Commercial fish and shellfish transportation ticket.

(1) If fish or shellfish are transported from a vessel or catch site (if the fishery does not require a vessel) prior to completing a fish receiving ticket, the fisher must complete a commercial fish and shellfish transportation ticket as required by this section. The transportation ticket must accompany the fish or shellfish until the fish receiving ticket is completed. The purpose of this rule is to ensure catch accountability when fish or shellfish are transported by the fisher or his or her designee before a fish receiving ticket is required to be completed. Fish receiving ticket requirements under this chapter are still in effect.

(2) The fisher must complete the department provided transportation ticket with the following information:

- (a) The name of the fisher who caught the fish or shellfish.
- (b) The fisher's WDFW-issued vessel ID number.
- (c) The signature of the fisher or additional operator.
- (d) The name of the transporter.
- (e) The catch area where the fish or shellfish were caught.
- (f) The species of fish or shellfish being transported.
- (g) The individual number or approximate pounds of fish or shellfish being transported, as required under WAC 220-352-040.
- (h) The date(s) the fish or shellfish were harvested.

(3) In cases where the fisher does not deliver the fish or shellfish to an original receiver within twenty-four hours after offloading, the fisher must send a copy of the completed transportation ticket to the department. The completed ticket must arrive within the sixth working day. Once the fisher delivers the fish or shellfish to the original receiver, a copy of the transportation ticket must be attached or the ticket number must be written on the fish receiving ticket.

(4) In cases where an agent of the fisher delivers fish or shellfish with a transportation ticket to the original receiver, the original receiver must mail the transportation ticket, together with the state copy of the fish receiving ticket as required in WAC 220-352-060, 220-352-090, and 220-352-130. If the commercial fisher delivers and signs the fish receiving ticket, only the fish receiving ticket must be mailed in, and the transportation ticket is not required to be submitted with it.

Transportation tickets completed for deliveries reported using electronic fish receiving ticket forms should be attached to the printed and signed copy of the form, as required by WAC 220-352-140(5).

(5) Any person transporting commercially taken fish or shellfish or commercial quantities of fish or shellfish must provide a transportation ticket for inspection upon demand by a fish and wildlife officer.

(6) The provisions of this section do not apply to:

(a) Fish and shellfish purchased at retail, provided the purchaser has, in his or her possession, a sales receipt documenting the purchase;

(b) Fish or shellfish for which a fish receiving ticket has been completed and a copy of the fish receiving ticket is in the possession of the person transporting;

(c) Fish or shellfish being transported by the department;

(d) Hatchery carcass sales;

(e) Private sector cultured aquatic products in transport;

(f) Fish or shellfish being transported on a completed Oregon transportation ticket, provided that the fish were caught in the con-

current waters of the Columbia River and were landed on Washington's shore; and

(g) Fish or shellfish being transported in the catching vessel, provided that the vessel is not being transported or towed over land.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 23-22-110 (Order 2023-10), § 220-352-230, filed 10/31/23, effective 12/1/23. Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-230, filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-230, filed 10/30/17, effective 1/1/18. 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 § 220-352-230, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047 and 77.04.020. WSR 08-21-023 (Order 08-261), § 220-69-300, filed 10/6/08, effective 11/6/08. Statutory Authority: RCW 77.12.047. WSR 04-17-096 (Order 04-210), § 220-69-300, filed 8/17/04, effective 9/17/04. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-300, filed 12/20/99, effective 1/20/00. Statutory Authority: RCW 75.08.080 and 75.58.040. WSR 86-19-043 (Order 86-102), § 220-69-300, filed 9/12/86. Statutory Authority: RCW 75.08.080. WSR 85-11-021 (Order 85-44), § 220-69-300, filed 5/10/85.]

WAC 220-352-240 Annual production report. There is hereby created a state of Washington annual production report form to be prepared, printed, and distributed annually by the department to all fish dealers, canners, custom canners, and by-product manufacturers. The annual production report shall be completed and returned to the department not later than January 31 for the preceding year of business activities.

[Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-240, filed 10/30/17, effective 1/1/18. 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), recodified as § 220-352-240, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 75.08.080. WSR 00-01-145 (Order 99-221), § 220-69-290, filed 12/20/99, effective 1/20/00; Order 76-153, § 220-69-290, filed 12/17/76.]

WAC 220-352-245 Reporting required of licensed food fish, game fish and combination fishing guides. (1) Licensed food fish, game fish and combination fishing guides shall maintain a daily logbook of guiding activity to include:

- (a) Guide name and license No. for the guide leading the trip;
- (b) Date that fishing took place. For multiday trips, each day is considered a separate trip;
- (c) Specific name of river, stream, or lake fished;
- (d) Site code of site fished as referenced within a list provided to each guide. If multiple sites are fished on the same day, each site is considered a separate trip;
- (e) Client, "comped angler" and crew current fishing license number (wild ID No.) for each person on board if required to have a li-

cense or catch record card. A comped angler is an angler that fishes without charge;

(f) Indicate if person was a crew member or if angler was "comped";

(g) Species kept or released. For salmon and steelhead specify origin (hatchery, wild) and life stage (adult, jack).

(2) Every daily logbook entry must be started before fishing activity begins by entering guide name, license number, date, and waterbody the trip initiated from.

(3) Report of daily guiding activity shall be made using the department's paper logbook or mobile reporting application. Trips reported using the paper logbook for activity that occurred between the first day of the calendar month and the 15th day of the calendar month must be postmarked and mailed to the department by the 28th day of the same calendar month. Trips reported using the paper logbook for activity that occurred between the 16th day of the calendar month and the last day of the calendar month must be postmarked and mailed to the department by the 14th day of the calendar month immediately following. Reports logged using the mobile application must be finalized or submitted at the end of the guided trip before leaving the site.

(4) Each day of fishing will be required to be recorded in the logbook. This includes any personal use or nonguided fishing trips that occur. Only guide name, license number, and date are required for nonguided fishing trips.

(5) Information collected under this section may be exempt from public disclosure to the extent provided under RCW 42.56.430.

(6) Failure to report any guiding activity listed in subsections (1) through (4) of this section is an infraction, punishable under RCW 77.15.160.

(7) A fishing guide, or person under the control or direction of a fishing guide, that submits false information is guilty of a gross misdemeanor, punishable under RCW 77.15.270.

[Statutory Authority: RCW 77.65.500. WSR 23-07-055 (Order 23-38), § 220-352-245, filed 3/9/23, effective 4/9/23. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020 and 77.04.055. WSR 19-17-010 (Order 19-141), § 220-352-245, filed 8/9/19, effective 1/1/20.]

WAC 220-352-250 Sale under a limited fish seller endorsement.

Any holder of a limited fish seller endorsement selling fish or shellfish taken by that fisher under the endorsement, must comply with the requirements of this section.

(1)(a) Before offering any fish or shellfish for retail sale under a limited fish seller endorsement, the fisher must complete a fish receiving ticket for all fish or shellfish aboard the harvesting vessel upon landing, unless meeting the exception under (b) of this subsection.

(b) If the fisher offers fish or shellfish for sale directly off the catcher vessel, the fisher may complete the ticket with an estimated number or weight. At the completion of the retail activity, the fisher must enter the actual number, weight, and sale price of the fish or shellfish that were sold at retail.

(2) In order to allow inspection and sampling, each fisher offering fish or shellfish for retail sale at any location other than the harvesting vessel or, if from the harvesting vessel, in an amount having a retail value greater than one hundred fifty dollars must notify

the department eighteen hours prior to sale and identify the location of the fisher's vessel, temporary food service establishment or restaurant or other business which prepares and sells food at retail to which the fisher is selling the fish or shellfish. The only acceptable notification is by telephone to 360-902-2936, fax to 360-902-2155, or email to enforcement-web@dfw.wa.gov.

(3) Each fisher offering fish or shellfish for retail sale must maintain a sequentially numbered receipt book, which receipt book contains a receipt duplicate copy, and must give each purchaser of fish or shellfish a receipt showing the number, weight and purchase price of the fish or shellfish sold to that purchaser. The seller must retain the duplicate receipts for one year.

(4) If fish or shellfish offered for retail sale and documented on a fish receiving ticket are subsequently sold to a licensed wholesale fish buyer, the sale must be documented by a sale receipt, not a fish receiving ticket.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-250, filed 5/10/18, effective 6/10/18. Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 17-22-100, § 220-352-250, filed 10/30/17, effective 1/1/18. 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 § 220-352-250, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 04-08-025 (Order 04-63), § 220-20-080, filed 3/29/04, effective 4/29/04; WSR 03-05-059 (Order 03-32), § 220-20-080, filed 2/18/03, effective 3/21/03.]

WAC 220-352-280 Transportation of anadromous game fish and roe.

(1) It is unlawful to ship or transport game fish and roe by a private or common carrier unless accompanied by an invoice that includes:

(a) The name and address of the consignor and consignee;

(b) The weight (in pounds) and number of anadromous game fish and skeins of roe in the shipment; and

(c) The date of the shipment.

(2) Transported containers of anadromous game fish or roe must be clearly and conspicuously marked indicating the containers' contents. A copy of the invoice must be forwarded by the carrier to the department, 600 North Capitol Way, Olympia, Washington 98501, within 7 days of shipping anadromous game fish or roe.

[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), recodified as § 220-352-280, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 13-02-043 (Order 12-290), § 232-12-097, filed 12/21/12, effective 1/21/13. Statutory Authority: RCW 77.12.040. WSR 81-12-029 (Order 165), § 232-12-097, filed 6/1/81. Formerly WAC 232-12-214.]

WAC 220-352-290 Unlawful acts. Violation of rules contained in this chapter are punishable as crimes under one or more statutes in chapter 77.15 RCW, including, but not limited to, RCW 77.15.280, 77.15.290, 77.15.620, and 77.15.630; and such rule violations may separately incur financial liability under RCW 77.65.330 and 77.15.565.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-290, filed 5/10/18, effective 6/10/18.]

WAC 220-352-300 Coastal groundfish and halibut—Additional reporting requirements. For deliveries from groundfish fisheries (as defined in 50 C.F.R., Part 660 and WAC 220-355-070), the original receiver must record:

(1) The legal gear code used to harvest each species on the fish receiving ticket line level if multiple gears were used.

(2)(a) The federal limited entry permit authorizing participation in the limited entry portions of the groundfish fishery (50 C.F.R., Part 660) from which the delivery was made.

(b) For deliveries from the sablefish primary fishery (50 C.F.R., Part 660.231) involving cumulative limits from more than one permit, the pounds of sablefish must be enumerated by permit number using multiple lines on the fish receiving ticket form.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-300, filed 5/10/18, effective 6/10/18.]

WAC 220-352-305 Coastal Dungeness crab—Additional reporting requirements. Original receivers of Dungeness crab from the Pacific Ocean, Coastal Washington, Grays Harbor, Willapa Harbor, and Columbia River waters must enter the crab vessel hold inspection certificate number on all nontreaty fish receiving tickets during the period specified in emergency regulations. (WAC 220-352-035(3)).

[Statutory Authority: RCW 77.04.020, 77.12.045, and 77.12.047. WSR 21-24-031 (Order 21-259), § 220-352-305, filed 11/22/21, effective 1/1/22. Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-305, filed 5/10/18, effective 6/10/18.]

WAC 220-352-310 Forage fish and mackerel—Additional reporting requirements. (1) Fishers and receivers must ensure that forage fish harvests required to be reported as bait under WAC 220-352-020 (5)(b) are accurately reported on the same fish ticket as, and at the time of delivery of, the fish or shellfish harvested with the bait. For forage fish transferred from one vessel to another without monetary consideration, the harvest should be reported on the fish ticket of the fisher who received the bait.

(2) Operators of commercial fishing vessels distributing or transferring forage fish for monetary consideration from the nets or other holding devices under his or her control must either:

(a) Transfer the fish to a licensed wholesale fish buyer; or

(b) Possess a wholesale fish buyer endorsement and complete a fish receiving ticket to record the transaction.

(3) Receivers of forage fish or mackerel must initiate and complete fish receiving tickets on the day the forage fish or mackerel are delivered.

(a) Herring must also be reported on herring harvest logs.

(b) The harvested amount of forage fish or mackerel must be entered upon the fish ticket when the forage fish are off-loaded from the catcher vessel.

(c) Fishers and receivers must ensure that any catches of herring, candlefish, anchovy, sardine, or mackerel that are unmarketable due to mortality are recorded on a fish receiving ticket as a "loss estimate" by weight.

(4) In the coastal sardine fishery or coastal mackerel fishery, receivers may not purchase, per sardine or mackerel fishery vessel, more than fifteen percent cumulative weight of sardine or mackerel for the purposes of conversion into fish flour, fishmeal, fish scrap, fertilizer, fish oil, other fishery products, or by-products, for purposes other than human consumption or fishing bait during the sardine or mackerel fishery season. Sardine and mackerel purchased for these purposes must be included, by weight, on the fish ticket as "reduction."

(5) In any forage fish fishery or in the mackerel purse seine fishery, receivers must not purchase anchovy in excess of fifteen percent, by weight, of the total landing weight per vessel, for the purposes of conversion into fish flour, fishmeal, fish scrap, fertilizer, fish oil, or other fishery products. Anchovy purchased for these purposes must be included, by weight, on the fish ticket as "reduction."

(6) Electronic fish receiving ticket reporting agreements (WAC 220-352-035(3)) may specify alternative procedures for satisfying the catch report requirements under WAC 220-356-050 and 220-356-160.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-310, filed 5/10/18, effective 6/10/18.]

WAC 220-352-315 Columbia River salmon, sturgeon, and smelt—Additional reporting requirements. During any Columbia River fishery opening that is designated by rule as "quick reporting required":

(1) An original receiver must report all purchases of salmon, sturgeon, or smelt made (wholesale buyer) or offered for retail sale (limited fish seller) on the previous calendar day.

(2) The report must include the following:

(a) The wholesale fish buyer or limited fish seller name and purchasing location;

(b) Date of purchase;

(c) Each fish receiving ticket number, including the first alphanumeric letter, used on the purchasing date; and

(d) The following catch data for each fish ticket used: The total number of days fished, gear, catch area, species, number, and total weight for each species purchased and all take home fish not purchased (wholesale fish buyer) or sold (limited fish seller).

(3) When quick reporting is required, the original receiver must submit the report within 5, 8, 12, or 24 hours of closure of the designated fishery unless otherwise specified in a voluntary electronic fish receiving ticket agreement (WAC 220-352-035(3)).

(a) The department establishes the time frame for submitting reports at the time of adoption of the quick reporting fishery. Adoption and communication of the quick reporting regulations for a given fishery occurs in conjunction with the adoption of the fishery through the Columbia River Compact.

(b) Submission of a report is not complete until the report arrives at the designated department location. Reports can be made via

fax at 360-906-6776 or 360-906-6777; via email at crfishtickets@dfw.wa.gov; or via phone at 1-866-791-1281.

(4) Faxing or reporting electronically in portable document format (PDF) a copy of each fish receiving ticket used, within the previously indicated time frames specified per area, satisfies the quick reporting requirement.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-315, filed 5/10/18, effective 6/10/18.]

WAC 220-352-320 Grays Harbor and Willapa Bay salmon and sturgeon—Additional reporting requirements. During any Grays Harbor or Willapa Bay fishery opening that is designated by rule as "quick reporting required":

(1) An original receiver must report all purchases of salmon and sturgeon made (wholesale buyer) or offered for retail sale (limited fish seller) on the previous calendar day.

(2) The report must include the following:

(a) The wholesale fish buyer or limited fish seller name and purchasing location;

(b) The date of purchase;

(c) Each fish receiving ticket number, including the first alphanumeric letter, used on the purchasing date; and

(d) The following catch data for each fish ticket used: The total number of days fished, gear, catch area, species, number, and total weight for each species purchased and all take home fish not purchased (wholesale fish buyer) or sold (limited fish seller).

(3) When quick reporting is required, the original receiver must submit the report by 10:00 a.m. on the day after the purchase date unless otherwise specified in a voluntary electronic fish receiving ticket agreement (WAC 220-352-035(3)). Submission of a report is not complete until the report arrives at the designated department location. Reports can be made via fax at 360-249-1229; via email at harborfishtickets@dfw.wa.gov; or via phone at 1-866-791-1280.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-320, filed 5/10/18, effective 6/10/18.]

WAC 220-352-325 Puget Sound salmon and sturgeon—Additional reporting requirements. During any Puget Sound fishery opening that is designated as "quick reporting required," per WAC 220-354-090:

(1) An original receiver must report all purchases of salmon and sturgeon made (wholesale buyer) or offered for retail sale (limited fish seller) on the previous calendar day.

(2) The report must include:

(a) The wholesale fish buyer or limited fish seller name and purchasing location;

(b) The date of purchase;

(c) Each fish receiving ticket number, including the first alphanumeric letter, used on the purchasing date; and

(d) The following catch data for each fish ticket used: The total number of days fished, gear, catch area, species, number, and total weight for each species purchased and all take home fish not purchased (wholesale fish buyer) or sold (limited fish seller).

(3) When quick reporting is required, the original receiver must submit the report by 10:00 a.m. on the day after the purchase date unless otherwise specified in a voluntary electronic fish receiving ticket agreement (WAC 220-352-035(3)). Submission of a report is not complete until the report arrives at the designated department location. Reports can be submitted via fax at 360-902-2949; via email at psfishtickets@dfw.wa.gov; or via phone at 1-866-791-1279. In fisheries under Fraser Panel Control within Fraser Panel Area Waters (area defined under Art. XV, Annex II, Pacific Salmon Treaty 1985), other reporting requirements not listed in this subsection may be necessary under Subpart F of the International Fisheries Regulations, 50 C.F.R. Chapter III Sec. 300.93.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-325, filed 5/10/18, effective 6/10/18.]

WAC 220-352-330 Coastal salmon troll—Additional reporting requirements. During any coastal troll fishery opening that is designated by rule as "quick reporting required":

(1) An original receiver must report all purchases of salmon made (wholesale buyer) or offered for retail sale (limited fish seller) on the previous calendar day.

(2) The report must include:

(a) The wholesale fish buyer or limited fish seller name and purchasing location;

(b) The date of purchase;

(c) Each fish receiving ticket number, including the first alphanumeric letter, used on the purchasing date; and

(d) The following catch data for each fish ticket used: The total number of days fished, gear, catch area, species, number, and total weight for each species purchased and all take home fish not purchased (wholesale fish buyer) or sold (limited fish seller).

(3) When quick reporting is required, the original receiver must submit the report by 10:00 a.m. on the day after the purchase date unless otherwise specified in a voluntary electronic fish receiving ticket agreement (WAC 220-352-035(3)). Submission of a report is not complete until the report arrives at the designated department location. Reports can be made via fax at 360-902-2949; via email at trollfishtickets@dfw.wa.gov; or via phone at 1-866-791-1279.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-330, filed 5/10/18, effective 6/10/18.]

WAC 220-352-335 Puget Sound shrimp—Additional reporting requirements.

Harvesters, pot fishery

(1) License registration: Each fisher or alternate operator is required to report their intended catch area of harvest, target species (spot or nonspot shrimp), and the quantity of pounds that are being targeted prior to the deployment of any shrimp gear. Reports must be submitted via email or text to shrimp.report@dfw.wa.gov or via an electronic reporting system approved by the department.

(2) Quick reports: Daily catch must be reported to the department by 10:00 a.m. the day after the shrimp are harvested. Reports must be

submitted via email or text to shrimp.report@dfw.wa.gov or via an electronic reporting system provided by the agency. Daily catch reports must include the following information as it is recorded on the fish receiving ticket:

- (a) Fisher name, buyer name, and date of sale;
- (b) Quantity of pounds landed per shrimp species;
- (c) Catch area and date of harvest; and
- (d) The entire alphanumeric fish ticket number, including the alphabetic prefix.
- (e) A fisher who is the wholesale fish buyer or limited fish seller (the original receiver) may submit a quick report per provisions of this subsection to satisfy the requirements of this subsection.

Original Receivers

(3) Any person originally receiving or purchasing shrimp, other than ghost shrimp, harvested with pot or trawl gear must record on the shellfish receiving ticket the appropriate catch area based on the location of harvest and the boundary definitions specified in WAC 220-320-140.

(4) Quick reports: Any person originally receiving or purchasing shrimp, other than ghost shrimp, taken from Puget Sound by trawl gear or pot gear must report to the department the previous day's purchases by 10:00 a.m. the following morning.

(a) Reports must be sent by text message or email to shrimp.report@dfw.wa.gov, or by an electronic reporting system approved by the department.

(b) Reports must include, for each fish receiving ticket prepared:

- (i) The wholesale fish buyer name and number;
- (ii) Fisher name;
- (iii) Date of sale;
- (iv) The entire alphanumeric fish ticket number, including the alphabetic prefix;
- (v) The quantity of pounds delivered per shrimp species; and
- (vi) The Shrimp Region (WAC 220-320-140) and Marine Fish-Shellfish Management and Catch Reporting Area (WAC 220-301-050) from which the shrimp was harvested.

(c) Receivers who complete and submit an electronic fish receiving ticket form, which is also received by the department, per the provisions of WAC 220-352-035 are exempted from the requirements of this subsection.

[Statutory Authority: RCW 77.04.012, 77.04.020, 77.04-055 [77.04.055], 77.12.045, and 77.12.047. WSR 22-08-048, § 220-352-335, filed 3/31/22, effective 5/1/22. Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-335, filed 5/10/18, effective 6/10/18.]

WAC 220-352-340 Puget Sound crab—Additional reporting requirements. (1) **License registration:** Puget Sound commercial crab license holders, or their designated alternate operators, must register which Crab Management Region to which gear will be deployed for each license they hold prior to the fishery opening date.

- (a) Registrations must be updated when gear moves between areas.

(b) The department must be notified if gear is not going to be deployed for a period of 72 hours or longer.

(c) Registrations must be made by registering via the WDFW Puget Sound commercial crabbing web page or via email or text to crab.report@dfw.wa.gov.

(d) Reports must include the following information:

(i) Vessel operator name;

(ii) Vessel name and WDFW-issued vessel ID number;

(iii) Permit number(s) to be fished;

(iv) Crab Management Region to be fished;

(v) Gear deployment date.

(2) **Quick reports:** Any person originally receiving or purchasing Dungeness crab taken from Puget Sound by nontreaty fishers must report to the department the previous day's purchases by 10:00 a.m. the following day.

(a) Reports must be sent by email or text message to crab.report@dfw.wa.gov, or by using the Puget Sound commercial crab reporting website.

(b) For crab originally received or purchased by a licensed fish buyer, reports must include, for each fish receiving ticket completed by a licensed fish buyer:

(i) The name and department-issued license number of the wholesale fish buyer or limited fish seller;

(ii) The phone number or email address of the wholesale fish buyer or limited fish seller;

(iii) The date of landing of crab; and

(iv) The quantity of pounds of crab delivered, by Crab Management Region (WAC 220-320-110) or by Marine Fish-Shellfish Management and Catch Reporting Area (WAC 220-301-040).

(c) Receivers who complete and submit an electronic fish receiving ticket form, which is also received by the department, per the provisions of WAC 220-352-035 are exempted from the requirements of this subsection.

(3) **Shellfish transportation tickets:** If crab are transported from a vessel prior to completing a fish receiving ticket and not delivered to an original receiver by 5:00 p.m. on the day following the day of harvest, the fisher must complete and submit a commercial fish and shellfish transportation ticket per the provisions of WAC 220-352-230 and submit a transported crab quick report to the department.

(a) "Transported" is intended to include crab stored off, but in close proximity to, a vessel with Puget Sound commercial crab license beyond 5:00 p.m. on the day following the day of harvest and prior to delivery to an original receiver.

(b) "Stored" is intended to include crab removed from, and stored in close proximity to, a vessel with a Puget Sound commercial crab license prior to delivery to an original receiver up until 5:00 p.m. the day following the day of harvest.

(c) Each day's harvest that is not delivered to a licensed fish buyer by 5:00 p.m. on the day following the day of harvest must be recorded separately on a commercial fish and shellfish transportation ticket(s).

(4) **Stored or transported crab quick reports:** Stored or transported crab quick reports must be submitted by the fisher and received by the department by 10:00 a.m. the day following the day crab are off-loaded from the vessel. Reports must be made using the department-provided electronic forms on the Puget Sound commercial crab reporting

website, or by email or text to crab.report@dfw.wa.gov. Reports must include:

- (a) Fisher name;
- (b) WDFW-issued vessel ID number;
- (c) Puget Sound commercial crab license number;
- (d) Date of harvest;
- (e) The quantity of pounds of crab retained by Crab Management Region or by Marine Fish-Shellfish Catch Reporting Area;
- (f) Shellfish transportation ticket number(s).

(5) **Sale of stored or transported crab quick report:** Commercial harvesters of crab in Puget Sound must report to the department the delivery of stored or transported crab to an original receiver. Reports are due by 10:00 a.m. the day following the delivery. Reports must be made using the department-provided electronic forms on the Puget Sound commercial crab reporting website, or by email or text to crab.report@dfw.wa.gov. Reports must contain:

- (a) Fisher name;
- (b) WDFW-issued vessel ID number;
- (c) Puget Sound commercial crab license number;
- (d) Date of sale;
- (e) Dealer name;
- (f) Commercial shellfish transportation ticket number(s) associated with the delivered crab; and
- (g) Fish receiving ticket number(s) corresponding to landing date of delivery.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.055, 77.12.045, and 77.12.047. WSR 23-22-110 (Order 2023-10), § 220-352-340, filed 10/31/23, effective 12/1/23. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04-055 [77.04.055], 77.12.045, and 77.12.047. WSR 22-08-048, § 220-352-340, filed 3/31/22, effective 5/1/22. Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-340, filed 5/10/18, effective 6/10/18.]

WAC 220-352-345 Sea urchin and sea cucumber—Additional reporting requirements. (1) Any wholesale dealer acting in the capacity of an original receiver and receiving sea urchins or sea cucumbers from nontreaty fishers must report to the department each day's purchases by 10:00 a.m. the following day.

(a) Reports must be made by phone to 866-207-8223 or by text message or email to seaurchinreport@dfw.wa.gov for sea urchins or seacucumberreport@dfw.wa.gov for sea cucumbers.

(b) Reports must include, for each fish receiving ticket prepared:

(i) The wholesale fish buyer name, fisher name, date of sale, and the name of the port of landings; and

(ii) The fish receiving ticket number, including the first alphanumeric letter.

(c) For red sea urchins and green sea urchins, the report must specify the number of pounds received from each sea urchin district.

(d) For red sea urchins, green sea urchins, and sea cucumbers, the report must specify the number of pounds received from each Marine Fish-Shellfish Management and Catch Reporting Area.

(e) For sea cucumbers, the report must specify whether the landings were delivered "whole-live" or "split-drained."

(2) Alternate reporting requirements may be specified in an electronic fish receiving ticket agreement (WAC 220-352-035(3)).

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-345, filed 5/10/18, effective 6/10/18.]

WAC 220-352-350 Geoduck—Additional reporting requirements. (1)

A commercial geoduck license holder operating under a valid department of natural resources harvest agreement must be present at all times on each vessel commercially harvesting geoducks or if the vessel has harvested geoducks aboard.

(2) For each day's harvest of geoducks from each tract, the commercial geoduck license holder must completely, legibly and accurately enter the following information on a fish receiving ticket before leaving the department of natural resources geoduck harvest tract. This fish receiving ticket must accompany the harvested geoduck from the department of natural resources harvest tract to the point of delivery.

(a) In the "dealer's use" column, enter the number of cages of geoducks harvested.

(b) Enter the harvest vessel name, its Washington department of fish and wildlife identification number, and the date across the top of the fish receiving ticket directly below the tear strip.

(c) Enter the number of days fished, the appropriate option in the distance from shore column, and the Marine Fish-Shellfish Catch and Management Reporting Area and tract number.

(d) Species code, species description, and physical gear actually used.

(e) Sign the fish receiving ticket as the fisher.

(3) Any person receiving or purchasing geoduck must accurately and legibly complete the fish receiving ticket initiated on the harvest tract immediately upon the actual delivery of geoduck from the harvesting vessel onto the shore. The original receiver must:

(a) Enter the total quantity of geoduck in pounds received from the fisher, the price per pound paid to the fisher, and the total amount paid to the fisher.

(b) Enter the dealer or buyer name and its Washington department of fish and wildlife identification number below the tear strip.

(c) Sign the fish receiving ticket as the dealer.

(4) Licensed fishers whom are also the licensed dealer for a fish receiving ticket transaction must complete the fisher portion of the fish receiving ticket as required in subsection (2) of this section and the dealer portion of the fish receiving ticket as required in subsection (3) of this section.

(5) Alternate reporting requirements may be specified in a voluntary electronic fish receiving ticket agreement (WAC 220-352-035(3)).

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-11-052 (Order 18-92), § 220-352-350, filed 5/10/18, effective 6/10/18.]

WAC 220-352-355 Puget Sound scallop—Additional reporting requirements. (1) Any wholesale dealer acting in the capacity of an original receiver and receiving scallops from nontreaty fishers must

report to the department each day's purchases by 10:00 a.m. the following day.

(a) Reports must be made by text message or email to scallopreport@dfw.wa.gov.

(b) Reports must include, for each ticket prepared:

(i) The licensed fish buyer name, fisher name, date of landing, and the name of the port of landings;

(ii) The entire alphanumeric fish ticket number, including the alphabetic prefix;

(iii) The quantity of pounds received from each Marine Fish-Shellfish Management and Catch Reporting Area; and

(iv) The number of pounds that will be transported to a Washington department of health approved wet storage facility, the location of the approved wet storage facility, and the name of the operator of the wet storage facility.

(2) Alternative reporting requirements may be specified in an electronic fish receiving ticket agreement (WAC 220-352-035).

[Statutory Authority: RCW 77.04.012, 77.04.020, 77.04-055 [77.04.055], 77.12.045, and 77.12.047. WSR 22-08-048, § 220-352-355, filed 3/31/22, effective 5/1/22.]