

- WAC 220-353-040 Gaffing and use of other body-penetrating devices—Commercial.** (1) It is unlawful to club, gaff, snag, snare, dip net, harass, spear, stone, or otherwise molest, injure, kill, destroy, or shoot with a firearm, crossbow, bow and arrow, or compressed air gun, any fish or shellfish or parts of fish or shellfish for commercial purposes, except: It is permissible to use a dip net, gaff, or club in the landing of food fish or shellfish. However, it is unlawful to use a fish pew, pitchfork, or any other instrument that penetrates the body of the fish or shellfish if the fish or shellfish will not be retained or are unlawful to possess.
- (2) It is unlawful to possess fish or shellfish or parts of fish or shellfish taken using the unlawful methods described in subsection (1) of this section.
- (3) It is unlawful under any circumstance to use a device that penetrates the body of a sturgeon whether the sturgeon is legal to retain or not.
- (4) Violation of this section is a gross misdemeanor, punishable under RCW 77.15.520 Commercial fishing—Unlawful gear or methods—Penalty.
- (5) It is unlawful to attempt acts that violate this section. Violation of this subsection is punishable under RCW 77.15.382, Unlawful recreational fishing in the second degree—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 § 220-353-040, 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 13-03-153 (Order 13-16), § 220-20-126, filed 1/23/13, effective 2/23/13.]