

(Effective until July 1, 2020)

WAC 220-320-060 General provisions—Shellfish. (1) It is unlawful to drive or operate any motor-propelled vehicle, land any airplane or ride or lead any horse on the razor clam beds of the state of Washington, as defined in WAC 220-320-030. A violation of this subsection shall be punished as an infraction.

(2) It is unlawful to possess soft-shelled crab for any commercial purpose.

(3) It is unlawful to possess in the field any crab from which the back shell has been removed.

(4) It is unlawful to willfully damage crab or other shellfish. Any crab taken incidentally to a net fishery must be immediately returned to the water with the least possible damage to the crab.

(5) "Shellfish" includes all bodily parts but does not include five pounds or less of relic shells of classified shellfish or relic shells of unclassified freshwater and marine invertebrates. A relic (dead) shell is defined as one which apparently died of natural causes and contains no meat or soft parts; it readily exhibits noticeable sediment, vegetation, algal or mineral stains, discolorations, soiling, weathering or other visual evidence on its interior surface which clearly and unambiguously shows the shell has not been cooked-out or freshly cleaned. No license or permit is required to take or possess up to five pounds of relic shells per day. It is unlawful to take or possess more than five pounds of relic shells without first obtaining a scientific collection permit. Notwithstanding the provisions of this section, it is unlawful to remove relic oyster shells from tidelands.

[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 § 220-320-060, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 06-23-114 (Order 06-289), § 220-20-025, filed 11/17/06, effective 12/18/06; WSR 02-23-002 (Order 02-278), § 220-20-025, filed 11/6/02, effective 12/7/02; WSR 02-08-048 (Order 02-53), § 220-20-025, filed 3/29/02, effective 5/1/02; WSR 00-17-106 (Order 00-149), § 220-20-025, filed 8/16/00, effective 9/16/00. Statutory Authority: RCW 75.08.080. WSR 00-01-095 (Order 99-213), § 220-20-025, filed 12/15/99, effective 1/15/00; WSR 98-15-031 (Order 98-120), § 220-20-025, filed 7/7/98, effective 8/7/98; WSR 95-23-020 (Order 95-166), § 220-20-025, filed 11/8/95, effective 12/9/95; WSR 94-12-009 (Order 94-23), § 220-20-025, filed 5/19/94, effective 6/19/94; WSR 90-06-045 (Order 90-15), § 220-20-025, filed 3/1/90, effective 4/1/90; WSR 80-13-064 (Order 80-123), § 220-20-025, filed 9/17/80; Order 1179, § 220-20-025, filed 11/19/74; Order 990, § 220-20-025, filed 5/11/72; Order 810, § 220-20-025, filed 4/17/69.]

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(2) It is unlawful to possess soft-shelled crab for any commercial purpose.

(3) It is unlawful to possess in the field any crab or crab parts without also retaining the back shell (carapace) of each crab.

(4) It is unlawful to willfully damage crab or other shellfish. Any crab taken incidentally to a net fishery must be immediately returned to the water with the least possible damage to the crab.

(5) "Shellfish" includes all bodily parts but does not include five pounds or less of relic shells of classified shellfish or relic shells of unclassified freshwater and marine invertebrates. A relic (dead) shell is defined as one which died of natural causes and contains no meat or soft parts; it readily exhibits noticeable sediment, vegetation, algal or mineral stains, discolorations, soiling, weathering or other visual evidence on its interior surface which clearly and unambiguously shows the shell has not been cooked-out or freshly cleaned.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, and 77.04.055. WSR 20-04-058 (Order 20-19), § 220-320-060, filed 1/30/20, effective 7/1/20. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), amended and recodified as § 220-320-060, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 06-23-114 (Order 06-289), § 220-20-025, filed 11/17/06, effective 12/18/06; WSR 02-23-002 (Order 02-278), § 220-20-025, filed 11/6/02, effective 12/7/02; WSR 02-08-048 (Order 02-53), § 220-20-025, filed 3/29/02, effective 5/1/02; WSR 00-17-106 (Order 00-149), § 220-20-025, filed 8/16/00, effective 9/16/00. Statutory Authority: RCW 75.08.080. WSR 00-01-095 (Order 99-213), § 220-20-025, filed 12/15/99, effective 1/15/00; WSR 98-15-031 (Order 98-120), § 220-20-025, filed 7/7/98, effective 8/7/98; WSR 95-23-020 (Order 95-166), § 220-20-025, filed 11/8/95, effective 12/9/95; WSR 94-12-009 (Order 94-23), § 220-20-025, filed 5/19/94, effective 6/19/94; WSR 90-06-045 (Order 90-15), § 220-20-025, filed 3/1/90, effective 4/1/90; WSR 80-13-064 (Order 80-123), § 220-20-025, filed 9/17/80; Order 1179, § 220-20-025, filed 11/19/74; Order 990, § 220-20-025, filed 5/11/72; Order 810, § 220-20-025, filed 4/17/69.]