

RCW 77.60.070 Geoduck clams, commercial harvesting—Unauthorized acts—Gear requirements. (1) The director may not authorize a person to take geoduck clams for commercial purposes outside the harvest area designated in a current department of natural resources geoduck harvesting agreement issued under RCW 79.135.210. The director may not authorize commercial harvest of geoduck clams from bottoms that are shallower than eighteen feet below mean lower low water (0.0. ft.). Vessels conducting harvest operations must remain seaward of a line two hundred yards seaward from and parallel to the line of ordinary high tide. This section does not apply to the harvest of private sector cultured aquatic products as defined in RCW 15.85.020.

(2) Commercial geoduck harvesting shall be done with a handheld, manually operated water jet or suction device guided and controlled from under water by a diver. Periodically, the director shall determine the effect of each type or unit of gear upon the geoduck population or the substrate they inhabit. The director may require modification of the gear or stop its use if it is being operated in a wasteful or destructive manner or if its operation may cause permanent damage to the bottom or adjacent shellfish populations. [2006 c 144 s 1; 2000 c 107 s 25; 1998 c 190 s 91; 1995 1st sp.s. c 2 s 29 (Referendum Bill No. 45, approved November 7, 1995); 1993 c 340 s 51; 1984 c 80 s 2. Prior: 1983 1st ex.s. c 46 s 85; 1983 c 3 s 193; 1979 ex.s. c 141 s 1; 1969 ex.s. c 253 s 1. Formerly RCW 75.24.100.]

Referral to electorate—1995 1st sp.s. c 2: See note following RCW 77.04.013.

Effective date—1995 1st sp.s. c 2: See note following RCW 43.17.020.

Finding, intent—Captions not law—Effective date—Severability—1993 c 340: See notes following RCW 77.65.010.

Liberal construction—1969 ex.s. c 253: "The provisions of this act shall be liberally construed." [1969 ex.s. c 253 s 5.]

Severability—1969 ex.s. c 253: "If any provisions of this 1969 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1969 ex.s. c 253 s 6.]

Designation of aquatic lands for geoduck harvesting: RCW 79.135.220.

Diver license for harvesting geoducks: RCW 77.65.410.