



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Washington Department of Fish and Wildlife

**Preproposal Statement of Inquiry was filed as** WSR 08-11-023 **and** WSR 08-10-057; **or**

**Expedited Rule Making--Proposed notice was filed as** WSR \_\_\_\_\_; **or**

**Proposal is exempt under RCW 34.05.310(4).**

**Original Notice**

**Supplemental Notice to WSR** \_\_\_\_\_

**Continuance of WSR** \_\_\_\_\_

**Title of rule and other identifying information:** (Describe Subject) WAC 220-69-26401, Distribution of copies of shellfish receiving ticket; and WAC 220-69-300, Commercial food fish and shellfish transportation ticket.

**Hearing location(s):**

Room 172  
Natural Resources Building  
1111 Washington Street SE  
Olympia, WA 98504

Date: September 5-6, 2008

Time: 8:30 AM

**Submit written comments to:**

Name: Rules Coordinator  
Address: 600 Capitol way No., Olympia, WA 98501-1091

e-mail [preuslmp@dfw.wa.gov](mailto:preuslmp@dfw.wa.gov) \_\_\_\_\_  
fax (360)902-2155 \_\_\_\_\_ by (date) August 29, 2008

**Assistance for persons with disabilities:** Contact

Susan Yeager by August 25, 2008 \_\_\_\_\_

TTY (360) 902-2207 or (360) 902-2267 \_\_\_\_\_

**Date of intended adoption:** October 3-4, 2008

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

WAC 220-69-26401, Distribution of copies of shellfish receiving ticket: This proposal contains no substantive change to the rule; it is merely housekeeping to correct an error. The Washington Department of Fish and Wildlife requires a definitive time period for shellfish receivers to submit their shellfish receiving tickets. These tickets are used to track catch data for conservation and allocation management purposes. This rule proposal corrects a previous amendment to the rule that inadvertently extended the required reporting period for the geoduck fishery and no others. This change will bring the reporting requirements for geoduck in line with all other receiving-ticket reporting timelines.

WAC 220-69-300, Commercial food fish and shellfish transportation ticket: This proposal contains no substantive change to the rule; it is merely housekeeping. Many commercial vessels are loaded onto trailers after leaving the fishery, with the product still onboard. The department seeks to clarify that in such instances, a transportation ticket is required. The department also expands the transportation ticket requirement to persons beyond commercial fishers, because sometimes transport is done by other than the commercial fishers. The tickets will allow officers to identify harvesters and the legality of harvests.

**Statutory authority for adoption:** RCW 77.12.047

**Statute being implemented:** RCW 77.12.047

**Is rule necessary because of a:**

Federal Law?  Yes  No  
Federal Court Decision?  Yes  No  
State Court Decision?  Yes  No  
If yes, CITATION:  Yes  No

**DATE**  
July 23, 2008

**NAME** (type or print)  
Lori Preuss

**SIGNATURE** *Lori Preuss*

**TITLE**  
Rules Coordinator

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED**

**DATE: July 23, 2008**

**TIME: 11:58 AM**

**WSR 08-15-180**

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None.

**Name of proponent:** (person or organization) Washington Department of Fish and Wildlife

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

| Name                                      | Office Location                    | Phone                     |
|---|------------------------------------|---------------------------|
| Drafting..... Bob Sizemore & Mike Cenci   | 1111 Washington Street SE, Olympia | (360) 902-2827 & 902-2938 |
| Implementation....Lew Atkins & Mike Cenci | 1111 Washington Street SE, Olympia | (360) 902-2651 & 902-2938 |
| Enforcement..... Bruce Bjork              | 1111 Washington Street SE, Olympia | (360) 902-2373            |

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes, for WAC 220-69-26401. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name: Lori Preuss

Address: 600 Capitol Way No., Olympia, WA 98501-1091

phone (360) 902-2930\_\_\_\_\_

fax (360) 902-2155\_\_\_\_\_

e-mail preuslmp@dfw.wa.gov\_\_\_\_\_

No, for WAC 220-69-300. Explain why no statement was prepared.

There should be no impact to businesses, since this housekeeping proposal eliminates the need for the document to be filed with people who "store or hold" fish. This proposal expands the permit requirement to "all persons transporting" versus only "commercial fishermen" (dealers and buyers exempt).

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: These are not hydraulic rules.