

**Concise Explanatory Statement (CES)  
2019 Recreational Clam and Oyster Seasons**

**Rules amended as part of this rulemaking:**

WAC 220-330-110, Clams other than razor clams, mussels – Areas and seasons; and  
WAC 220-330-140, Oysters – Areas and seasons.

**Rules repealed as part of this rulemaking:**

None.

**Rules created as part of this rulemaking:**

None.

**1. Background/Summary of Project:**

The department must annually amend recreational clam and oyster season rules on some public tidelands. Such amendments are designed to perpetuate shellfish resources while maximizing recreational fishing opportunity.

**2. Reasons for adopting the rule:**

For 2019, in response to shellfish population changes, shifts in recreational effort, conservation issues, and negotiations with Treaty tribes and other state agencies, staff are recommending clam and oyster season changes to 18 public beaches. Of the proposed changes, seven beaches will have longer clam seasons and five will have longer oyster seasons compared to 2018. Six beaches will have shorter clam seasons and four beaches will have shorter oyster seasons. One beach will have its opening date shifted and two beaches will be opened due to improvements in water quality. One beach has been modified for administrative naming reasons and one beach is being deleted due to changes in property boundary designations.

**3. Differences between the text of the proposed rule and the text of the rule as adopted:**

An errant comma in the geographic description for one beach was deleted and a preposition was added to the title to clarify that WAC 220-330-110 applies to all classified clams and mussel species. The prohibition against night harvest at one beach was clarified with language specifying hours of darkness.

**4. Summary of comments and WDFW response and consideration for the comments:**

Season change recommendations were coordinated where appropriate with Washington State Department of Health and Washington State Parks staff. All season change recommendations were announced on the agency web site. A public hearing was held on March 26, 2019. No written comments were received and no public testimony was given regarding the rule changes.