



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (August 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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DATE: May 20, 2019

TIME: 12:24 PM

WSR 19-11-099

**Agency:** Washington Department of Fish and Wildlife (WDFW)

**Subject of possible rule making:** The department seeks to amend the following rules in WAC chapter 220-330:  
WAC 220-330-110 Clams other than razor clams, and mussels—Areas and seasons.  
WAC 220-330-140 Oysters—Areas and seasons.  
WAC 220-330-040 Crab—Areas and seasons—Personal use.  
WAC 220-330-100 Personal-use crab, shrimp, crawfish—Unlawful acts.

**Statutes authorizing the agency to adopt rules on this subject:** RCWs 77.04.012, 77.04.055, 77.12.045 and 77.12.047.

**Reasons why rules on this subject may be needed and what they might accomplish:** The department seeks to make several changes to shellfish rules located in WAC chapter 220-330 which include the following: (1) remove sections from two shellfish rules which decriminalize the possession and/or harvesting of oysters and clams during the closed season, (2) clarify that violations described in a shellfish rule apply to use of unlawful gear without possession of shellfish, and (3) correct invalid RCW references in two shellfish rules.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** None

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

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(If necessary)

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Additional comments:

**Date:** May 16, 2019

**Name:** Scott Bird

**Title:** Rules Coordinator

**Signature:**