

“GREEN SHEET”

Meeting: February 3-4, 2012, Commission Meeting

Agenda item 10: Enforcement - Agency WAC Overhaul - Briefing

Staff Contact: Mike Cenci, Deputy Chief, Enforcement Program

Presenter(s): Joanna Eide, Administrative Regulations Analyst, Enforcement Program

Background: As a regulatory agency, the rule of law is fundamental to conducting day-to-day business and controlling human behavior as it relates to natural-resource management. While statutes were re-codified when the former departments of fisheries and wildlife merged, a comprehensive review of department rules was never done. This briefing will provide the Commission with an overview of the agency WAC overhaul project currently underway. The presentation will explain problems in WDFW’s Administrative Code, why a WAC overhaul is needed, and benefits to rectifying the code.

Policy issues: This is an informational briefing on a project. There are no policy issues at this stage, aside from the goals of efficiency and usability of the WDFW Administrative Code.

Public involvement process and outcome: We are planning a two-tiered approach. The first involves a chapter reorganization of all of WDFW’s rules, and technical corrections in specific rules, such as referencing the proper agency name or RCW. Beyond sharing this information with programs’ public advisory groups, we do not plan to invite external participation, since the changes are purely technical in nature.

The second tier of the WAC overhaul will involve substantive changes. These changes will clarify confusing language, correct inaccurate information, and restructure sections within some rules to increase our rules’ usability, clarity, and enforceability. We will develop an outreach and communication plan that invites public input if substantive changes mandate public involvement.

Action requested: This briefing is informational. No formal action is planned for this agenda item.

Draft motion language: None.

Justification for Commission Action: None; there is no Commission action required.

Communications Plan: If our substantive changes require public involvement, we will publish news releases to announce the changes and invite public participation once we are ready to begin making the substantive changes.