



PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF A STATE ADMINISTRATIVE RULE

Print Form

In accordance with RCW 34.05.330, the Office of Financial Management (OFM) created this form for individuals or groups who wish to petition a state agency or institution of higher education to adopt, amend, or repeal an administrative rule. You may use this form to submit your request. You also may contact agencies using other formats, such as a letter or email.

The agency or institution will give full consideration to your petition and will respond to you within 60 days of receiving your petition. For more information on the rule petition process, see Chapter 82-05 of the Washington Administrative Code (WAC) at <http://apps.leg.wa.gov/wac/default.aspx?cite=82-05>.

CONTACT INFORMATION *(please type or print)*

Petitioner's Name Dennis E. Petersen

Name of Organization _____

Mailing Address 2908 4th Street Place SE

City Puyallup State WA Zip Code 98374

Telephone 253-848-8112 Email Pete_N_Gwen@comcast.net

COMPLETING AND SENDING PETITION FORM

- Check all of the boxes that apply.
- Provide relevant examples.
- Include suggested language for a rule, if possible.
- Attach additional pages, if needed.
- Send your petition to the agency with authority to adopt or administer the rule. Here is a list of agencies and their rules coordinators: <http://www.leg.wa.gov/CodeReviser/Documents/RClis.htm>.

RECEIVED
DEC 28 2016
FISH AND WILDLIFE COMMISSION

INFORMATION ON RULE PETITION

Agency responsible for adopting or administering the rule: Washington Department of Fish and Wildlife

1. NEW RULE - I am requesting the agency to adopt a new rule.

The subject (or purpose) of this rule is: _____

The rule is needed because: _____

The new rule would affect the following people or groups: _____

2. AMEND RULE - I am requesting the agency to change an existing rule.

List rule number (WAC), if known: _____

I am requesting the following change: _____

This change is needed because: _____

The effect of this rule change will be: _____

The rule is not clearly or simply stated: _____

3. REPEAL RULE - I am requesting the agency to eliminate an existing rule.

List rule number (WAC), if known: WAC 220-660-300(6)

(Check one or more boxes)

It does not do what it was intended to do.

It is no longer needed because: _____

It imposes unreasonable costs: _____

The agency has no authority to make this rule: _____

It is applied differently to public and private parties: _____

It conflicts with another federal, state, or local law or rule. List conflicting law or rule, if known: SEE ATTACHED

It duplicates another federal, state or local law or rule. List duplicate law or rule, if known: _____

Other (please explain): _____

Petition for Adoption, Amendment, or Repeal of a State Administrative Rule

Petitioner Name: Dennis E. Petersen
Name of Organization: None
Mailing Address: 2908 4th St. Pl. SE
City: Puyallup State: WA Zip Code: 98374-1244
Telephone: 253-848-8112 Email: Pete_N_Gwen@comcast.net

List conflicting law or rule if known:

- WAC 220-660-300(6) needs to be repealed.
- WAC 220-660-300(6) conflicts with WAC 352-37-340 by adding additional and unsubstantiated rules and requirements for beach mining. WAC 220-660-300(6) includes language about moving beach driftwood and site excavation requirements that are different than WAC 352-37-340.
- WAC 220-660-300(6) conflicts with RCW 34.05 at least minimally in the following ways:
 - There is a lack of coordination between beach mining rules in WAC 220-660-300(6) and with State Parks and Recreation beach mining rules in WAC 352-37-340.
 - There has not been any effort to reach an agreement among interested parties (small scale miners) before the publication of the notice and adoption of the proposed rule.
- WAC 220-660-300(6) is poorly written because it conflicts with existing beach mining HPAs that have been approved for the same time window and same locations.