



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Washington Department of Fish and Wildlife

Subject of possible rule making: Marking requirements for commercial fishing nets, reporting requirements for lost or abandoned commercial nets, and penalties for failing to report lost or abandoned nets.

Statutes authorizing the agency to adopt rules on this subject: RCW 77.12.047, 77.12.870, and 77.15.520

Reasons why rules on this subject may be needed and what they might accomplish: The Northwest Straits Initiative (NWSI) has removed 3,829 derelict fishing nets and 2,045 derelict crab pots since it began operations in 2002. More than 2.4 million animals were estimated to be entangled by the gear every year, including mammals, birds, fish, and invertebrates. Removing the gear restored 525 acres of marine habitat. NWSI estimates total gillnet loss since the 1970s to be approximately 5,600 nets. Changing commercial net-marking requirements, requiring commercial fishermen to report lost and abandoned nets, and penalizing a failure to report will allow the Department to identify the quantity and location of lost commercial net gear. This will assist derelict gear removal efforts, which in turn will reduce the number of animals lost to derelict gear and will help preserve marine habitat.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: NWSI and the Washington Department of Natural Resources.

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

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

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Contact: Lori Preuss, WDFW Enforcement Program, 600 Capitol Way, North, Olympia, WA 98501-1091
Phone: (360) 902-2930; fax (360) 902-2155; or e-mail at Lori.preuss@dfw.wa.gov.

Contact by September 10, 2011. Expected proposal filing on or after September 21, 2011.

DATE
August 1, 2011

NAME (TYPE OR PRINT)
Lori Preuss

SIGNATURE

TITLE
Rules Coordinator

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FILED

DATE: August 01, 2011

TIME: 1:03 PM

WSR 11-16-076