



# RULE-MAKING ORDER

**CR-103P (May 2009)**  
**(Implements RCW 34.05.360)**

**Agency:** Washington Department of Fish and Wildlife

**Permanent Rule Only**

**Effective date of rule:**

**Permanent Rules** 16-326

31 days after filing.

Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

Yes  No If Yes, explain:

**Purpose:**

The purpose of this rule is to reduce the illicit seafood trade involving certain species of King Crab that are imported and sold in Washington state and negatively impact the local crab market. The current list of classified shellfish species in rule does not include three species of King Crab which make up a significant proportion of the Alaskan crab harvest, and are known to be involved in the illicit seafood trade. The amended rule will add these three shellfish species and broaden the agency's scope of regulatory authority to monitor and investigate the illicit seafood trade involving King Crab.

**Citation of existing rules affected by this order:**

Repealed:  
Amended: WAC 220-12-020  
Suspended:

**Statutory authority for adoption:** RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047

**Other authority :** N/A

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 16-17-055 on August 12, 2016).  
Describe any changes other than editing from proposed to adopted version:

See attached Concise Explanatory Statement.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: \_\_\_\_\_ phone ( ) \_\_\_\_\_  
Address: \_\_\_\_\_ fax ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

**Date adopted:** December 11, 2016

**NAME (TYPE OR PRINT)**

Brad Smith

**SIGNATURE**

**TITLE**

Chair, Washington Fish and Wildlife Commission

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: December 14, 2016**

**TIME: 9:34 AM**

**WSR 17-01-055**

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	_____	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	<u>1</u>	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	_____	Repealed	_____

**WAC 220-12-020 Shellfish—Classification.** The following species are classified as shellfish under RCW 77.12.047 and are subject to the provisions of this title:

<b>Abalone</b>	
Pinto abalone	<i>Haliotis kamtschatkana</i>
<b>Mussel</b>	
Blue mussel	<i>Mytilus trossulus</i>
California mussel	<i>Mytilus californianus</i>
Mediterranean mussel	<i>Mytilus galloprovincialis</i>
<b>Scallops</b>	
Pacific pink scallop	<i>Chlamys rubida</i>
Rock scallop	<i>Crassadoma gigantea</i>
Spiny scallop	<i>Chlamys hastata</i>
Weathervane scallop	<i>Patinopecten caurinus</i>
<b>Clams</b>	
All macoma clams	<i>Macoma spp.</i>
Butter clam	<i>Saxidomus giganteus</i>
Common cockle	<i>Clinocardium nuttallii</i>
Geoduck	<i>Panopea abrupta</i>
Horse or Gaper clam	<i>Tresus nuttallii,</i> <i>Tresus capax</i>
Mud or soft shell clam	<i>Mya arenaria</i>
Manila clam	<i>Venerupis philippinarum</i>
Piddock	<i>Zirfaea pilsbryi</i>
Razor clam	<i>Siliqua patula</i>
Rock or native little neck clam	<i>Leukoma staminea</i>
Varnish clam	<i>Nuttallia obscurata</i>
All other marine clams existing in Washington in a wild state	
<b>Oysters</b>	
All oysters	(Ostreidae)
<b>Squid</b>	
All squid	Sepiolida or Teuthida
<b>Octopus</b>	
Octopus	<i>Enteroctopus dofleini</i>
<b>Barnacles</b>	
Goose barnacle	<i>Pollicipes polymerus</i>
<b>Shrimp</b>	
Coonstripe shrimp	<i>Pandalus danae</i>
Coonstripe shrimp	<i>Pandalus hypsinotus</i>
Ghost or sand shrimp	<i>Neotrypaea spp.</i>
Humpy shrimp	<i>Pandalus goniurus</i>
Mud shrimp	<i>Upogebia pugettensis</i>
Ocean pink shrimp	<i>Pandalus jordani</i>

Pink shrimp	<i>Pandalus eous</i>
Sidestripe shrimp	<i>Pandalopsis dispar</i>
Spot shrimp	<i>Pandalus platyceros</i>
<b>Crab</b>	
Dungeness or Pacific crab	<i>Cancer magister</i>
Red rock crab	<i>Cancer productus</i>
Tanner crab	<i>Chionoecetes tanneri</i>
King and box crab	<i>Lopholithodes spp.</i>
<u>Blue king crab</u>	<u><i>Paralithodes platypus</i></u>
<u>Red king crab</u>	<u><i>Paralithodes camtschaticus</i></u>
<u>Golden king crab</u>	<u><i>Lithodes aequispinus</i></u>
<b>Crawfish</b>	
Crawfish	<i>Pacifastacus sp.</i>
<b>Sea cucumber</b>	
Sea cucumber	<i>Parastichopus californicus</i>
<b>Sea urchin</b>	
Green urchin	<i>Strongylocentrotus droebachiensis</i>
Red urchin	<i>Strongylocentrotus franciscanus</i>
Purple urchin	<i>Strongylocentrotus purpuratus</i>