

Concise Explanatory Statement
[Geoduck Diver License Application and Issuance Process]

Rules amended as part of this rulemaking:

WAC 220-340-070 Commercial geoduck harvest—Geoduck diver license application and issuance process.

1. Background/Summary of Project:

- a. The drawing process for new applicants explained in WAC 220-340-070 is ambiguous, so the Department is proposing changes to clarify the drawing and first come first serve process.
- b. New applicants cannot receive a geoduck diver license unless not all 77 of the current geoduck divers renew. Therefore, the Department is proposing to keep the renewal applicant deadline for December 31st and to change the new applicant deadline to January 10th. Moving out the new applicant deadline allows them to find out if new licenses will be available before applying.

2. Reasons for adopting the rule:

- a. The proposed changes clarify and improve the new applicant process.

3. Differences between the text of the proposed rule and the rule as adopted:

Proposing to amend WAC 220-340-070:

- a. Updating DFW Licensing contact information
- b. Changing the deadline for new applicants
 - i. Current deadline is December 31st
 - ii. Keeping December 31st for renewal applicants
 - iii. Changing deadline for new applicants to January 10th
 - iv. Holding a drawing 10 business days after January 10th for new applicants
- c. Clarifying how we issue new licenses
 - i. When not all 77 licenses are renewed, new licenses become available
 - ii. Depending on how many new licenses are available, we will hold a drawing or issue licenses 10 business days after January 10th
 - iii. In the event that licenses remain after the initial drawing, we will issue licenses (first come first serve) or hold a drawing depending on if multiple applicants exceed available licenses
- d. Improving the fee collection process for new applicants
 - i. Currently, fees for the application and license are collected by the Dec 31st deadline for new applicants
 - ii. The revised Jan 10th deadline allows the new applicant to find out if new licenses will be available before applying
 - iii. The license fee is only required if the new applicant is selected

4. **Public comments, response to comments, and consideration of comments**
 - a. Published a CR-102 on August 18th, 2017
 - b. Sent letters to Geoduck Divers on September 22nd, 2017 about proposed WAC changes and October 27th hearing date
 - c. Public feedback October 26th, 2017 requesting that we keep the renewal applicant deadline for December 31st
 - d. Requested to post-pone FWC hearing for October 27th, 2017 in order to follow up with Geoduck Divers
 - e. Held a meeting with Geoduck Divers on December 19th, 2017
 - f. Published a Supplemental CR-102 on February 7th, 2018 with input from Geoduck Divers
 - g. Sent letters to Geoduck Divers on February 14th, 2018 about proposed WAC changes and April 13th hearing date
 - h. No public comments or concerns on Supplemental CR-102