

**Concise Explanatory Statement (CES)
2020 Recreational Clam and Oyster Seasons**

Rules amended as part of this rulemaking:

WAC 220-330-110, Clams other than razor clams, mussels – Areas and seasons; and
WAC 220-330-140, Oysters – Areas and seasons.

Rules repealed as part of this rulemaking:

None.

Rules created as part of this rulemaking:

None.

1. Background/Summary of Project:

The department must annually amend recreational clam and oyster season rules on some public tidelands. Such amendments are designed to perpetuate shellfish resources while maximizing recreational fishing opportunity. Additional clerical changes that do not affect nor alter current regulations are included as part of this rulemaking.

2. Reasons for adopting the rule:

For 2020, in response to shellfish population changes, shifts in recreational effort, conservation issues, and negotiations with Treaty tribes and other state agencies, staff are recommending clam and oyster season changes to twelve public beaches. Of the proposed changes, six beaches will have longer clam seasons and three will have longer oyster seasons compared to 2019. Five beaches will have shorter clam seasons and four beaches will have shorter oyster seasons. One beach will have its opening date shifted. Four beaches have been modified for administrative reasons to better define boundaries or landmarks, one beach boundary description was modified to align with a Department of Health classification upgrade, and one hanging WAC subsection was numbered.

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

None.

4. Summary of comments and WDFW response and consideration for the comments:

Season change recommendations were coordinated where appropriate with Washington State Department of Health and Washington State Parks staff. All season change recommendations were announced on the agency web site. A public hearing was held on February 4, 2020. No written comments were received, and no public testimony was given regarding the rule changes. General shellfish questions were answered during the hearing.