

**Concise Explanatory Statement (CES)  
2021 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**Rules repealed as part of this rulemaking:**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.

**2. Reasons for adopting the rule:**

For 2021, 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 14 public beaches. Of the proposed changes, three beaches will have longer clam seasons and two will have longer oyster seasons compared to 2020. Eight beaches will have shorter clam seasons and seven beaches will have shorter oyster seasons. One additional beach will be opened year-round due to improvements in water quality. WAC language for one beach has been modified for boundary clarification. At the request of State Parks, a portion of one beach was closed to protect delicate tidepool areas. One beach is being closed to align with pre-existing Kitsap County rules prohibiting harvest in a Nature Reserve owned by the County.

**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, Washington State Parks and Kitsap County staff. All season change recommendations were announced on the agency web site. A public hearing was held on February 23, 2021. No written comments were received, and no public testimony was given regarding the rule changes.