Title of rule and other identifying information: (describe subject)

Crewmember licenses: the proposed new section, WAC 220-351-100, increases the numbers of unspecified commercial crewmember licenses allowed to be held by holders of certain commercial fishing licenses.

Hearing location(s):

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Location: (be specific)</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 23-25, 2022</td>
<td>8:00am</td>
<td>Webinar</td>
<td>This meeting will take place by webinar. The public may participate in the meeting. Registration is required to testify at the public hearing. Registration deadlines and registration forms are available at <a href="http://wdfw.wa.gov/about/commission/meetings">http://wdfw.wa.gov/about/commission/meetings</a> or contact the Commission office at (360) 902-2267</td>
</tr>
</tbody>
</table>

Date of intended adoption: July 15, 2022. (Note: This is NOT the effective date)

Submit written comments to:

Name: WDFW Fish Program
Address: n/a
Email: CrewmemberLicenses102@PublicInput.com
Fax: Voicemail Comments: 855-925-2801 Project code 2263
Other: Website Comment Portal: https://publicinput.com/CrewmemberLicenses102

By (date) June 28, 2022

Assistance for persons with disabilities:
Contact Title VI/ADA Compliance Coordinator
Phone: 360-902-2349, TTY (711)
Fax: n/a
TTY: 711
Email: title6@dfw.wa.gov
Other: Website: https://wdfw.wa.gov/accessibility/requests-accommodation
By (date) June 28, 2022

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
WDFW proposes to add a new section to Washington Administration Code (WAC) 220-351-Commercial Fisheries-Permits/licensing. This rule making proposes to allow four unspecified commercial crewmember licenses instead of the current allowance (of two) which can be held by a commercial fishing license holder for specific fishing licenses. This proposed amendment would not apply to non-salmon landing licensees fishing for albacore tuna.
Reasons supporting proposal:
Large fishing vessels often have four or more crewmembers on board in order to safely operate and need to replace crewmembers during the fishing season. The proposed rule would provide flexibility to a commercial license holder to rotate crewmembers on larger vessels during the season.

Statutory authority for adoption: RCW 77.65.610(3)(a), RCW 77.12.047, RCW 77.04.012, RCW 77.04.055

Statute being implemented: RCW 77.65.610(3)(a)

Is rule necessary because of a:
   Federal Law? ☒ Yes ☐ No
   Federal Court Decision? ☐ Yes ☒ No
   State Court Decision? ☐ Yes ☒ No
If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: n/a

Name of proponent: (person or organization) Washington Department of Fish and Wildlife ☒ Governmental
☐ Private ☐ Public

Name of agency personnel responsible for:

<table>
<thead>
<tr>
<th>Name</th>
<th>Office Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drafting:</td>
<td>Kirt Hughes</td>
<td><a href="mailto:Kirt.hughes@dfw.wa.gov">Kirt.hughes@dfw.wa.gov</a></td>
</tr>
<tr>
<td>Implementation:</td>
<td>Kelly Cunningham</td>
<td><a href="mailto:Kelly.cunningham@dfw.wa.gov">Kelly.cunningham@dfw.wa.gov</a></td>
</tr>
<tr>
<td>Enforcement:</td>
<td>Chief Steve Bear</td>
<td><a href="mailto:Steve.bear@dfw.wa.gov">Steve.bear@dfw.wa.gov</a></td>
</tr>
</tbody>
</table>

Is a school district fiscal impact statement required under RCW 28A.305.135? ☐ Yes ☒ No
If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:
Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:  

Is a cost-benefit analysis required under RCW 34.05.328? ☐ Yes  ☒ No
If yes, a preliminary cost-benefit analysis may be obtained by contacting:
Name:  
Address:  
Phone:  
Fax:  

Page 2 of 3
### Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

- ☑ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

**Citation and description:**

- ☑ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:
  - ☑ RCW 34.05.310 (4)(d) *(Correct or clarify language)*
  - ☑ RCW 34.05.310 (4)(g) *(i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)*
  - ☑ RCW 34.05.310 (4)(b) *(Internal government operations)*
  - ☑ RCW 34.05.310 (4)(c) *(Incorporation by reference)*
  - ☑ RCW 34.05.310 (4)(e) *(Dictated by statute)*
  - ☑ RCW 34.05.310 (4)(f) *(Set or adjust fees)*

**Explanation of exemptions, if necessary:** The proposal involves a change to the license process requirements to obtain commercial crewmember licenses.

---

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- ☑ No   Briefly summarize the agency’s analysis showing how costs were calculated. ____

- ☑ Yes  Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name: Annie Szvetecz
Title: Agency Rules Coordinator

---

**Date:** 3/23/22

**Signature:** [Signature]

**TTY:** Email: Other:
NEW SECTION

WAC 220-351-100 Crewmember license. Consistent with RCW 77.65.610 (3)(a), commercial fishing license holders, except for non-salmon landing licensees fishing for albacore tuna, may obtain a total of four crewmember licenses for use by individuals working on the vessel named in the commercial fishing license if the individuals are not prohibited from obtaining a crewmember license under RCW 77.65.610.