

Summary

Meeting dates: February 10-11, 2017

Agenda item: Completion of the WAC Overhaul Project

Presenter(s): Scott Bird, Rules Coordinator, Enforcement Program

Background summary:

The WAC Overhaul Project (recodification) was begun several years ago to update, reorganize and streamline the department's administrative code in WAC Titles 220 and 232 based on ongoing recommendations and complaints from department staff and the public. This was an inter-agency effort that involved review and collaboration from all programs and designated staff including the public. There are no substantive changes made to WAC provisions; there are only technical changes to the provisions.

The technical changes are in five categories: changes to headings in WAC sections (92), corrections to internal WAC references based on the Code's new numbering system (less than 200), corrections to RCW references that are invalid (7), corrections to references of outdated state agencies (4) and corrections to misspellings (2).

Policy issue(s) you are bringing to the Commission for consideration:

The proposal combines Titles 220 and 232 and reorganizes and restructures the Code to make it easier for the public and staff to navigate. No policy changes were made to the rules; the changes are only technical in nature.

Public involvement process used and what you learned:

There have been several public hearings in past years updating the Commission and the public on technical changes made under this proposal. The public has been supportive of the recodification. WDFW also sent notifications of proposed rule changes to members of the public who expressed interest in being notified of proposed rule changes under this proposal.

Action requested:

Requesting the approval and adoption of the WAC recodification.

Draft motion language:

Move to approve the recodification outline of WAC Titles 220 and 232 and technical changes to WAC sections therein as presented by staff.

Justification for Commission action:

Rule language is supposed to be efficient, clear, legally adequate, and accurate. The proposed amendments are in accordance with and will promote these goals while avoiding changes to the underlying meaning of the rules. The reorganization of rules in this proposal will promote the clarity and efficiency of WDFW's administrative code.

This action is further justified under RCW 77.12.047.

Communications Plan:

Once the proposal is adopted, the department will be posting an update to the public on its webpage that provides a “cross-walk” of old to new WAC provisions and the outline of the newly organized Code. In addition, any WAC references in the annual fishing and hunting pamphlets will reflect the new numbering system under the WAC recodification. The department will also update the legislative links to its WAC provisions that are currently located on its website.

FIVE CATEGORIES OF TECHNICAL WAC CHANGES

1. Changing WAC section headings

WAC 220-24-040 (~~All-citizen~~) Coastal salmon troll seasons— Commercial. It is unlawful to fish for salmon with troll gear

2. Correcting outdated agency references

WAC 220-32-055 Off-reservation Indian subsistence fishing. (3)(a) It is unlawful to fish at any time, place, or using gear other than that designated by the director of the department of (~~fisheries~~) fish and wildlife and authorized by regulation.

3. Changing internal WAC references based on the new Code

WAC 232-12-275 Definitions—Oiled-wildlife and wildlife rehabilitation permits. For the purposes of WAC (~~(232-12-841)~~) 220-450-070 through (~~(232-12-871)~~) 220-450-220

4. Correcting invalid RCW references

WAC 220-49-023 Herring reporting. (1)(b) ... Violation of this subsection is a gross misdemeanor, punishable under RCW (~~(77.15.560)~~) 77.15.280.

5. Correcting misspellings

WAC 220-22-020 Coast, Willapa Harbor, Grays Harbor Salmon Management and Catch Reporting Areas. (13) ... excluding all waters of the South Fork Willapa River above a line at its mouth projected from the (~~Weyerhaeuser~~) Weyerhaeuser chimney (located at 46.68927 degrees N, 123.74121 degrees W) southwesterly at a right angle to the thread of the stream to the opposite shore.

RECODIFICATION OUTLINE OF WAC TITLES 220 & 232

Chapter 220-101: Department purpose–Fish and wildlife commission– Operations.

<i>New</i>	<i>Old</i>
220-101-010	232-36-010 – Introduction <u>Declaration of purpose – Department of fish and wildlife</u>
220-101-020	220-80-020 – Department description and authority
220-101-030	220-80-030 – Description of department organization
220-101-040	232-12-002 – Fish and wildlife commission members’ recusal requirements for commissioners with beneficial interests in certain commission decisions and transactions
220-101-050	220-20-110 – Fish and wildlife enforcement officer relief from active duty procedure
220-101-060	232-12-221 – Petitions – Form – Scheduling – Ruling

Chapter 220-111: Emergency rules.

220-111-010	232-12-083 – Emergency rule criteria
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Chapter 220-120: Public records.

220-120-010	220-80-010 – Public records – Generally
220-120-020	220-80-040 – Public records officer
220-120-030	220-80-050 – Public records available
220-120-040	220-80-060 – Requests for public records

<i>New</i>	<i>Old</i>
220-120-050	220-80-080 – Processing requests for public records
220-120-060	220-80-090 – Costs of providing public records
220-120-070	220-80-100 – Exemptions
220-120-080	220-80-110 – Review of denials of public records requests

GENERAL PROVISIONS

Chapter 220-200: Definitions and general rules.

DEFINITIONS

220-200-010	220-16-005 – Definitions – Authorized
220-200-020	232-12-809 – Definition of Eastern and Western Washington
220-200-030	220-16-410 – Definition – Extenuating circumstances
220-200-040	220-16-810 – <u>Definitions</u> – “In a wild state”
220-200-050	220-20-001 – General definitions Definitions– Residency
220-200-060	220-16-245 – Geographical definitions – River mouths
220-200-070	220-16-345 – General definitions Definitions– Time

GENERAL RULES

220-200-100	232-12-011 – Wildlife classified as protected shall not be hunted or fished
220-200-110	232-12-071 – Buying or selling game unlawful – Game-farmed meat exception
220-200-120	232-12-077 – Wildlife taken by another
220-200-130	232-12-840 – Hunting and fishing opportunities for terminally ill persons
220-200-140	220-20-040 – General provisions – Rearing and planting food fish
220-200-150	220-20-045 – Scientific collection permits

Chapter 220-220: General recreational licensing rules.

<i>New</i>	<i>Old</i>	RECREATIONAL LICENSES AND VEHICLE USE PERMITS
220-220-010	220-55-001 – Definitions	
220-220-020	220-55-005 – Recreational license	
220-220-030	220-55-015 – Valid recreational license required	
220-220-040	220-55-055 – Age of purchaser	
220-220-050	220-55-061 – Residency of purchaser	
220-220-060	220-55-165 – Reduced rate annual Fish Washington license, and license upgrades	
220-220-070	220-55-170 – Reduced rate combination temporary fishing and shellfish license	
220-220-080	220-55-172 - Reduced rate combination deer hunting licenses.	
220-220-090	220-55-174 - Reduced rate combination elk general licenses.	
220-220-100	220-55-040 – Recreational license, tag, permit, and stamp refunds and exchanges	
220-220-110	220-55-050 – Temporary fishing or hunting license validations date	
220-220-120	232-12-189 – Duplicate licenses, tags, etc. – Rules for issuance	
220-220-130	220-55-200 – Duplicate license fees	
220-220-140	220-20-075 – License sales – Dishonored check and credit card transaction penalties	
220-220-150	220-55-210 – Oregon license reciprocity	
220-220-160	220-55-220 – Two-pole endorsement	
220-220-170	220-55-100 – Fish and wildlife lands vehicle use permit	
220-220-180	220-20-115 – Watchable wildlife program	
220-220-190	232-12-830 – Waters in which either a personal use freshwater or personal use saltwater fishing license is valid	
220-220-200	220-55-070 – Valid catch record card	
220-220-210	220-55-230 - Columbia river endorsement	

<i>New</i>	<i>Old</i>
220-220-220	232-12-168 – Fishing contests
220-220-230	220-55-160 – Free fishing weekends
220-220-240	220-55-065 - Fishing for shellfish, freshwater fish or saltwater fish by persons of disability

RECREATIONAL LICENSE DEALERS

220-220-300	220-55-105 – Requirements of recreational license dealers
220-220-310	220-55-110 – Temporary fish-shellfish-seaweed license and temporary hunting license – License dealer issuance duties
220-220-320	220-55-115 – Recreational license dealer’s fees
220-220-330	220-55-180 – Point-of-sale transaction fee
220-220-340	220-55-125 – Catch record cards – Accountability and inventory return – <u>Recreational license dealers</u>

LICENSE REVOCATION AND PRIVILEGE SUSPENSION

220-220-400	220-125-010 – Scope of rules – Definitions
220-220-410	220-125-020 – Issuing orders of revocation or suspension
220-220-420	220-125-040 – Content of order
220-220-430	220-125-050 – Adjudicative proceedings to contest an order of revocation or suspension.
220-220-440	220-125-060 – Grounds for reversing or modifying an order of suspension or revocation.
220-220-450	220-125-070 – Orders upon adjudication
220-220-460	220-125-080 – Reinstatement

FISH

Chapter 220-300: Fish—Definitions and ~~general rules~~ classifications .

<i>New</i>	<i>Old</i>
220-300-010	220-16-002 – <u>Definitions</u> – Adult salmon
220-300-020	220-16-610 – <u>Definitions</u> – Anadromous waters
220-300-030	220-16-360 – General definitions Definitions– Bait purposes
220-300-040	220-16-340 – General definitions Definitions– Bottomfish
220-300-050	220-16-145 – Definitions – Bottomfish pot
220-300-060	220-16-010 - Definitions—Fishing gear.
220-300-070	220-16-101 - Definitions—Shellfish dive gear.
220-300-080	220-16-102 - Definitions—Hand held tool.
220-300-090	220-16-305 – General definitions Definitions– Commercial purposes
220-300-100	220-16-420 – <u>Definitions</u> – Explosive substance
220-300-110	220-16-320 – General definitions Definitions– Fish length measurement
220-300-120	220-56-107 – <u>Definitions</u> – Fishing hours
220-300-130	220-16-475 – <u>Definitions</u> – Forage fish
220-300-140	220-16-350 – General definitions Definitions– Jack salmon
220-300-150	220-16-250 – Geographical definitions – Mile measurement
220-300-160	220-56-100 – Definitions – Personal-use fishing
220-300-170	220-16-300 – General definitions Definitions– Personal use <u>fish and shellfish</u>
220-300-180	220-16-405 – Definitions – SMRCA
220-300-190	220-16-430 – <u>Definitions</u> – Spawn on Kelp
220-300-200	220-16-335 – General definitions Definitions– Spawning salmon
220-300-210	220-16-470 – <u>Definitions</u> – Wild fish
220-300-220	220-56-105 – <u>Geographical definitions</u> – River mouths definitions

<i>New</i>	<i>Old</i>
220-300-230	220-16-240 – Geographical definitions – Coastal waters
220-300-240	220-16-215 – Geographical definitions – Grays Harbor
220-300-250	220-16-220 – Geographical definitions – Willapa Bay
220-300-260	220-16-225 – Geographical definitions – Columbia River
220-300-270	220-16-400 – <u>Geographical definitions</u> – Lower Columbia River
220-300-280	220-16-210 – Geographical definitions – Puget Sound
220-300-290	220-16-211 – Geographical definitions – Puget Sound tributaries.
220-300-300	220-16-200 – Geographical definitions – District 1
220-300-310	220-16-205 – Geographical definitions – District 2
220-300-320	220-16-375 – <u>Geographical definitions</u> – Westport Boat Basin
220-300-330	220-16-380 – <u>Geographical definitions</u> – English Camp tidelines
220-300-340	220-16-395 – <u>Geographical definitions</u> - Buoy 13 Line
220-300-350	220-16-450 – <u>Geographical definitions</u> – Light 26 Line
220-300-360	220-16-490 – <u>Geographical definitions</u> – Bonilla-Tatoosh Line
220-300-370	220-12-010 – Food fish – Classification
220-300-380	232-12-019 – Classification of game fish <u>Game fish – Classification</u>

Chapter 220-301: Fish–Management and catch reporting areas

220-301-010	220-22-010 – Columbia River Salmon Management and Catch Reporting Areas
220-301-020	220-22-020 – Coast, Willapa Harbor, and Grays Harbor Salmon Management and Catch Reporting Areas
220-301-030	220-22-030 – Puget Sound Salmon Management and Catch Reporting Areas
220-301-040	220-22-400 – Marine Fish-Shellfish Management and Catch Reporting Areas, Puget Sound
220-301-050	220-22-410 – Marine Fish-Shellfish Management and Catch Reporting Areas

Chapter 220-302: Fish–Marine preserves

<i>New</i>	<i>Old</i>
220-302-010	220-16-780 – Admiralty Head Marine Preserve
220-302-020	220-16-830 – Carkeek Park Marine Preserve
220-302-030	220-16-730 – Colvos Passage Marine Preserve Area
220-302-040	220-16-850 – Discovery Park Marine Preserve
220-302-050	220-16-860 – Emma Schmitz Marine Preserve
220-302-060	220-16-820 – Golden gardens Marine Preserve
220-302-070	220-16-840 – Lincoln Park Marine Preserve
220-302-080	220-16-870 – Richey Viewpoint Marine Preserve
220-302-090	220-16-880 – Saltwater State Park Marine Preserve
220-302-100	220-16-440 – San Juan Islands Marine Preserve Area
220-302-110	220-16-460 – Titlow Beach Marine Preserve Area
220-302-120	220-16-790– Z’s Reef Marine Preserve

Chapter 220-303: Fish–Conservation areas

220-303-010	220-16-720 – Brackett’s Landing Shoreline Sanctuary Conservation Area
220-303-020	220-16-700 – City of Des Moines Park Conservation Area
220-303-030	220-16-760 – Keystone Conservation Area
220-303-040	220-16-550 – Octopus Hole Conservation Area
220-303-050	220-16-590 – Orchard Rocks Conservation Area
220-303-060	220-16-750 – Saltar’s Point Beach Conservation Area
220-303-070	220-16-710 – South 239th Street Park Conservation Area

<i>New</i>	<i>Old</i>
220-303-080	220-16-480 – Sund Rock Conservation Area
220-303-090	220-16-740 – Waketickeh Creek Conservation Area

Chapter 220-304: Fish–Surplus salmon eggs

220-304-010	220-74-010 – Purpose
220-304-020	220-74-020 – <u>Surplus salmon eggs</u> – Priorities
220-304-030	220-74-022 – <u>Surplus salmon eggs</u> – Certain sales disallowed <u>impermissible</u>
220-304-040	220-74-025 – <u>Surplus salmon eggs</u> – Purchases

Chapter 220-305: Fish–Fish rules of general application

220-305-010	220-20-010 – General rules – Fish.
220-305-020	220-20-011– Food fish and shellfish taken by another.
220-305-030	220-20-120
220-305-040	220-20-116 – Aquatic use of chemicals.
220-305-050	232-12-087 – Requirements to possess Indian caught anadromous fish game or roe
220-305-060	232-12-082 – Collection of sampling data – Unlawful acts
220-305-070	220-56-112 – Sampling data and tag recovery
220-305-080	220-20-100 – General provisions <u>Closed Areas</u> – Marine protected areas <u>Preserves and Conservation Areas</u>
220-305-090	232-12-164 – Fishing near dams – Department facilities
220-305-100	220-47-121 – Treaty Indian fishing gear identification
220-305-110	220-56-110 – Possession of personal-use food fish and shellfish

Chapter 220-310: Personal-use fisheries—General rules

<i>New</i>	<i>Old</i>
220-310-010	220-69-236 – Description of catch record cards and required information
220-310-020	220-56-175 – Catch record cards
220-310-030	220-56-128 – Food fish fishing – Closed areas
220-310-040	220-56-155 – Total possession limit
220-310-050	220-56-150 – Unlawful to take another’s limit
220-310-060	220-56-140 – Wastage of food fish or shellfish – Personal use
220-310-070	220-56-122 – Statewide bait rules
220-310-080	220-56-500 – Game Fish Seasons
220-310-090	220-56-510 – Game fish possession limits and size limits restrictions
220-310-100	220-56-118 – Fish handling rules – Removal from water
220-310-110	220-56-115 – Angling gear – Lawful and unlawful acts
220-310-120	220-20-117 – Gaffing and use of other body-penetrating devises – Personal use.
220-310-130	220-56-160 – Spearfishing
220-310-140	220-56-165 – Bow and arrow fishing
220-310-150	220-56-210 – Fly fishing
220-310-160	220-56-240 – Daily limits forage fish and other food fish not otherwise provided for
220-310-170	220-56-145 – Possession of gamefish, food fish, or shellfish in unlawful condition – Possession aboard a vessel.
220-310-210	220-56-156 – Possession and delivery of Canadian-origin food fish and shellfish
220-310-220	232-12-154 – Juvenile fishing waters
220-310-230	232-12-272 – Juvenile fishing events
220-310-240	220-20-070 – Recreational fisheries enhancement account – Funding

Chapter 220-311: Personal-use fisheries—Marine specific rules

<i>New</i>	<i>Old</i>
220-311-010	220-56-185 – Marine area codes
220-311-020	220-56-136 – Puget Sound public fishing piers – Restricted fishing areas
220-311-030	220-56-116 – Statewide saltwater hook rules
220-311-040	220-56-130 – Unclassified marine invertebrates and fish
220-311-050	220-56-285 – Shad – Areas and seasons

Chapter 220-312: Personal-use fisheries—Freshwater specific rules

220-312-010	220-310-175 Freshwater exceptions to statewide rules – General rules
220-312-020	220-310-180 Freshwater exceptions to statewide rules – Coast
220-312-030	220-310-185 Freshwater exceptions to statewide rules – Southwest
220-312-040	220-310-190 Freshwater exceptions to statewide rules – Puget Sound
220-312-050	220-310-195 Freshwater exceptions to statewide rules – Eastside
220-312-060	220-310-200 Freshwater exceptions to statewide rules – Columbia
220-312-070	220-56-123 – Statewide freshwater hook rules
220-312-080	220-56-129 – Unclassified freshwater invertebrates and fish
220-312-090	220-56-215 – Unlawful possession of snagged fish taken in freshwater
220-312-100	232-12-166 – Northern squawfish sport-reward fishery Columbia and Snake Rivers Northern pike minnow sport-reward fishery Columbia and Snake rivers.
220-312-110	220-56-280 – Carp – Lawful gear and seasons.

Chapter 220-313: Personal-use fisheries–Salmon

<i>New</i>	<i>Old</i>
220-313-010	220-56-180 – Salmon statewide rules
220-313-020	220-56-195 – Closed areas – Saltwater salmon angling
220-313-030	220-56-196 – Closed areas – Pink salmon angling
220-313-040	220-56-197 – Closed areas – Coho salmon angling
220-313-050	220-56-199 – Closed areas – Chinook salmon angling
220-313-060	232-28-621 – Puget Sound salmon – Saltwater seasons and daily limits
220-313-070	232-28-620 – Coastal salmon –Saltwater seasons and daily limits
220-313-080	220-56-262 – Atlantic salmon
220-313-090	220-56-220 – Salmon eggs – Unlawful acts

Chapter 220-314: Personal-use fisheries–Halibut and bottomfish

220-314-010	220-56-230 – Bottomfish and Halibut – closed areas
220-314-020	220-56-235 – Possession limits – Bottomfish
220-314-030	220-56-255 – Halibut – Seasons – Daily and possession limits
220-314-040	220-56-250 – Lingcod – Areas and seasons

Chapter 220-315: Personal-use fisheries–Forage fish

220-315-010	220-56-265 – Forage fish – Lawful gear
220-315-020	220-56-267 – Herring – Areas and seasons
220-315-030	220-56-270 – Smelt – Areas and seasons
220-315-040	220-56-275 – Smelt – Unlawful acts

Chapter 220-316: Personal-use fisheries—Sturgeon

New

Old

220-316-010 220-56-282 – Sturgeon – Areas, seasons, limits and unlawful acts.

Chapter 220-320: Shellfish – Definitions, classifications and general rules.

DEFINITIONS AND CLASSIFICATIONS

220-320-010	220-12-020 – Shellfish – Classification
220-320-020	220-16-800 – <u>Definitions</u> - Hardshell clam
220-320-030	220-16-257 – Razor clam beds – Definition
220-320-040	220-16-100 – Definitions – Shellfish pot
220-320-050	220-16-355 – General definitions – Soft-shelled crab
220-320-060	220-20-025 – General provisions – Shellfish
220-320-070	220-16-265 – Geographical definitions – Lopez Island shrimp fishing area

SHELLFISH RULES OF GENERAL APPLICATION

220-320-100	220-52-005 – Crab—General unlawful acts.
220-320-110	220-16-260 – Puget Sound Crab Management Regions
220-320-120	220-16-270 – Puget Sound Shrimp Districts
220-320-130	220-56-372 – Razor clam sanctuaries

Chapter 220-330: Personal-use shellfish.

<i>New</i>	<i>Old</i>
220-330-010	220-56-310 – Shellfish – Daily limits
220-330-020	220-56-320 – Personal use shrimp pot gear requirements.
220-330-030	220-56-318 – Personal use crab pot gear requirements.
220-330-040	220-56-330 – Crab – Areas and seasons—Personal use.
220-330-050	220-56-335 – Crab – Unlawful acts—Personal use.
220-330-060	220-56-317 – Personal use shrimp pot gear requirements.
220-330-070	220-56-325 – Shrimp – Areas and seasons
220-330-080	220-56-326 – Shrimp containers
220-330-090	220-56-336 – Crawfish – Areas and seasons
220-330-100	220-56-315 – Personal use crab, shrimp, crawfish – Unlawful acts.
220-330-110	220-56-350 – Clams other than razor clams, mussels – Areas and seasons
220-330-120	220-56-355 – Clams – Unlawful acts.
220-330-130	220-56-375 – Oysters and scallops – Gear
220-330-140	220-56-380 – Oysters – Areas and seasons
220-330-150	220-56-382 – Oysters and clams on private tidelands – Personal use
220-330-160	220-56-360 – Razor clams – Areas and seasons
220-330-170	220-56-365 – Razor clams – Unlawful acts
220-330-180	220-56-390 – Squid, octopus

Chapter 220-340: Commercial shellfish.

GENERAL RULES

220-340-010	220-52-001 – Shellfish – Geographical definitions
220-340-020	220-52-010 – Shellfish – Unlawful acts – <u>Commercial</u>
220-340-030	220-52-075 – Shellfish harvest logs – <u>Commercial</u>

New

220-340-040
220-340-050
220-340-060
220-340-070

Old

220-20-026 – Sale of commercially caught shellfish
220-20-038 – Shellfish – Import
220-52-035 – Commercial shellfish pot gear – Escape mechanism required
220-52-01905 Commercial geoduck harvest—Geoduck diver license application and issuance process

CLAMS AND OYSTERS

220-340-100
220-340-110
220-340-120
220-340-130
220-340-140
220-340-150
220-340-160
220-340-170

220-52-018 – Commercial clam fishery—Gear.
220-52-020 – Clams – Commercial harvest
220-52-030 – Clams – Coastal – Seasons and areas
220-72-011 – Oyster drill restricted shellfish areas – Puget Sound
220-72-015 – Oyster drill restricted shellfish areas – Willapa Bay
220-72-076 – Oysters – Unlawful acts – Permit required
220-72-089 – Oysters – Denman Island Disease prohibited area
220-72-086 – European green crab restricted shellfish area

SALES FROM STATE SHELLFISH RESERVES

220-340-200
220-340-210

220-340-220
220-340-230
220-340-240
220-340-250
220-340-260
220-340-270

220-60-010 – State reserves sales - Publishing notice of sale
220-60-020 – State reserves sales - Director to designate time and place of harvest from reserves

220-60-040 – State reserves sales - Loads to be measured
220-60-050 – State reserves sales - Payment
220-60-060 – State reserves sales - Oyster growers' associations
220-60-070 – State reserves sales - Purchasers' licenses
220-60-080 – State reserves sales - Director may limit use of licenses
220-60-090 – State reserves sales - Director to establish sale prices

New

220-340-280

Old

220-60-110 – Other unlawful conduct

GEODUCK

220-340-300

220-52-019 – Commercial geoduck harvest—Gear restrictions.

220-340-310

220-52-01901 – Commercial geoduck harvest license.

220-340-320

220-52-01902 – Commercial geoduck harvest—Requirements and unlawful acts.

220-340-330

220-52-01903 – Commercial geoduck harvest—Time and area restrictions.

CRAB

220-340-400

220-52-036 – Definition—Commercial crab fishing.

220-340-410

220-52-038 -- Commercial crab licenses.

220-340-420

220-52-040 – Commercial crab fishery – Unlawful acts.

220-340-430

220-52-042 – Commercial crab fishery—Buoy tag, pot tag, and buoy requirements.

220-340-435

220-52-043 – Commercial crab fishery – Shellfish pot requirements.

220-340-440

220-52-047 – Commercial crab gear—Possession of another’s gear and tag tampering.

220-340-450

220-52-045 – Commercial crab fishery – Seasons and areas—Coastal.

220-340-455

220-52-046 – Commercial crab fishery—Seasons and areas—Puget Sound.

220-340-460

220-52-041 – Commercial crab fishery – Coastal Dungeness crab logbook requirements.

220-340-470

220-52-048 – Commercial crab fishery—Gear limits—Puget Sound and Marine Fish-Shellfish Management and Catch Reporting Areas.

220-340-480

220-52-049 – Commercial crab fishery—Gear limits—Coastal.

220-340-490

220-52-044 – Commercial crab fishery—Coastal gear recovery permits

SHRIMP

220-340-500

220-52-050 – Commercial Ocean pink shrimp trawl fishery – Coastal waters

220-340-510

220-52-052 – Commercial Ocean spot shrimp fishery – Coastal waters

New 220-340-520 *Old* 220-52-051 – Commercial Shrimp fishery – Puget Sound

SCALLOPS

220-340-600 220-52-068 – Commercial Scallop fishery – Coastal waters
220-340-610 220-52-069 – Commercial Scallop fishery – Puget Sound

CRAWFISH, BARNACLES, OCTOPUS, SEA CUCUMBERS, SEA URCHINS AND SQUID

220-340-700 220-52-060 – Commercial Crawfish fishery
220-340-710 220-52-070 – Commercial Goose barnacle fishery
220-340-720 220-52-063 – Commercial Octopus fishery
220-340-730 220-52-071 – Commercial Sea cucumbers fishery
220-340-740 220-95-110 – Sea cucumber license reduction program
220-340-750 220-52-073 – Commercial Sea urchins fishery
220-340-760 220-95-100 – Sea urchin license reduction program
220-340-770 220-52-066 – Commercial Squid fishery

Chapter 220-350: Commercial fisheries–Definitions

220-350-010 220-16-025 – Definitions – Brush weir
220-350-020 220-16-051 – Definitions -- Commercial jig
220-350-030 220-16-028 – Definitions – Dip bag net
220-350-040 220-16-035 – Definitions – Drag seine
220-350-050 220-16-330 – ~~General definitions~~ Definitions — Dressed fish.
220-350-060 220-16-040 – Definitions – Drift gill net – Drift net
220-350-070 220-16-140 – Definitions – Herring rake

<i>New</i>	<i>Old</i>
220-350-080	220-16-065 – Definitions – Lampara gear
220-350-090	220-16-310 – General definitions <u>Definitions</u> – Net length measurement
220-350-100	220-16-315 – General definitions <u>Definitions</u> – Net mesh measurement
220-350-110	220-16-075 – Definitions – Purse seine
220-350-120	220-16-080 – Definitions – Reef net
220-350-130	220-16-085 – Definitions – Ring net
220-350-140	220-16-370 – General definitions – <u>Definitions</u> – Sac-roe herring purposes
220-350-150	220-16-090 – Definitions – Set line
220-350-160	220-16-095 – Definitions – Set net
220-350-170	220-16-046 – Definitions – Skiff gill net – Skiff net
220-350-180	220-16-105 – Definitions – Snag line
220-350-190	220-16-110 – Definitions – Snag net
220-350-200	220-16-120 – Definitions – Trammel net
220-350-210	220-16-015 – General definitions – Definitions – Trawl gear
220-350-220	220-16-125 – Definitions – Troll line
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Chapter 220-351: Commercial fisheries–Permits/licensing

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220-351-020	220-20-050 – Display of registration, salmon guide, and angler permit decals
220-351-030	220-20-051 – Vessel designation requirements
220-351-040	220-20-060 – Commercial fishing license transfer – Notarization
220-351-050	220-20-005 – Oregon-Washington commercial license reciprocity

<i>New</i>	<i>Old</i>
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220-352-030	220-69-220 – When state of Washington fish receiving tickets are not required
220-352-040	220-69-230 – Description of Washington state nontreaty fish receiving tickets
220-352-050	220-69-250 – Required information on nontreaty fish receiving tickets
220-352-060	220-69-260 – Distribution of copies of nontreaty fish receiving tickets
220-352-070	220-69-234 – Description of treaty Indian fish receiving ticket
220-352-080	220-69-254 – Required information on treaty Indian fish receiving tickets
220-352-090	220-69-264 – Distribution of copies of treaty Indian fish receiving tickets
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220-352-110	220-69-246 – Description of Washington state electronic fish receiving ticket
220-352-120	220-69-256 – Required information on electronic fish receiving tickets.
220-352-130	220-69-26401 – Distribution of copies of shellfish receiving ticket
220-352-140	220-69-274 – Signatures – <u>Fish receiving tickets</u>
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<i>New</i>	<i>Old</i>
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220-352-240	220-69-290 – Annual production report
220-352-250	220-20-080 – Sale under a direct retail endorsement
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<i>New</i>	<i>Old</i>
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<i>New</i>	<i>Old</i>
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220-354-220	220-40-020 – Willapa Bay salmon – seasons and lawful gear – Salmon
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220-354-250	220-40-027 – <u>Willapa Bay</u> salmon – Willapa Bay fall fishery
220-354-260	220-36-020 – Grays Harbor salmon fishing – Lawful Permissible gear
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220-354-280	220-36-021 – <u>Grays Harbor</u> Salmon – Grays Harbor – Summer fishery
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<i>New</i>	<i>Old</i>
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220-355-090	220-44-040 – Coastal bottomfishing areas and seasons
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220-356-070	220-49-012 -- Herring, anchovy and smelt fishing – Purse seine
220-356-080	220-49-013 – Herring, anchovy and smelt fishing – Dip bag net
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<i>New</i>	<i>Old</i>
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220-358-030	220-33-010 – Salmon.

<i>New</i>	<i>Old</i>
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220-358-050	220-33-030 – Shad.
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GENERAL RULES

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New

Old

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220-360-030
220-360-040

220-88-020 – Experimental fishery permits
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220-88D-020 – Designation of the commercial wild clams, mussels, and oyster harvest on non-state lands as an emerging commercial fishery
220-88D-030 – Eligibility to participate in the non-state lands commercial wild clams, mussels, and oyster shellfish fishery.
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220-360-310	220-88F-020 - Emerging commercial fishery—Eligibility for coastal Pacific mackerel purse seine fishery permits—Terms and conditions of use—Renewal—Vessel restriction.
220-360-320	220-88F-030 - Coastal Pacific mackerel purse seine fishery—Harvest, landing, and reporting requirements—Gear.

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<i>New</i>	<i>Old</i>
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220-370-180	220-76-030 – Aquaculture – Disease – Control
220-370-190	220-77-030 – Finfish aquaculture disease control
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<i>New</i>	<i>Old</i>
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<i>New</i>	<i>Old</i>
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<i>New</i>	<i>Old</i>
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<i>New</i>	<i>Old</i>
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Chapter 220-415: Wildlife–Hunting–Big game

<i>New</i>	<i>Old</i>
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Chapter 220-416: Wildlife–Hunting–Small game, birds, and other wildlife

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220-416-120	232-12-619 – Bullfrogs

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<i>New</i>	<i>Old</i>
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220-420-160	232-30-210 – Take of raptors from the wild
220-420-170	232-30-222 – Take of nestling from a nest site
220-420-180	232-30-215 – Capture of marked raptors
220-420-190	232-30-232 – Acquiring a raptor for falconry from a permitted rehabilitator

<i>New</i>	<i>Old</i>
220-420-200	232-30-224 – Raptors injured due to falconer trapping efforts
220-420-210	232-30-310 – Banding or microchip tagging raptors used in falconry
220-420-220	232-30-220 – Designation as a wild raptor
220-420-230	232-30-510 – Captive propagation of raptors
220-420-240	232-30-520 – Hacking of falconry raptors
220-420-250	232-30-260 – Closed areas for raptor trapping and practicing falconry
220-420-260	232-30-244 – Transfer, selling, or trading raptors under a falconry permit
220-420-270	232-30-410 – Inspections
220-420-280	232-30-420 – Facilities are required for possession of falconry or abatement raptors
220-420-290	232-30-430 – Falconry facilities on property not owned by falconry permittee
220-420-300	232-30-440 – Facilities and care requirements and guidelines
220-420-310	232-30-450 – Required equipment
220-420-315	232-30-460 – Facilities for a raptor when in transport, using it for hunting, or are away from facilities, and temporary housing.
220-420-320	232-30-470 – Care of falconry raptors by another person
220-420-330	232-30-530 – Abatement activities with captive raptors
220-420-340	232-30-240 – Flying a hybrid raptor in falconry
220-420-350	232-30-540 – Use of falconry raptors in education programs
220-420-360	232-30-550 – Other uses of falconry raptors
220-420-370	232-30-570 – Feathers molted by falconry raptors
220-420-380	232-30-580 – Disposition of carcasses of falconry raptors that die
220-420-390	232-30-250 – Provisions for accidental take by falconers
220-420-400	232-30-560 – Falconers assisting in rehabilitation of raptors to prepare them for release
220-420-410	232-30-242 – Releasing a falconry raptor to the wild permanently

Chapter 220-430: Game farms and shooting preserves.

<i>New</i>	<i>Old</i>
220-430-010	232-12-027 – Game farm license provisions
220-430-020	232-12-031 – Game farm invoice requirements
220-430-030	232-12-034 – Acquisition of wildlife by game farmer
220-430-040	232-12-037 – Shooting preserves – Licensing – Permits – Operations

Chapter 220-440: Wildlife management and wildlife interaction.

220-440-010	232-36-020 – Purpose – <u>Wildlife Management and Wildlife Interaction</u>
220-440-020	232-36-030 – Definitions
220-440-030	232-12-243 – Public safety cougar removals
220-440-040	232-36-040 – Wildlife/human interaction and conflict resolution for private property damage
220-440-050	232-36-050 – Killing wildlife for personal safety
220-440-060	232-36-051 – Killing wildlife causing private property damage
220-440-070	232-36-054 – Use of body-gripping traps and exceptions
220-440-080	232-36-052 – Killing wolves attacking domestic animals
220-440-090	232-36-055 – Disposal of wildlife killed for personal safety or for causing private property damage
220-440-100	232-36-060 – Director or his/her designee is empowered to grant wildlife control operator certifications.
220-440-110	232-36-065 – Director or his/her designee is empowered to issue wildlife control operator permits to address wildlife interactions.
220-440-120	232-36-066 - Report required of certified wildlife control operators

New *Old*

220-440-130	232-36-090 - Limitations to managing damage caused
220-440-140	232-36-100 – Payment for commercial crop damage – Limitations
220-440-150	232-36-110 – Application for cash compensation for commercial crop damage – Procedure.
220-440-160	232-36-120 – Valuation methods for crop damage assessment
220-440-170	232-36-200 – Payment for commercial livestock damage – Limitations
220-440-180	232-36-210 – Application for cash compensation for commercial livestock damage – Procedure
220-440-190	232-36-300 – Public hunting requirements
220-440-200	232-36-310 – Damage prevention permit hunts: deer, elk and turkey
220-440-210	232-36-320 – Black bear timber damage depredation permits
220-440-220	232-36-330 – Bear and cougar depredation permit hunts for domestic animal and livestock loss
220-440-230	232-36-400 – Commercial crop or livestock damage claim – Dispute resolution
220-440-240	232-36-500 – Unlawful taking or possession of wildlife for personal safety or causing property damage – Penalties
220-440-250	232-36-510 – Failure to abide by the conditions of permits, provide completed forms, or submit required documents or reports.

Chapter 220-450: Wildlife in captivity and wildlife rehabilitation.

220-450-010	232-12-271 – Criteria for planting aquatic plants and releasing wildlife
220-450-020	232-12-066 – Revocation, modification, or suspension of a permit to hold wild animals, wild birds, or game fish in captivity
220-450-030	232-12-064 – Live wildlife—Taking from the wild, importation, possession, transfer, and holding in captivity.

New

Old

220-450-040	232-12-063 – Live wildlife—Facility, fencing, and marking requirements.
220-450-050	232-12-067 – Sale of fish and wildlife by zoos and aquariums
220-450-060	232-12-275 – Definitions – Oiled wildlife and wildlife rehabilitation permits.
220-450-070	232-12-841 – Wildlife rehabilitation permits – Requirements and restrictions
220-450-080	232-12-843 – Wildlife rehabilitation – Responsibilities of primary permittees and sub-permittees
220-450-090	232-12-845 – Wildlife rehabilitation – Permit revocation, modification, or suspension
220-450-100	232-12-847 – Wildlife rehabilitation – Facility requirements and inspections – On- and off-site care
220-450-110	232-12-849 – Wildlife rehabilitation – Releasing wildlife
220-450-120	232-12-851 – Wildlife rehabilitation – Records retention and reporting requirements
220-450-130	232-12-853 – Wildlife rehabilitation—Records retention and reporting requirements
220-450-140	232-12-855 – Wildlife rehabilitation – Falconers assisting with raptor rehabilitation
220-450-150	232-12-857 – Wildlife rehabilitation – Transfer, import, and export of wildlife
220-450-160	232-12-859 – Wildlife rehabilitation – Possession of dead wildlife and wildlife parts
220-450-170	232-12-861 – Wildlife rehabilitation – Disposition of nonreleasable and habituated, imprinted, and tamed wildlife
220-450-180	232-12-863 – Wildlife rehabilitation – Euthanizing protected, threatened, or endangered wildlife and migratory birds
220-450-190	232-12-865 – Wildlife rehabilitation – Disposing of wildlife remains
220-450-200	232-12-867 – Wildlife rehabilitation – Prohibition on commercial uses
220-450-210	232-12-869 – Oiled bird rehabilitation – Facility requirements
220-450-220	232-12-871 – Reporting receipt, death, carcass retention, and release of oiled birds

DEPARTMENT LANDS

Chapter 220-500: Department lands – General rules.

<i>New</i>	<i>Old</i>
220-500-010	232-13-020 – Declaration of purpose – Department lands.
220-500-020	232-13-030 – Definitions
220-500-030	232-13-050 – Behavior and conduct
220-500-040	232-13-150 – Regulating public access
220-500-050	232-13-110 – Enforcement
220-500-060	232-13-080 – Commercial use or activity
220-500-070	232-13-090 – Noncommercial use or activity.
220-500-080	232-12-177 – Vehicles using department lands
220-500-090	232-13-040 – Aircraft use on department lands
220-500-100	232-13-060 – Camping
220-500-110	232-13-070 – Fires and Campfires
220-500-120	232-13-100 – Dumping and sanitation
220-500-130	232-13-120 – Erecting and using camps, blinds, and tree stand structures on department lands
220-500-140	232-13-130 – Firearms and target practicing
220-500-150	232-13-140 – Fireworks
220-500-160	232-13-170 – Parking
220-500-170	232-13-180 – Pets
220-500-180	232-13-210 – Penalties
220-500-190	232-12-174 – Domestic animals on department lands
220-500-200	232-12-181 – Livestock grazing on department of fish and wildlife lands
220-500-210	232-12-251 – Removal of minerals, wood and artifacts from department lands

New *Old*

220-500-220	232-12-254 – Discharge of litter on department lands
220-500-230	232-13-160 – Public conduct on private lands under cooperative agreement with the department – unlawful acts

ENVIRONMENTAL STANDARDS AND CONSERVATION

Chapter 220-600: State Environmental Protection Act (SEPA).

220-600-010	220-100-030 – Purpose
220-600-020	220-100-020 – Impact of SEPA on the department
220-600-030	220-100-010 - Definitions
220-600-040	220-100-040 – Scope and coverage of this chapter
220-600-050	220-100-057 – Threshold levels adopted by local governments
220-600-060	220-100-027 – Critical areas
220-600-070	220-100-045 – Agency policy – Substantive authority and mitigation
220-600-080	220-100-055 – Timing of the SEPA process
220-600-090	220-100-058 – Notice/statute of limitations
220-600-100	220-100-060 – Summary of information which may be required of a private applicant
220-600-110	220-100-065 – Assumption of lead agency status
220-600-120	220-100-070 – Designation of responsible official
220-600-130	220-100-075 – Mitigated DNS
220-600-140	220-100-080 – SEPA public information center
220-600-150	220-100-095 – Public notice
220-600-160	220-100-110 – Adoption by reference – Substantial compliance
220-600-170	220-100-115 – Severability

Chapter 220-610: State and protected species.

ESA

<i>New</i>	<i>Old</i>
220-610-010	232-12-014 - Wildlife classified as endangered species
220-610-020	220-56-193 – Closed season – Endangered Species Act fish classified as threatened.
220-610-030	220-56-194 – Closed season – Endangered Species Act fish classified as endangered.

STATE PROTECTED SPECIES

220-610-100	232-12-292 – Bald eagle protection rules.
220-610-110	232-12-297 – Endangered, threatened, and sensitive wildlife species classification

Chapter 220-620: Volunteer cooperative fish and wildlife enhancement program.

220-620-010	220-130-020 – Definitions
220-620-020	220-130-030 – Information required from volunteer groups
220-620-030	220-130-040 – Review and selection process
220-620-040	220-130-050 – Criteria used in selecting cooperative projects
220-620-050	220-130-060 – Acceptance or rejection of proposals
220-620-060	220-130-070 – Termination or revocation of agreements
220-620-070	220-130-080 – Project recovery of reimbursable expenses

Chapter 220-630: Regional fisheries enhancement groups.

220-630-010	220-140-001 – Purpose
220-630-020	220-140-010 – <u>Regional fisheries enhancement groups</u> -- Definitions

New *Old*

220-630-030	220-140-020 – Description of regional fisheries enhancement groups
220-630-040	220-140-030 – Establishing a <u>regional fishery enhancement</u> group
220-630-050	220-140-040 – <u>Regional fisheries enhancement groups --</u> Project funds from the sale of surplus salmon carcasses and eggs
220-630-060	220-140-050 – Funding the regional fisheries enhancement group account.

Chapter 220-640: Invasive/nonnative species.

220-640-010	232-12-016 – Nonnative aquatic species
220-640-020	232-12-01701 – Aquatic nuisance species
220-640-030	232-12-017 – Deleterious exotic wildlife
220-640-040	220-12-090 – Classification – Nonnative aquatic animal species
220-640-050	220-12-005 – Request for classification of nonnative aquatic animal species

Chapter 220-650: Ballast water.

220-650-010	220-150-010 – Purpose, stakeholder consultation, and cooperative management
220-650-020	220-150-020 – Definitions
220-650-030	220-150-030 – Reporting forms, waivers, safety exemptions, and recordkeeping
220-650-040	220-150-033 – Vessel inspections
220-650-050	220-150-035 – Vessels carrying high risk ballast water
220-650-060	220-150-037 – Temporary compliance plans and alternative strategies
220-650-070	220-150-040 – Interim open sea exchange requirements
220-650-080	220-150-043 – Interim open sea exchange alternative
<i>New</i>	<i>Old</i>

220-650-090	220-150-050 – Treatment requirements
220-650-100	220-150-060 – Treatment notification and promising treatment waiver process
220-650-110	220-150-070 – Ballast tank sediment
220-650-120	220-150-080 – Penalties and enforcement