



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)**  
**(Implements RCW 34.05.310)**  
Do **NOT** use for expedited rule making

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FILED

DATE: October 18, 2021

TIME: 10:17 AM

WSR 21-21-069

**Agency:** Washington Department of Fish and Wildlife (WDFW)

**Subject of possible rule making:** The department is considering changes to recreational clam and oyster harvest season Rules and updates to beach designations according to shellfish pest status.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 77.04.012, 77.04.055, 77.12.047, and 77.60.070

**Reasons why rules on this subject may be needed and what they might accomplish:** The department must annually amend recreational clam and oyster season rules on some public tidelands in response to shellfish population changes, shifts in recreational effort, conservation issues, and negotiations with treaty tribes and other state agencies. Such amendments are designed to perpetuate shellfish resources while maximizing recreational harvest opportunity. The department must also maintain up to date shellfish restricted areas to prevent the spread of pest infestations harmful to shellfish.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The Washington Department of Health (DOH). WDFW works closely with DOH to close beaches to recreational clam and oyster harvest if there is a risk to public health.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

	(If necessary)
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Other: For comments	Other: For questions

Additional comments:

**Date:** 10/20/21

**Name:** Annie Szvetecz

**Title:** Agency Rules Coordinator

**Signature:**