

# Aquatic Invasive Species (AIS) Rule Changes

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# Proposed AIS Rule Changes

- The Department seeks to create two new rules (#1 & #2) and amend two existing rules (#3a & 3b).
- The proposed changes are as follows:





# ***(1) NEW WAC 220-640-011***

- The proposed rule modifies an existing WAC by providing FWOs the ability to issue a Notice of Infraction to persons failing to stop at a mandatory AIS check station rather than just gross misdemeanor citations under RCW 77.15.809



## **(2) *NEW* WAC 220-640-051**

- **The proposed rule provides businesses and consumers a method where they can lawfully sell/possess prohibited level 3 AIS species and clarifies that it is unlawful to import live level 3 AIS species (even if using/selling as dead).**





## (3a) WAC 220-640-030

- The proposed rule reclassifies Northern Pike as a “prohibited level 1 species” defined as “posing a high invasive risk and a priority for prevention and expedited rapid response management actions”.



N. Pike request submitted by:

- In consultation with:



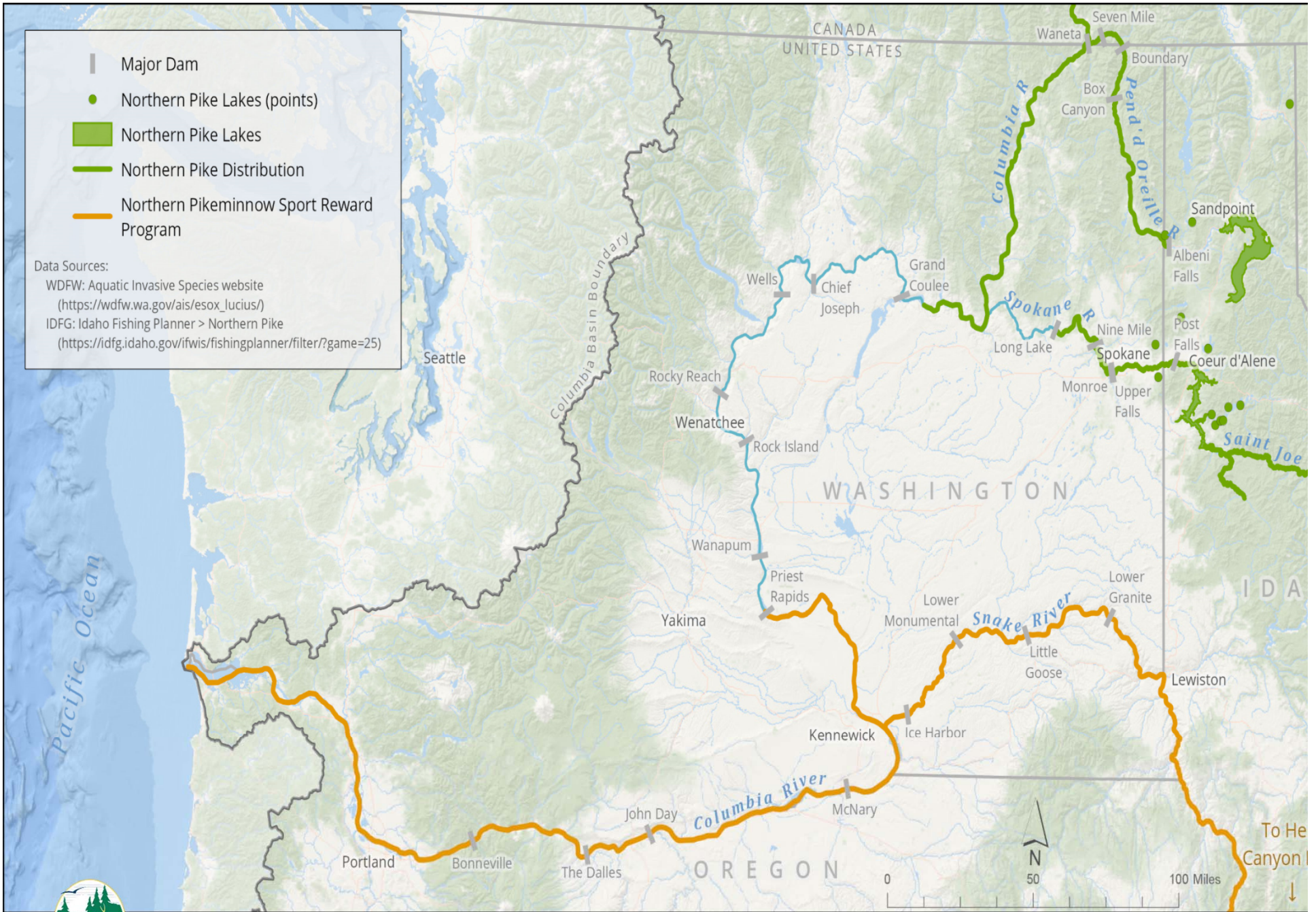
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## (3b) WAC 220-640-050

- The proposed rule deletes Northern Pike from the list of “prohibited level 3 AIS species” under WAC 220-640-050 as part of their reclassification to a “prohibited level 1 AIS species” as covered previously.







# Questions?



## \* Reference #1

- New Section

**WAC 220-640-011 Failure to stop at mandatory AIS check station-Infraction.** Any person who fails to stop at a mandatory check station is guilty of a gross misdemeanor under RCW 77.15.809; however, if a person has never been previously issued either a citation or warning for this violation, the violation may be issued as an infraction under RCW 77.15.160.





## \* Reference #2a

- New Section

**WAC 220-640-051 Lawful possession of dead prohibited level 3 species for personal or commercial use-Allowable forms-Records required.** (1) It is lawful to possess dead prohibited level 3 species for human or animal consumption use. For purpose of this rule, "dead" is defined as the following forms: (a) Fully cooked; (b) Frozen solid; (c) Canned or otherwise vacuum-sealed in a container; (d) Preserved by drying, salting, or pickling; or (e) Raw/fresh if the head has been removed and/or all the internal organs have been removed.

(2) The person or commercial entity must possess the following records upon receiving and while in possession of a prohibited level 3 species in a dead form:

(a) The records must be in accordance with RCW 77.15.568; and





## \* Reference #2b

(b) The records must identify:

(i) Taxonomic species name or subspecies name to distinguish the subspecies from another prohibited species or a regulated type A species; and

(ii) The dead form in which the species was received as listed under subsection (1) of this section.

(3) It is unlawful for any person or commercial entity to receive or possess any live prohibited level 3 species or that does not meet the requirements of subsection (1) of this section.

(4) Any person or commercial entity in possession of a prohibited level 3 species violating this regulation shall be guilty of unlawful use of invasive species in the second degree under RCW 77.15.809.

