

RCW 42.56.430 Fish and wildlife. (Effective until June 30, 2027.) The following information relating to fish and wildlife is exempt from disclosure under this chapter:

(1) Commercial fishing catch data from logbooks required to be provided to the department of fish and wildlife under RCW 77.12.047, when the data identifies specific catch location, timing, or methodology and the release of which would result in unfair competitive disadvantage to the commercial fisher providing the catch data, however, this information may be released to government agencies concerned with the management of fish and wildlife resources;

(2) Sensitive fish and wildlife data. Sensitive fish and wildlife data may be released to the following entities and their agents for fish, wildlife, land management purposes, or scientific research needs: Government agencies, public utilities, and accredited colleges and universities. Sensitive fish and wildlife data may be released to tribal governments. Sensitive fish and wildlife data may also be released to the owner, lessee, or right-of-way or easement holder of the private land to which the data pertains. The release of sensitive fish and wildlife data must be subject to a confidentiality agreement, except upon release of sensitive fish and wildlife data to the owner, lessee, or right-of-way or easement holder of private land who initially provided the data. Sensitive fish and wildlife data does not include data related to reports of predatory wildlife as specified in RCW 77.12.885. Sensitive fish and wildlife data must meet at least one of the following criteria of this subsection as applied by the department of fish and wildlife:

(a) The nesting sites or specific locations of endangered species designated under RCW 77.12.020, or threatened or sensitive species classified by rule of the department of fish and wildlife;

(b) Radio frequencies used in, or locational data generated by, telemetry studies; or

(c) Other location data that could compromise the viability of a specific fish or wildlife population, and where at least one of the following criteria are met:

(i) The species has a known commercial or black market value;

(ii) There is a history of malicious take of that species and the species behavior or ecology renders it especially vulnerable;

(iii) There is a known demand to visit, take, or disturb the species; or

(iv) The species has an extremely limited distribution and concentration;

(3) The following information regarding any damage prevention cooperative agreement, or nonlethal preventative measures deployed to minimize wolf interactions with pets and livestock:

(a) The name, telephone number, residential address, and other personally identifying information of any person who has a current damage prevention cooperative agreement with the department, including a pet or livestock owner, and his or her employees or immediate family members, who agrees to deploy, or is responsible for the deployment of, nonlethal, preventative measures; and

(b) The legal description or name of any residential property, ranch, or farm, that is owned, leased, or used by any person included in (a) of this subsection;

(4) The following information regarding a reported depredation by wolves on pets or livestock:

(a) The name, telephone number, residential address, and other personally identifying information of:

- (i) Any person who reported the depredation;
- (ii) Any pet or livestock owner, and his or her employees or immediate family members, whose pet or livestock was the subject of a reported depredation; and
- (iii) Any department of fish and wildlife employee, range rider contractor, or trapper contractor who directly:
 - (A) Responds to a depredation; or
 - (B) Assists in the lethal removal of a wolf; and
- (b) The legal description, location coordinates, or name that identifies any residential property, or ranch or farm that contains a residence, that is owned, leased, or used by any person included in (a) of this subsection;
- (5) The personally identifying information of persons who acquire recreational licenses under RCW 77.32.010 or commercial licenses under chapter 77.65 or 77.70 RCW, except name, address of contact used by the department, and type of license, endorsement, or tag; however, the department of fish and wildlife may disclose personally identifying information to:
 - (a) Government agencies concerned with the management of fish and wildlife resources;
 - (b) The department of social and health services, child support division, and to the department of licensing in order to implement RCW 77.32.014 and 46.20.291; and
 - (c) Law enforcement agencies for the purpose of firearm possession enforcement under RCW 9.41.040;
- (6)(a) Information that the department of fish and wildlife has received or accessed but may not disclose due to confidentiality requirements in the Magnuson-Stevens fishery conservation and management reauthorization act of 2006 (16 U.S.C. Sec. 1861(h)(3) and (i), and Sec. 1881a(b)); and
- (b) Fisheries-related information that was collected by another state and is confidential under the laws of that state;
- (7) The following tribal fish and shellfish harvest information, shared with the department of fish and wildlife:
 - (a) Fisher name;
 - (b) Fisher signature;
 - (c) Total harvest value per species;
 - (d) Total harvest value;
 - (e) Price per pound; and
 - (f) Tribal tax information; and
- (8) The following commercial shellfish harvest information, shared with the department of fish and wildlife:
 - (a) Individual farmer name;
 - (b) Individual farmer signature;
 - (c) Total harvest value per species;
 - (d) Total harvest value;
 - (e) Price per pound; and
 - (f) Tax information. [2024 c 48 s 2; 2018 c 214 s 1. Prior: 2017 c 246 s 1; 2017 c 71 s 1; 2008 c 252 s 1; 2007 c 293 s 1; 2005 c 274 s 423.]

Expiration date—2024 c 48 s 2: "Section 2 of this act expires June 30, 2027." [2024 c 48 s 4.]

Findings—Intent—2024 c 48: "Fishery data and recordkeeping occurs primarily at the state level on the west coast, but many

fishers participate in multiple fisheries along the coast and deliver their catches into multiple states. Coastal states regularly share confidential data to ensure regulations are enforced, to understand fisheries performance, and to analyze the need for and likely effects of potential rule changes. The goal of this act is to expressly authorize the department of fish and wildlife to protect data received from other coastal states if that data is confidential under the originating state's laws." [2024 c 48 s 1.]

Expiration date—2022 c 294; 2018 c 214 s 1: "Section 1 of this act expires June 30, 2027." [2022 c 294 s 2; 2018 c 214 s 3.]

Expiration date—2022 c 294; 2017 c 246: "This act expires June 30, 2027." [2022 c 294 s 1; 2017 c 246 s 4.]

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(c) Law enforcement agencies for the purpose of firearm possession enforcement under RCW 9.41.040;

(4) (a) Information that the department of fish and wildlife has received or accessed but may not disclose due to confidentiality requirements in the Magnuson-Stevens fishery conservation and management reauthorization act of 2006 (16 U.S.C. Sec. 1861(h) (3) and (i), and Sec. 1881a(b)); and

(b) Fisheries-related information that was collected by another state and is confidential under the laws of that state;

(5) The following tribal fish and shellfish harvest information, shared with the department of fish and wildlife:

(a) Fisher name;

(b) Fisher signature;

(c) Total harvest value per species;

(d) Total harvest value;

(e) Price per pound; and

(f) Tribal tax information; and

(6) The following commercial shellfish harvest information, shared with the department of fish and wildlife:

(a) Individual farmer name;

(b) Individual farmer signature;

(c) Total harvest value per species;

(d) Total harvest value;

(e) Price per pound; and

(f) Tax information. [2024 c 48 s 3; 2018 c 214 s 2; 2017 c 71 s 1; 2008 c 252 s 1; 2007 c 293 s 1; 2005 c 274 s 423.]

Effective date—2024 c 48 s 3: "Section 3 of this act takes effect June 30, 2027." [2024 c 48 s 5.]

Effective date—2022 c 294; 2018 c 214 s 2: "Section 2 of this act takes effect June 30, 2027." [2022 c 294 s 3; 2018 c 214 s 4.]