

WAC 220-370-110 Marine finfish aquaculture—Escape prevention plan required. A fish escape prevention plan is required with each application for a marine finfish aquaculture permit and approval by the department of the fish escape prevention plan is required before issuance of a marine finfish aquaculture permit.

(1) The escape prevention plan must include:

(a) Routine procedures and best management procedures used to minimize the risk of escapement from pens during normal day-to-day operations.

(b) Procedures to minimize escapements in the event the net-pens need to be moved, repaired, or manipulated in any manner, or during stocking or harvesting operations, which could result in a release of fish to state waters. At a minimum, prior to the net-pens being moved, a bathymetric analysis should be made along the intended travel route(s) to ensure adequate depth and the absence of underwater hazards or obstructions.

(c) Procedures for routine training of employees and contractors in escape prevention.

(d) Procedures for routinely determining and tracking the number of fish in each pen lost due to predation and mortality, and the number of fish lost due to escapement.

(e) Procedures for monitoring the implementation of (a) through (d) of this subsection.

(2) For the purpose of meeting the requirements of this section, plans and manuals required by the department of ecology through the National Pollutant Discharge Elimination System (NPDES) permit process may be submitted for approval.

(3) Marine finfish aquaculture farmers are required to implement the provisions of their approved fish escape prevention plan. Failure to implement the provisions of an approved escape prevention plan may result in invalidation of the marine finfish aquaculture permit. A notice of failure to comply with the fish escape prevention plan requirements will be given prior to invalidation of the permit, and the aquaculture farmer will have not less than seven nor more than ninety days to correct the conditions or status that caused the notice to be given. If the marine finfish aquaculture permit is invalidated, any transportation of finfish shall be treated as a violation of RCW 77.15.290.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-370-110, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 03-02-047 (Order 02-309), § 220-76-110, filed 12/24/02, effective 7/1/03.]