

WSR 26-19-119 - Department of Fish and Wildlife [Order 26-20-FILED September 22, 2026, 10:36 A.M.]: considering amending chapter 220-640 WAC (invasive/nonnative species) to permanently classify golden mussels (*Limnoperna fortunei*) as a prohibitive level...

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Statewide, WA - Washington statewide County, WA

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WSR 26-19-119 (26-19) WSR 26-19-119
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
FISH AND WILDLIFE

[Order 26-20-Filed September 22, 2026, 10:36 a.m.]

Subject of Possible Rule Making: The department of fish and wildlife (department) is considering amending chapter 220-640 WAC (invasive/nonnative species) to permanently classify golden mussels (*Limnoperna fortunei*) as a prohibitive level 1 aquatic invasive species.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 77.04.012 , 77.04.020 , 77.04.055 , 77.12.045 , 77.04.013 , and 77.12.047 .

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is considering proposed amendments to chapter 220-640 WAC to address the increasing risk posed by golden mussel (*Limnoperna fortunei*) to Washington's aquatic ecosystems, native species, water infrastructure, hydropower, irrigation, recreation, and economy.

Golden mussels are a highly invasive freshwater mussel with an established history of ecological and economic impacts outside their native range. The expansion of the species in California, combined with interstate movement of watercraft and other equipment, increases the likelihood of introduction into Washington. Based upon expansion of the golden mussel and the threat it poses, the department completed a comprehensive golden mussel aquatic invasive species risk screening summary in August 2026. The assessment evaluated the species' invasion history; ecological and economic impacts; potential pathways for introduction and spread; potential overland transport to Washington; maritime pathways, including ballast water and biofouling; and the suitability of Washington environmental conditions for survival and reproduction. The assessment concludes that golden mussel presents a significant risk to Washington and documents multiple pathways by which the species could be introduced and spread.

Permanent classification of golden mussel as a prohibited level 1 aquatic invasive species would provide a clear regulatory basis for preventing possession, transportation, introduction, purchase, and sale of live golden mussels, except as authorized by the department.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Aquatic invasive species are regulated or addressed by numerous federal, state, tribal, and local governments because species can be transported across jurisdictional boundaries through recreational and commercial watercraft, connected waterways, ballast water, biofouling, and other pathways.

Relevant state agencies and partners include the Oregon department of fish and wildlife, Idaho state department of agriculture, California department of fish and wildlife, Washington department of ecology, Washington department of natural resources, Washington state parks, and other agencies with responsibilities related to aquatic invasive species, watercraft inspection, water resources, navigation, and state-owned aquatic lands.

Relevant federal partners include the United States (U.S.) Fish and Wildlife Service, U.S. Geological Survey, U.S. Army Corps of Engineers, Bureau of Reclamation, Bonneville Power Administration, U.S. Coast Guard, and other federal agencies with responsibilities related to aquatic invasive species, water infrastructure, hydropower, navigation, ballast water, and federal lands and waters.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Rules Coordinator, P.O. Box 43200, Olympia, WA 98504, phone 855-925-2801, project code 11334, TTY 1-800-833-6388 or 711, email

2026goldenmusslecr101@publicinput.com , website <https://engage.wdfw.wa.gov/2026goldenmusslecr101> or <https://wdfw.wa.gov/about/regulations/development> .

Additional comments: Assistance for language translation, alternate format or reasonable accommoda

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