

Concise Explanatory Statement (CES)

WAC 220-20-039 Live Fish—Import and transfer.

A. Reasons for adopting the rule:

The Washington coastal hagfish fishery is managed under the Emerging Commercial Fishery Act as a trial fishery.

The amendments to WAC 220-20-039 will exempt hagfish from the requirement for persons (or other entities) to obtain a permit from the direction to import, possess, transport, transfer or sell live hagfish. The exemption is applicable only to hagfish species indigenous to Washington, similar to the exemption for indigenous marine baitfish.

This amendment will allow a live fishery for hagfish and thereby expand potential opportunity in the hagfish pot trial fishery as there are separate markets for live and frozen hagfish. The ban on live fish transport or sales is intended to protect against the introduction of exotic disease and for resource conservation purposes. Hagfish are indigenous to the ocean and coastal marine waters of Washington and conservation measures are being achieved through active fishery management actions.

B. Differences between the text of the proposed rule and the text of the rule as adopted:

The adopted version includes a change to clarify text that could have been interpreted as applying to all the categories of fish listed as exceptions to the permit requirement only applies to the exemption for mosquito fish.

C. Summary of comments and WDFW response and consideration for the comments:

The Department received no public comments.