

**Concise Explanatory Statement (CES)  
Commercial Fixed Gear Rockfish Landings Condition**

**Rules amended as part of this rulemaking:**

WAC 220-353-050 Possession of food fish and shellfish—Identification—  
Commercial.

**1. Background/Summary of Project:**

Some commercial fishers in the federal fixed gear sablefish fishery off Washington, as well as the salmon troll fishery, have expressed interest in the ability to dress (i.e., gilled and gutted with the head attached) their incidentally caught rockfish at sea prior to landing and recording them on a fish receiving ticket, because dressing them at sea would preserve their marketability and reduce discarding early in the trip. Buyers (or “first receivers”) have also commented that, with this rule change, they expect to be able to sell more of the rockfish they receive from fishers. This rule change would allow commercial landings of dressed rockfish for vessels that obtain a director’s permit to do so and would include rockfishes in the list of species/species groups that are exempt from the requirement to land whole (or “round”), which is in place to ensure accurate data collection for stock assessments.

**2. Reasons for adopting the rule:**

Rockfish are an important contribution to overall revenue, and this rule change would allow more fishers to sell a larger percentage of their catch. Additionally, the department has received support letters about growing interest in selling dressed rockfish at direct-to-consumer markets, and allowing dressing of rockfish at sea may better serve this type of market. Overall, this rule change would be expected to reduce waste by reducing discards. The permits, which will be issued at the discretion of the director, will include terms and conditions designed to ensure the department maintains the ability to adequately sample rockfish for stock assessments.

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

None

**4. Public comments, response to comments, and consideration of comments**

The Washington Department of Fish and Wildlife (WDFW) received one written comment on its proposal prior to the public comment period closing on March 10, 2023. No verbal testimony was offered at the public hearing held on March 14, 2023.

1. **Opposed:** One commenter noted that the proposed change would “decrease the amount of rockfish available for recreational fishing and reduce the amount of rockfish in the environment”. The commenter also notes that the rules, as currently described, limit commercially available rockfish, and the commenter does not want to increase that availability.

WDFW Response: The rules proposed to be amended under this action do not currently limit the commercial fishery's availability or allocation of rockfish. They govern only the condition of landing. The rule changes WDFW is proposing would not change the amount of rockfish the commercial fishery can catch and land, and therefore, would not impact the recreational fishery's amount of available rockfish nor the amount of rockfish in the environment. Any additional rockfish landings by the commercial fishery are expected to be largely what the fleet would have otherwise discarded. Vessels will still be required to stay within the trip limits defined in federal regulations.