

GREEN SHEET

Meeting dates: July 10-11, 2009, Commission Meeting

Agenda item # 10: Coastal Dungeness Crab—Rule Briefing and Public Hearing

Staff Contact: Heather Reed, Coastal Marine Resources Policy Coordinator
Intergovernmental Resource Management

Presenter(s): Heather Reed, Coastal Marine Resources Policy Coordinator
Intergovernmental Resource Management

Background:

ESHB 1516 was passed by the Legislature and signed by the Governor during the 2009 session. The bill is related to the recovery of gear used in the coastal commercial Dungeness crab fishery and directs Washington Department of Fish and Wildlife (Department) to issue a gear removal permit to participants in the coastal commercial crab fishery. The permit would allow fishermen to remove crab pots belonging to state licensed fishermen from coastal waters 15 days after the close of the primary season regardless of whether the pots were originally set by the participant or not.

Policy issue(s) you are bringing to the Commission for consideration:

Changes to WAC 220-52-040 are necessary to implement the provisions of ESHB 1516. The changes will allow fishermen that would otherwise be acting unlawfully to remove gear left in the ocean after the close of the season if they have obtained a permit by the Department and act in accordance with the provisions of the permit. The proposed changes will allow state licensed fishermen to: 1) operate commercial crab gear when the fishery is closed; and 2) possess pots or buoys without the appropriate tags or with tags that belong to another license owner as long as they are operating under a valid gear recovery permit issued by the Department. Fishers will not be allowed to keep any crab found in pots during gear recovery activity following the close of the season.

The proposed rule changes also identify the specific RCWs that allow for punishment if the rules are violated. Additional minor editorial changes were made for clarity.

Public involvement process used and what you learned:

Department staff worked closely with industry through the Coastal Dungeness Crab Advisory Board (CDCAB) throughout both the legislative session and during the development of the proposed regulation changes. The Department and industry are committed to developing additional tools to assist in the recovery of stray and abandoned crab gear while not compromising the integrity of existing regulations that protect fishers from legitimate gear theft.

Action requested:

Briefing and public hearing only. Action requested at August 6, 7, and 8, 2009 meeting in Colville or during conference call held on August 21.

Draft motion language:

N/A

Justification for Commission action:

N/A

Communications Plan:

Coastal commercial Dungeness crab license owners will be sent a letter describing the changes to the permanent regulations. The provisions of the gear removal permit will be developed with input from the CDCAB and interested license owners.
