

**3. PROPOSED AMENDMENTS TO COMMISSION POLICY C-3609,
PUGET SOUND CRAB FISHERY – (DECISION)**

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“GREEN SHEET”

Meeting dates: October 1-2, 2010, Commission Meeting

Agenda item #3: Proposed Amendments to Commission Policy C-3609, Puget Sound Crab Fishery – (Decision)

Staff Contact: Rich Childers, Puget Sound Shellfish Manager (Fish Program)

Presenter/s: Rich Childers, Puget Sound Shellfish Manager (Fish Program)

Background:

In February 2000, the Fish and Wildlife Commission (Commission) adopted its current Puget Sound Crab Fishery Policy (Policy Number C-3609, attached) that provides guidance for the Washington Department of Fish and Wildlife’s management of this fishery.

The Commission was briefed on March 11, 2010 on the Dungeness crab fishery in Puget Sound, existing management strategies, stock status trends, and a performance audit conducted by the state auditor's office. One recommendation of the audit was that "The Fish and Wildlife Commission should clarify its policy on commercial/recreational allocation. The growth in recreational crabbing activity will make it increasingly difficult for the Department to fulfill Commission policy to simultaneously maintain healthy recreational and commercial fisheries.

In response to the performance audit, and a request from the Puget Sound recreational crab advisory group to review the existing policy, the Commission provided staff with five recreational fishery season options, directed staff to develop recreational catch projections for each option, and directed staff to solicit input on these options from recreational constituents and members of the Commercial and Recreational Crab Advisory Groups.

In June 2010, the commission was briefed on constituent and advisory group recommendations regarding the five recreational fishery options and the projected catch associated with each option. As a result, the commission selected the following three options for further consideration and public comment:

Option A

Recreational fishery managed using a fixed season

- ❖ July – Labor Day
- ❖ 5 days per week, including weekends
- ❖ October – December Winter Season (7 days/week)
- ❖ 5 crab daily bag limit

Option B

Recreational fishery managed using a fixed season

- ❖ July – Labor Day
- ❖ 4 days per week, including weekends
- ❖ November – December Winter Season (7 days/week)
- ❖ 5 crab daily bag limit

Option C

Recreational fishery managed with a harvest target based on an average of recent years (2005-2009) catch

- ❖ July– Labor Day
- ❖ 4 days per week (one weekend day)
- ❖ Winter Season as remaining quota allows (7 days/week)
- ❖ 5 crab daily bag limit

Under each option, the allowable commercial fishery catch would be the difference between

the nontreaty harvest share and the recreational catch.

In July 2010, the commission developed a draft Puget Sound Dungeness crab-management policy for public review and comment.

On August 7, 2010, the Commission heard public testimony on the draft Puget Sound Crab Fishery Policy and the three recreational fishery options under consideration

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

The department is soliciting Commission action on the draft Puget Sound Crab Fishery policy.

Public involvement process used and what you learned:

Staff met with the Puget Sound Commercial and Recreational Dungeness Crab Advisory Groups to solicit input five recreational fishery season options. The Recreational Advisors advocate for the adoption of option A above.

The Commercial Advisors do not support any of the five recreational fishery options presented by the commission and requested the following option developed by the commercial industry be added for consideration:

Commercial Advisory Group proposed option for the recreational fishery:

- ❖ July to September summer fishery
- ❖ 4 days per week including both weekend days
- ❖ 4 crab per day limit
- ❖ Winter season (7 days per week) provided in Regions 1, 2E, 2W, and 3 if harvest targets have not been exceeded (See recreational harvest targets below)
- ❖ Winter season (7 days per week) provided in Regions 3-3, 4, 5, and 6 as remaining state quota allows

Recreational harvest targets:

- Increase current recreational harvest target in Region 1 (MA7) from 360,000 to 460,000 *
- Increase current recreational harvest target in Region 2E (MA 8-1,8-2) from 350,000 to 450,000 *
- Increase current recreational harvest target in Region 2W (MA 9) from 82,100 to 92,100 **
- Increase current recreational harvest target in Region 3-1, 3-2 (MA 6) from 80,000 to 90,000 **

* If fishery exceeds a 500,000 pound threshold, the following season will be adjusted to stay within the identified harvest target.

** If fishery exceeds a 100,000 pound threshold, the following season will be adjusted to stay within the identified harvest target

Staff presented and discussed the draft policy language and the three recreational fishery options under consideration at four public meeting locations in July 2010. Sixty survey cards were completed and returned at public meetings and 52 attendees selected Option A.

Action requested (identify the specific Commission decisions you are seeking):

Requesting the adoption of the draft Puget Sound Crab Fishery Policy C-3609 and decision on a recreational fishery option (option A,B, or C) to be incorporated into policy.

Draft motion language:

1. I move to adopt the Puget Sound Crab Fishery Policy as written
 2. I move to adopt option (A,,B,or C) as a policy guideline for a recreational season design
-

Justification for Commission action:

Communication Plan: Agency web site and news releases, commercial and recreational advisory boards, recreational fishing groups and organizations, sport fishing pamphlet.

FISH AND WILDLIFE COMMISSION

Proposed POLICY DECISION

POLICY TITLE: Puget Sound Crab Fishery

POLICY NUMBER: C-3609

Supersedes: C-3609, effective 2/5/2000

Effective Date: _____, 2010

Termination Date: (if applicable)

See Also: WAC 220-16-260

Approved: _____

Washington Fish and Wildlife Commission

Note: the final general policy adopted by the Fish and Wildlife Commission will be informed by input at public meetings and at the Fish and Wildlife Commission meeting on August 7, 2010. The following examples illustrate the range of alternatives under consideration.

Purpose

The purpose of this policy is to provide the Washington Department of Fish and Wildlife policy direction in meeting the dual mission of preserving, protecting, and enhancing fish and wildlife and their habitats while providing fish and wildlife related recreational and commercial opportunities as it relates to the Puget Sound Dungeness crab resource.

Definition and Intent

This policy provides guidance for state managed fisheries of Dungeness crab (*Cancer magister*) in Washington State waters east of the Bonilla-Tatoosh line (crab management regions 1-6). In establishing this policy direction for Puget Sound, the Fish and Wildlife Commission considered the state-wide harvest of Dungeness crab from the perspective of meeting the needs of the consumer, the commercial harvesters, and the recreational fishers of Washington.

General Policy Statement

The Washington Department of Fish and Wildlife (Department) shall promote a healthy and sustainable population of Dungeness crab in Puget Sound and work cooperatively with the Tribal Co-Managers in structuring management measures to ensure a healthy and sustainable resource and achieves a fair sharing of the harvestable resource.

The management intent is to provide for meaningful and stable recreational and commercial fisheries and to focus the commercial fishery in the areas where the crab abundance is the greatest. In recognition of the small boat nature of the recreational fishery, the protected waters that Puget Sound provides small boats, and the growing interest in the Puget Sound Dungeness crab fishery, the following season structure is established as the base recreational season for Puget Sound.

[Alternative A, B, or C]

Policy Guidelines

- Continue to follow the scientifically recognized best practice known as the “3-S” system for crab management. The 3-S system includes a “sex” restriction that allows only male crabs to be retained that are over the minimum “size” to protect the reproductive ability of the population, and “seasons” that protect sensitive molting periods.
- Minimize, as practical, bycatch mortalities of Dungeness crab that occurs in other fisheries
- Continue to refine the methods to provide accurate and timely estimates of the recreational and commercial catch of Dungeness crab harvests.
- Provide appropriate and timely enforcement to contribute to high regulatory compliance rates and orderly fisheries.
- Pursue communication, education, and enforcement strategies to enhance compliance with regulations pertaining to sex and size limits and the recording and reporting of catches.
- Provide easily accessible information to the public regarding the fishery rules including website information to educate the public on fishery rules, a shellfish rule hotline, and pages in the sport pamphlet devoted to information regarding the rules that govern this fishery.
- Working with stakeholders, develop and implement strategies to reduce and remove derelict crab pots and associated fishing gear.
- Recognizing the significant differences relative to the abundance of crab in each of the Department’s six crab management regions, the following policies are established for the sharing of the Dungeness crab resource within the state share of the harvestable resource pursuant to the applicable annual state-tribal management plan and U.S. v. Washington.
 - Region 1 – In priority order, provide for the recreational seasons prescribed in the General Policy (alt. 1-2-3). Provide the commercial fishery harvest opportunities beginning in the early fall time-frame and manage it in a manner that maximizes the ex-vessel value, avoids conflict with the tribal fishery, and results in a high quality product for the consumer.
 - Region 2 – In priority order, provide for the recreational seasons prescribed in the General Policy (alt. 1-2-3). Provide the commercial fishery harvest opportunities beginning in the early fall time-frame and manage it in a manner that maximizes the ex-vessel value, avoids conflict

with the tribal fishery, and results in a high quality product for the consumer. State fisheries in Port Townsend Bay will be managed for the primary benefit of the recreational fishery.

- Region 3 - In priority order, provide for the recreational seasons prescribed in the General Policy (alt. 1-2-3). Provide the commercial fishery harvest opportunities beginning in the early fall time-frame and manage it in a manner that maximizes the ex-vessel value, avoids conflict with the tribal fishery, and results in a high quality product for the consumer. State fisheries in Discovery Bay, Sequim Bay, Port Angeles Harbor, and Dungeness Bay will be managed for the primary benefit of the recreational fishery.
- Regions 4, 5, and 6 - The state fishery in these areas will be managed for the exclusive benefit of the recreational fishery. Seasons will be structured consistent with the recreational season described in the General Policy and managed to stay within the state share of the harvestable resource.

Option A

Recreational fishery managed using a fixed season and no harvest target

- ❖ **July 1 – Labor Day**
- ❖ **5 days per week, including weekends**
- ❖ **October – December Winter Season (7 days/week)**
- ❖ **5 crab daily bag limit**

| Region | Marine Area | Average State Quota 2005-2009 | Average Recreational Catch 2005-2009 | Average Commercial Catch 2005-2009 | Projected Recreational Summer Catch | Projected Recreational Winter Catch | Projected Total Recreational Catch | Quota Remaining After Recreational Fishery |
|---------------------------|-------------|-------------------------------|--------------------------------------|------------------------------------|-------------------------------------|-------------------------------------|------------------------------------|--|
| 1 | 7 | 2,336,800 | 417,794 | 1,916,880 | 637,765 | 24,973 | 662,805 | 1,673,995 |
| 2E | 8-1, 8-2 | 965,000 | 444,977 | 522,336 | 592,571 | 64,487 | 657,059 | 307,941 |
| 2W | 9 | 151,500 | 55,864 | 66,091 | 77,094 | 29,268 | 106,442 | 45,058 |
| 3-1, 3-2 | 6 | 384,343 | 75,227 | 251,157 | 78,556 | 28,354 | 107,359 | 276,984 |
| 3-3 | 4, 5 | 41,600 | 29,476 | 9,570 | 18,254 | 3,200 | 21,501 | 20,099 |
| 4 | 10 | 90,000 | 64,392 | 0 | 60,046 | 15,764 | 76,254 | 13,746 |
| 5 | 12 | 100,000* | 110,836 | 0 | 78,377 | 12,319 | 91,273 | 8,727 |
| 6 | 11 | NA | 46,030 | 0 | 68,371 | 19,298 | 87,708 | |
| 6 | 13 | NA | 32,211 | 0 | 16,106 | 5,386 | 22,016 | |
| Puget Sound Totals | | 4,069,243 | 1,276,800 | 2,766,034 | 1,627,141 | 203,049 | 1,832,417 | 2,236,826 |

* Average state quota for Hood Canal was calculated using 2008-2010 data to reflect recent years crab abundance and fishery quota

Option B

Recreational fishery managed using a fixed season and no harvest target

- ❖ July 1 – Labor Day
- ❖ 4 days per week, including weekends
- ❖ November – December Winter Season (7 days/week)
- ❖ 5 crab daily bag limit

| Region | Marine Area | Average State Quota 2005-2009 | Average Recreational Catch 2005-2009 | Average Commercial Catch 2005-2009 | Projected Recreational Summer Catch | Projected Recreational Winter Catch | Projected Total Recreational Catch | Quota Remaining After Recreational Fishery |
|---------------------------|-------------|-------------------------------|--------------------------------------|------------------------------------|-------------------------------------|-------------------------------------|------------------------------------|--|
| 1 | 7 | 2,336,800 | 417,794 | 1,916,880 | 553,579 | 10,762 | 564,407 | 1,772,393 |
| 2E | 8-1, 8-2 | 965,000 | 444,977 | 522,336 | 546,068 | 52,358 | 598,426 | 366,574 |
| 2W | 9 | 151,500 | 55,864 | 66,091 | 67,507 | 11,178 | 78,764 | 72,736 |
| 3-1, 3-2 | 6 | 384,343 | 75,227 | 251,157 | 68,357 | 11,439 | 80,247 | 304,096 |
| 3-3 | 4, 5 | 41,600 | 29,476 | 9,570 | 16,763 | 2,176 | 18,985 | 22,615 |
| 4 | 10 | 90,000 | 64,392 | 0 | 54,373 | 9,488 | 64,302 | 25,698 |
| 5 | 12 | 100,000* | 110,836 | 0 | 75,674 | 6,244 | 82,494 | 17,506 |
| 6 | 11 | NA | 46,030 | 0 | 60,005 | 9,851 | 69,896 | |
| 6 | 13 | NA | 32,211 | 0 | 14,836 | 2,914 | 18,275 | |
| Puget Sound Totals | | 4,069,243 | 1,276,800 | 2,766,034 | 1,457,161 | 116,411 | 1,575,796 | 2,493,447 |

* Average state quota for Hood Canal was calculated using 2008-20010 data to reflect recent years crab abundance and fishery quota

Option C

Recreational fishery managed with a harvest target based on an average of recent years (2005-2009) catch

- ❖ July 1 – Labor Day
- ❖ 4 days per week (one weekend day)
- ❖ Winter Season as remaining quota allows (7 days/week)
- ❖ 5 crab daily bag limit

| Region | Marine Area | Average State Quota 2005-2009 | Average Recreational Catch 2005-2009 <i>New Target</i> | Average Commercial Catch 2005-2009 | Projected Recreational Summer Catch | Projected Recreational Winter Catch | Projected Total Recreational Catch | Quota Remaining After Recreational Fishery |
|---------------------------|-------------|-------------------------------|---|------------------------------------|-------------------------------------|-------------------------------------|------------------------------------|--|
| 1 | 7 | 2,336,800 | 417,794 | 1,916,880 | 449,021 | 10,762 | 459,848 | 1,876,952 |
| 2E | 8-1, 8-2 | 965,000 | 444,977 | 522,336 | 461,522 | 52,358 | 513,880 | 451,120 |
| 2W | 9 | 151,500 | 55,864 | 66,091 | 49,396 | 11,178 | 60,653 | 90,847 |
| 3-1, 3-2 | 6 | 384,343 | 75,227 | 251,157 | 56,401 | 11,439 | 68,290 | 316,053 |
| 3-3 | 4, 5 | 41,600 | 29,476 | 9,570 | 15,323 | 2,176 | 17,547 | 24,053 |
| 4 | 10 | 90,000 | 64,392 | 0 | 44,879 | 9,488 | 54,810 | 35,190 |
| 5 | 12 | 100,000* | 110,836 | 0 | 61,981 | 6,244 | 68,802 | 31,198 |
| 6 | 11 | NA | 46,030 | 0 | 45,209 | 9,851 | 55,099 | |
| 6 | 13 | NA | 32,211 | 0 | 15,397 | 2,914 | 18,836 | |
| Puget Sound Totals | | 4,069,243 | 1,276,800 | 2,766,034 | 1,199,129 | 116,411 | 1,317,765 | 2,751,478 |

* Average state quota for Hood Canal was calculated using 2008-2010 data to reflect recent years crab abundance and fishery quota

Puget Sound Crab Policy Review Public Meeting Summary

In July 2010, four public meetings were held as a component to the Washington Fish and Wildlife Commission's review of the Puget Sound Dungeness crab Policy (Policy C-3609). Department shellfish staff coordinated and facilitated the meetings and three agenda items were presented and discussed:

- 1) Dungeness crab resource conservation strategies and current management objectives for recreational and commercial fisheries,
- 2) The timeline and process for reviewing policy C-3609 including public input and comment opportunities, and
- 3) Draft policy language distributed for stakeholder input and the three options for a recreational fishery being considered by the Commission.

The meetings took place in Edmonds on July 21, Shelton on July 22, Mount Vernon on July 26, and Port Townsend on July 27. In total, 74 people attended the four meetings.

A survey card was distributed at the meetings to allow attendees to vote their preference for one of the three recreational fishery options. A space for written comments was also provided on each survey card. A total of 60 survey cards were returned with the following results:

52 attendees chose **Option A:**

Recreational fishery managed using a fixed season and no harvest target

- July 1 – Labor Day
- 5 days per week, including weekends
- October – December Winter Season (7 days/week)
- 5 crab daily bag limit.]

2 attendees chose **Option B:**

Recreational fishery managed using a fixed season and no harvest target

- July 1 – Labor Day
- 4 days per week, including weekends
- November – December Winter Season (7 days/week)
- 5 crab daily bag limit.]

1 attendee chose **Option C:**

Recreational fishery managed with a harvest target based on an average of recent years (2005-2009) catch

- July 1 – Labor Day
- 4 days per week (one weekend day)
- Winter Season as remaining quota allows (7 days/week)
- 5 crab daily bag limit.]

5 attendees did not choose any of the options.

Written comments submitted on survey cards:

- All three options-remove the Comm. Fleet in 15-18 years-some options sooner than others.
- All options-eventually eliminate the commercial fishery. We need status quo with Rec. harvest limits!
- All three options-will put the commercial crabbers out of business in 15 years.
- Any option needs a cap or limit on the recreational harvest.
- Reference Option A: The only option that is fair! Approx. 50/50 split with commercials.
- Option A checked only because it is the best of those choices. Recommend 7 days a week with a four crab limit areas 10-13 and five crab limit in all other areas. Commission has prioritized recreational over commercial. Commission has also recognized that the crab resource varies greatly between management units. We need to manage the fishery based upon sustainable abundance. The "one size fits all" approach (that is, a daily catch limit the same in all areas) is inconsistent with how other resources are managed and, additionally, are inconsistent with current crab management in so far as seasons vary by areas. The "one size fits all" essentially requires that regulations are based upon the weakest area thereby ensuring that recreational opportunity in areas of abundance are artificially and unnecessarily restricted.
- I believe option A is equitable and it still gives the commercial industry more than 50% of the states share.
- Reference Option A: This option provides for a quality recreational fishery with a more equitable split between commercial and recreational and still provides for a healthy commercial fishery that will take more than 50% of the state share.
- Reference Option A: Recreational opportunity is good for the economy of Washington State.
- Reference Option A: I am uncomfortable with a season structure in the Policy that is different than other Policies I know of (like NOF). Region 2 should be exclusive for recreational.
- Request copy of power PT presentation be sent to DMKUNO@GMAIL.COM. Thank you-Dave Kuno
- Reference Option A: Need to reduce or ELIMINATE commercial within Puget Sound-Region 2 primarily.

- Please protect your PARTNERS who sell recreational licenses by moving the vote on options to the August meeting. Option A could be upheld with a Nov-Dec winter season.
- Balance P.S. commercial with coastal catch-longer season in MA 7-no commercial in 2E & 2W-no commercial in densely populated areas.
- Since Region 1 has a large disparity between State & Rec sport crabbers, there seems to be a way to balance out the difference by giving the 1 million overage of commercial to other areas to balance overage. Especially in Region 2-needs more crab.
- Marine area 9 should be recreational only. Marine area 8.1 & 8.2 should be recreational only.
- Area 7 should always be open in September.
- Increase recreational quotas across the board in P.S. Commission Policy state ocean is managed for commercial therefore Puget Sound should be managed for recreational. In Area 7 North give commercial winter (dangerous waters) and sports in summer and fall. Fixed season are good idea. Regulate commercial licenses in Puget Sound (decrease) fishers (commercial). Should not be allowed to stack licenses. Use or lose permits. Sports crab above \$8/crab to State economy but on \$2 & charge for commercially caught-economic impact of sports fishing to state economy is not given adequate consideration across the board in management models. Sports fishing brings in \$10 to \$1 for commercial. Sports fishing license income is a user fee & should be used for & only for Fish & Wildlife management & conservation of Wash. St. Fish & Wildlife.
- Despite vocal objections by the commercial interests, the 250000 licensed recreational fishers of the state "own" much of the state's resources, contribute to the jobs of many thousands, and share the catch with many. Thanks.
- Any policy must include a workable derelict recovery program for both commercial and recreational crabbers. Sales of non-compliant crab traps should be made illegal.
- See you on the 7th!
- Non-tribal resource needs equitable or at least 50/50 distribution.
- Option A provided a winter season is guaranteed. Sports & limits should be set to assure a 2 month + winter season even if limit has to be reduced. Maintaining consistency between areas is not as important as good management in each area. As example-seasons or limits could be shorter during the summer in some areas to assure the winter fishery.

Total Dungeness Crab Catch for Washington State Fisheries

Percentages represent percent of total Washington state catch

| Year | Recreational Puget Sound | Recreational Coastal | State Commercial Puget Sound | State Commercial Coastal | Treaty Fishery Puget Sound | Treaty Fishery Coastal | Total Catch All Fisheries |
|-------------------------------|-----------------------------|-------------------------|------------------------------------|--------------------------------|----------------------------------|------------------------------|------------------------------|
| 2005 | 1,213,654 (5%) | NA (0%) | 2,536,271 (10%) | 14,339,625 (55%) | 3,967,564 (15%) | 3,886,622 (15%) | 25,943,736 (100%) |
| 2006 | 1,170,332 (5%) | NA (0%) | 2,489,352 (12%) | 11,611,507 (54%) | 3,564,578 (17%) | 2,711,368 (13%) | 21,547,137 (100%) |
| 2007 | 1,141,977 (5%) | NA (0%) | 2,709,792 (12%) | 11,680,283 (52%) | 4,020,432 (18%) | 3,011,758 (13%) | 22,564,242 (100%) |
| 2008 | 1,349,487 (7%) | NA (0%) | 2,855,730 (15%) | 8,296,550 (44%) | 4,104,775 (22%) | 2,048,726 (11%) | 18,655,268 (100%) |
| 2009 | 1,459,405 (6%) | NA (0%) | 3,036,604 (13%) | 11,491,833 (48%) | 4,322,976 (18%) | 3,410,938 (14%) | 23,721,756 (100%) |
| 2005-09 Average | 1,266,971 (6%) | NA (0%) | 2,725,550 (12%) | 11,483,960 (51%) | 3,996,065 (18%) | 3,013,882 (13%) | 22,486,428 (100%) |
| ESTIMATED* PROJECTIONS | | | | | | | |
| Opt. A* | 1,832,826 (8.1%) | NA | 2,236,826 (9.9%) | 11,483,960 | 3,996,065 | 3,013,882 | 22,563,559 |
| Opt. B* | 1,575,796 (7%) | NA | 2,493,447 (11%) | 11,483,960 | 3,996,065 | 3,013,882 | 22,563,150 |
| Opt. C* | 1,254,280 (5.5%) | NA | 2,888,598 (12.7%) | 11,483,960 | 3,996,065 | 3,013,882 | 22,636,785 |

* Please keep in mind the catch projections for A, B, and C are only projections and predicting the human behavior and crab abundance elements that influence the actual catch are not even considered.

Puget Sound Crab Management Regions

