

**8. PUGET SOUND CRAB FISHERY MANAGEMENT REGULATION  
CHANGES – (Rule Adoption)**

**TABLE OF CONTENTS**

	<b>Page</b>
Decision Page (Green Sheet) .....	1
Policy C-3609 .....	3
CR-102.....	7
WAC 220-56-330 Crab--Areas and seasons.....	9
Public Testimony .....	13



---

---

**“GREEN SHEET”**

---

---

**Meeting dates:** February 4-5, 2011, Commission Meeting

**Agenda item:** Puget Sound Crab Fishery Management Regulation Changes (Rule Adoption)

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

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

---

**Background:**

A revised Puget Sound crab policy (Policy C-3609) was adopted in October 2010 that increases recreational opportunity and provides for a standard season design for the recreational fishery from year to year. To adhere to Policy C-3609, changes are needed in the recreational fishery regulations adopted by the commission in 2005.

The Department is requesting Commission action on changes to WAC 220-56-330 Crab--Areas and seasons that are needed to implement the standard recreational season design adopted in Policy C-3609.

---

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

Establish rules and regulations for the Puget Sound recreational crab fishery that ensure conservation of the resource and provide sustainable recreational fishing opportunities consistent with policy C-3609.

---

**Public involvement process used and what you learned:**

A public hearing on the proposed rule changes was held at the December 2010 Commission meeting.

Staff met with the Puget Sound Commercial and Recreational Dungeness Crab Advisory Groups to solicit input on the proposed rule changes. Recreational advisors support the proposed changes. Commercial fishery advisors do not support the proposed changes.

---

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

Commission action on proposed rule changes to WAC 220-56-330 Crab—Areas and Seasons

---

**Draft motion language:**

Move to adopt permanent amendments to WAC 220-56-330 Crab—Areas and Seasons as recommended by Department staff (attached).

---

**Justification for Commission action:**

Implements the recreational season identified in Policy C-3609

---

**Communication Plan:**

Agency web site and news releases, commercial and recreational advisory boards, recreational fishing groups and organizations.

---

---



# FISH AND WILDLIFE COMMISSION

## POLICY DECISION

---

**POLICY TITLE: Puget Sound Crab Fishery**

**POLICY NUMBER: C-3609**

Supersedes: C-3609 effective 2/5/2000

Effective Date: October 1, 2010

See Also: WAC 220-16-260

Termination Date: N/A

Approved:   
Washington Fish and Wildlife Commission

---

### **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.

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

The Department shall provide an annual summary report and briefing describing for each management region the performance and harvest of both commercial and recreational fisheries. In addition, the Department will report on regulation compliance data collected by enforcement and fishery management staff

### **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 occur in other fisheries
- Continue to refine the methods to provide accurate and timely estimates of the recreational and commercial catch of Dungeness crab harvests.
- Develop and implement enhanced enforcement strategies to improve compliance with fishing regulations and ensure 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.
- Develop and implement cooperative education and outreach programs with the sport fishing community and organized fishing groups to assist the Department in improving sport fishing rule compliance.
- Provide easily accessible information to the public regarding the fishery rules including website information to educate the public on fishery rules, a shellfish rules 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. 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. 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. 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.
- 

Approved October 1, 2010  
Washington Fish and Wildlife Commission  
October 1-2, 2010, meeting in Olympia





# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)  
Do NOT use for expedited rule making

Agency: Washington Department of Fish and Wildlife

- Preproposal Statement of Inquiry was filed as WSR 10-13-121 on 6/22/10;  
or  
 Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or  
 Proposal is exempt under RCW 34.05.310(4).

- Original Notice  
 Supplemental Notice to WSR \_\_\_\_\_  
 Continuance of WSR \_\_\_\_\_

Title of rule and other identifying information: WAC 220-56-330 Crab--Areas and seasons.

Hearing location(s):  
 Natural Resources Building, Room 172  
 1111 Washington St., SE  
 Olympia WA 98504

Date: December 3-4, 2010 Time: 8:30 a.m.

Date of intended adoption: On or after February 4, 2011  
 (Note: This is NOT the effective date)

Submit written comments to:  
 Name: Lori Preuss, Rules Coordinator  
 Address: 600 Capitol Way, N.  
 Olympia WA 98501-1091

E-mail: Lori.Preuss@dfw.wa.gov  
 Fax: (360) 902-2155 by December 4, 2010

Assistance for persons with disabilities:  
 Contact: Susan Yeager by: November 25, 2010  
 TTY: (360) 902-2207 or (360) 902-2267

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**  
 Changes the opening days for recreational crab in Puget Sound waters (Marine Areas 4-13) from Wednesday through Saturday to Thursday through Sunday, and opens the recreational fishery in Marine Areas 4-13 seven days per week beginning the second Saturday in October through December 31.

**Reasons supporting proposal:** To align the recreational crab rules with the Washington Fish and Wildlife Commission's new policy allowing more recreational crabbing opportunity in Puget Sound.

Statutory authority for adoption: RCW 77.04.012, 77.12.045, and 77.12.047.

Statute being implemented: RCW 77.04.012, 77.12.045, and 77.12.047.

**Is rule necessary because of a:**

- Federal Law?  Yes  No  
 Federal Court Decision?  Yes  No  
 State Court Decision?  Yes  No  
 If yes, CITATION:

DATE  
 October 20, 2010

NAME (type or print)  
 Lori Preuss

SIGNATURE *Lori Preuss*

TITLE  
 Rules Coordinator

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
 STATE OF WASHINGTON  
 FILED

DATE: **October 20, 2010**  
 TIME: **10:01 AM**

**WSR 10-21-102**

(COMPLETE REVERSE SIDE)

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

None.

**Name of proponent:** (person or organization) Washington Department of Fish and Wildlife

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting.....	Rich Childers	1111 Washington St., Olympia	(360) 586-1498
Implementation....	James Scott	1111 Washington St., Olympia	(360) 902-2736
Enforcement.....	Chief Bruce Bjork	1111 Washington St., Olympia	(360) 902-2373

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

Yes Attach copy of small business economic impact statement.

No. Explain why no statement was prepared.  
These proposals modify only recreational fishing regulations.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:  
Name:  
Address:

phone ( ) \_\_\_\_\_  
fax ( ) \_\_\_\_\_  
e-mail \_\_\_\_\_

No: Please explain: These proposals do not involve hydraulics.

**WAC 220-56-330 Crab--Areas and seasons.** (1) It is unlawful to fish for or possess crab taken for personal use from Puget Sound except during the following seasons:

(a) Marine Area 4 east of the Bonilla-Tatoosh line, and Areas 5, 6, 8-1, 8-2, 9, 10, 11, 12, and 13 - Open 7:00 a.m., ~~June 18 through the last day in February.~~ July 1 through Labor Day, open only Thursday through Monday of each week

(b) Those waters of Marine ~~Waters of Area 6, those waters of~~ Area 7 south and west of a line projected from Village Point, Lummi Island, through the navigation buoy just east of Matia Island, thence to the buoy at Clements Reef, thence to the easternmost point of Patos Island, thence running along the northern shore of Patos Island to the westernmost point of Patos Island, thence due west to the international boundary; ~~and south of a line that extends from Point Francis on Portage Island, through the marker just north of Inati Bay on Lummi Island to Lummi Island westerly of a straight line from the northernmost tip of Sinclair Island through Lummi Rocks to Lummi Island; and west of a line projected from the southeast point of Sinclair Island to the ferry dock at Shannon Point, and waters of~~ Areas 8-1, 8-2, 9, 10, 11 and 12 -- Open 7:00 a.m. July 15 through September 30, open only Thursday through Monday of each week. July 1 through September 3, open only Wednesday through Saturday of each week and open Sunday, September 5 and Monday, September 6.

~~(c) Those contiguous waters of Marine Area 7 north, south and east of a line that extends from Point Francis on Portage Island,~~  
WAC (1/10/11 1:56 PM) [ 1 ]

~~through the marker just north of Inati Bay on Lummi Island to Lummi Island, and a line that extends from the Anacortes ferry dock at Shannon Point, northward to the southeastern tip of Sinclair Island, thence from the northernmost tip of Sinclair Island through Lummi Rocks to Lummi Island (southeast Hale Pass, Bellingham Bay, Samish Bay, Padilla Bay, eastern waters of Bellingham Channel, Guemes Channel and Fidalgo Bay) - Open 7:00 a.m. July 16 through September 30, and open only Wednesday through Saturday except also open Sunday, September (5) and Monday, September 6.~~

(d) Those waters of Marine Area 7 north and east of a line projected from Village Point, Lummi Island through the navigation buoy just east of Matia Island thence to the buoy at Clements Reef thence to the easternmost point of Patos Island, running along the northern shoreline of Patos Island and from the westernmost point of Patos Island due west to the international boundary and north of a line that extends from Point Francis on Portage Island, through the marker just north of Inati Bay on Lummi Island to Lummi Island - Open 7:00 a.m. August ~~17-15~~ through September 30, and open only ~~Wednesday-Thursday~~ through ~~Saturday-Monday~~ of each week ~~except also open Sunday, September 5 and Monday, September 6.~~

(2) It is unlawful to fish for or possess crab taken for personal use with shellfish pot gear from Marine Areas 1, 2, 3, and Area 4 west of the Bonilla-Tatoosh line except during the period December 1 through September 15. Open to gear other than shellfish pot gear year-round.

(3) The Columbia River upstream from a line projected from the outermost end of the north jetty to the exposed end of the south jetty  
WAC (1/10/11 1:56 PM) [ 2 ]

is open to crab fishing for personal use year-round.

[Statutory Authority: RCW 77.12.047. 10-07-105 (Order 10-64), § 220-56-330, filed 3/19/10, effective 5/1/10; 05-12-007 (Order 05-102), § 220-56-330, filed 5/19/05, effective 6/19/05; 05-05-035 (Order 05-15), § 220-56-330, filed 2/10/05, effective 5/1/05; 04-07-009 (Order 04-39), § 220-56-330, filed 3/4/04, effective 5/1/04; 01-06-036 (Order 01-24), § 220-56-330, filed 3/5/01, effective 5/1/01. Statutory Authority: RCW 75.08.080, 77.12.040. 00-08-038 (Order 00-29), § 220-56-330, filed 3/29/00, effective 5/1/00; 99-08-029 (Order 99-13), § 220-56-330, filed 3/30/99, effective 5/1/99; 98-06-031, § 220-56-330, filed 2/26/98, effective 5/1/98. Statutory Authority: RCW 75.08.080. 97-07-078 (Order 97-53), § 220-56-330, filed 3/19/97, effective 5/1/97; 96-11-078 (Order 96-44), § 220-56-330, filed 5/13/96, effective 6/13/96; 93-08-034 (Order 93-20), § 220-56-330, filed 3/31/93, effective 5/1/93; 90-06-026, § 220-56-330, filed 2/28/90, effective 3/31/90; 86-09-020 (Order 86-08), § 220-56-330, filed 4/9/86; 85-09-017 (Order 85-20), § 220-56-330, filed 4/9/85; 84-09-026 (Order 84-22), § 220-56-330, filed 4/11/84; 80-03-064 (Order 80-12), § 220-56-330, filed 2/27/80, effective 4/1/80. Formerly WAC 220-56-082.]



WASHINGTON FISH AND WILDLIFE COMMISSION

**PUBLIC TESTIMONY FORM**

Complete a separate Public Testimony Form for each topic. In order to testify, you **MUST** give your completed form to the Commission Assistant at the registration desk **prior** to the start of discussion on the agenda item.

DATE: 12-4-10

AGENDA ITEM #: 18

NAME: Vinton WALDRON  
*(Please print clearly)*

CITY: Oak Harbor

**REPRESENTING**

*(If testifying on behalf of an organization, please identify)*

**SUMMARIZE THE MAIN POINTS OF YOUR TESTIMONY:**

Crabbing (Commercial)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WASHINGTON FISH AND WILDLIFE COMMISSION

**PUBLIC TESTIMONY FORM**

Complete a separate Public Testimony Form for each topic. In order to testify, you **MUST** give your completed form to the Commission Assistant at the registration desk **prior** to the start of discussion on the agenda item.

DATE: 12-4-10

AGENDA ITEM #: 18

NAME: Mary L. Dickinson CITY: Bellingham, WA  
(Please print clearly)

REPRESENTING Puget Sound Crab Association  
(If testifying on behalf of an organization, please identify)

**SUMMARIZE THE MAIN POINTS OF YOUR TESTIMONY:**

- (1) Lack of business impact statement
- (2) Problems w/ recreational use and allocation based on WDFW Audit Report by WA State Auditor's office.

WASHINGTON FISH AND WILDLIFE COMMISSION

**PUBLIC TESTIMONY FORM**

Complete a separate Public Testimony Form for each topic. In order to testify, you **MUST** give your completed form to the Commission Assistant at the registration desk **prior** to the start of discussion on the agenda item.

DATE: 12-4-10

AGENDA ITEM #: 18

NAME: RON GARNER  
*(Please print clearly)*

CITY: MONROE

REPRESENTING PSA  
*(If testifying on behalf of an organization, please identify)*

**SUMMARIZE THE MAIN POINTS OF YOUR TESTIMONY:**

CRAB SEASONS

---

---

---

---

---

---

WASHINGTON FISH AND WILDLIFE COMMISSION

**PUBLIC TESTIMONY FORM**

Complete a separate Public Testimony Form for each topic. In order to testify, you **MUST** give your completed form to the Commission Assistant at the registration desk **prior** to the start of discussion on the agenda item.

DATE: 12/4/04

AGENDA ITEM #: 18

NAME: KEVIN LANIER CITY: Edmonds  
(Please print clearly)

REPRESENTING PSA SNO KING  
(If testifying on behalf of an organization, please identify)

**SUMMARIZE THE MAIN POINTS OF YOUR TESTIMONY:**

We want the Crab Policy to

Go forward as proposed.

5 days a week during the Summer Season

the second Season to begin on October

first and not the second Saturday

WASHINGTON FISH AND WILDLIFE COMMISSION

**PUBLIC TESTIMONY FORM**

Complete a separate Public Testimony Form for each topic. In order to testify, you **MUST** give your completed form to the Commission Assistant at the registration desk **prior** to the start of discussion on the agenda item.

DATE: Dec 31 2010

AGENDA ITEM #: 18

NAME: John McKay

CITY: Brinnon

*(Please print clearly)*

REPRESENTING Puget Sound Crab

*(If testifying on behalf of an organization, please identify)*

**SUMMARIZE THE MAIN POINTS OF YOUR TESTIMONY:**

-destruction of small family businesses

-increased carbon footprint of harvest

-Sports harvest uncontrolled

-this decision is purely political expediency

WASHINGTON FISH AND WILDLIFE COMMISSION

**PUBLIC TESTIMONY FORM**

Complete a separate Public Testimony Form for each topic. In order to testify, you **MUST** give your completed form to the Commission Assistant at the registration desk **prior** to the start of discussion on the agenda item.

DATE: 12-04-10

AGENDA ITEM #: 18

NAME: Brian Allison  
(Please print clearly)

CITY: Oak Harbor

REPRESENTING Puget sound crab Association  
(If testifying on behalf of an organization, please identify)

**SUMMARIZE THE MAIN POINTS OF YOUR TESTIMONY:**

crab Ruling

---

---

---

---

---

Brian Allison

#18

Public Input

Rec'd  
12-4-2010

Fish and Wildlife Commission

It is with a troubled mind I write to you yet again in the hope that some where along the way it will just click that the decision that was made on October 02, 2010 to give Priority to the recreational Crab fishery was in error on your part. It boggles my mind to think that out of all of the years of education there is between the nine of you with a multitude of degrees and PhD's, that a decision that is supposed to be based on your mandate to Preserve, Protect and perpetuate the resource that there was a single one of you that would have concluded that giving more allocation to a proven uncontrolled group would result in anything other than disaster.

It is quite clear to me that there has been a significant amount of political pressure applied somewhere in the ranks of the commission. It appalls me that members whom have been appointed for there outstanding achievements and integrity and have been tasked with the responsibility to protect our resources would succumb to these pressures. I will however applaud the two Commissioners that have maintained there values and integrity and have looked at this process like true conservationists and held fast to their mandate. Those members are Bradley Smith and George Orr.

As president of the Puget Sound Crab Association I field a lot of phone calls as well as talks on the dock from not only commercial fishermen but concerned citizens and sport enthusiasts alike. Not in any of these conversations have I yet to meet anyone with the opinion that the recreational fishers are not catching enough crab. I defy any sport fisher to honestly tell me that they simply cannot get by on 20 crabs per week. I Where in most cases as this is after all a family fun event as pointed out by so many of the recreational fishermen that have given testimony they are in fact fishing with two or more licenses where the catch rate would indeed be upwards of 40 to 60 crabs per week. Just how much is enough? And where do we draw the line between recreation & greed?

Again as president of the Puget Sound Crab Association I work very closely with the shellfish managers of the WDFW. It has been thru countless conversations that I have heard of the difficulty in being able to manage the Commercial fishery with the lack of timely data recovery from the recreational fishery. Just this year the final harvest numbers for the recreational fishery were not provided until December 01, 2010 when in fact the recreational fishery closed on September 06, 2010. Now as I am sure you are all aware as many of the commercial fishers have given testimony to the fact that the Commercial catch must be reported the very next day after it is harvested. So my question is why should one group be given such an indulgent reporting window while the others are held to such a demanding one? In this very same above mentioned season we (the commercial advisory group) were repeatedly told that the only recreational overage data that had been given the department managers would only vary by + or - 5% but when indeed the final result did come out the variance in Region 2East was 48% while the variance in Region 1 was an astounding 198% . Now in just what fashion are the shellfish managers supposed to proceed with a commercial fishery when the states own internal analysts can't make a calculation any closer than that with nearly 3 months to do it?

Professionally

Brian E. Allison

December 3, 2010

TO: Wildlife Commission

FROM: Chris Wichers, Puget Sound Crab Fisherman

I would like express my deepest concern over the recent Wildlife Commission's decision to reallocate the Puget Sound Crab fishery from Commercial to a Recreational Fishery. I am a recent graduate of Western Washington University, with a degree in business. My back ground is commercial fishing, since I have been commercial fishing the summers in Alaska with my family my entire life. I was excited to invest in the Puget Sound Commercial Crab industry this year, until the recent Commission's decision which gives me no guarantee of how much if any of the State's Natural Recourse I will be allowed to harvest. I am deeply concerned that this change in priority user groups will put me out of business. I have a small business loan I n excess of \$220,000 and this being my first season, I have a long way to go just to make expenses this year. I have many expenses that support the local economy, such as fuel for my boat which averages, \$400 every few days, \$200 for marina charges per month, freezer rent at \$250 per month, employee deck hand expenses to name a few. With this new change, I feel I will have no chance to make my business balance out. I will still have all of the same expenses with much less opportunity to make money to help offset them. Of course I could try and sell out but who would purchase a business with no guarantee of making any money if a recreational group goes over the allotted quoted, I have a major concern, looking at their record this year when they did not have all the extra time and still exceeded their catch by 440,000 pounds. In addition to my personal concerns, of course there is my concern of the fishery. With no way to count the sport catch harvest until it is far too late to tell how much catch they have taken, I fear Washington State's natural resource will be in jeopardy of being reduced each year and the pie will continue to become smaller and smaller. The sportsman think this is the best step to more crab, I believe the best way is to let the fishery be managed biologically and not politically. A few extra dollars in the states pocket will long be forgotten in a few years, when the commercial fishermen are all gone, and the sport harvest is shrunk due to over harvest by the recreational fisherman. And the sportsman are crying the same old song, we want more.

I respectfully request the commission rescind their decision to reallocate the crab fishery.

Sincerely,

Christopher Wichers  
Bellingham, WA

Wildlife Commission

I would urge the wildlife commission to look at the situation involving the halibut stocks in Alaska that have declined dramatically due recreational overfishing. They are now scrambling to change poor decisions made years prior but the damage has been done. Here is a link you may find interesting

<http://www.adn.com/2010/11/30/1579216/trial-date-set-in-sitka-fishing.html>

Washington does not have the enforcement resources that Alaska has. I ask how are you going to protect this resource with such poor decision making?

Mario Vennetti

F/V Buzzard=

To Whom It May Concern, Excuse the format of this email for as I am crabbing out of oak harbor, and living out of a motel. (I only have use of an iPhone on this short notice) That being said has extra meaning, and that meaning being as simple as: Not only will my life be effected drastically by the sportsmen being given priority over commercial Crabbers but so will multiple businesses and people from the gas station where I buy fuel & snacks, to the coffee stand my crew buys coffee, to the hotels we stay at, the grocery stores we shop at, the hardware stores we shop at, the local NAPA, mechanic, cold storage, port, etc. (the list is long but I think my point is made). Not only is this while recently fishing Oak Harbor, but previously Blaine. (Don't forget about the sales tax on all the above). I wish I had more time to properly write this email but with the state continuously shortening the timeframe with such unjust short notice I do not. My family has been involved in commercial fishing since coming to America. It was my family whom invented the mid-water trawl, it was my family whom fed the entire city of Bellingham/Whatcom County during the depression by giving boatloads of salmon to all who came down to the docks, it is my family who holds the all time record catch of red king crab of 6,000,000 lbs. For 1 season which will never be broken due to IFQ's. (One boat). It was also my family who first sat at the table with Gorbachev to start crabbing in Russia. It is also my more than one of my family members you will see on Discovery's "Deadliest Catch.". If you look through you records you will also find 3 generations of "Evich's" who have done a large amount of charters for both WDFG & ADFG. I reference all the above not to brag, but to show the history my family has in fishing..... This is a history that you are about to END. I must add one more note: look through your records and research the history of the WA whiting/hake fishery! You will find my father (Paul J Evich) continuously lobbied to limit a quota system realizing the state was going to overfish the fishery to extinction. The state did not listen..... The fishery is no longer, along with what WAS a huge renewable resource is no longer. As for the "Sportsmen". I know only ONE of at least a HUNDRED who never keep only the legal limit, and only one whom sends in his punch card. We as commercial Crabbers follow the rules and sustain this resource, while the majority of the "Sportsmen" rape and pillage. Due to the timeframe I have this is all I can write, but let it be known I will use all my political and social resources and tactics to bring massive media attention to this situation in order to educate the public on this ruling which has been made with no scientific data or research to back it up.

Sent from my iPhone=

John Evich

To department of fish and wild life and the Honorable commission. My name is Jerry fingarson and I have been involved in the Washington state Dungeness crab fisheries since the 1980's. I was involved in the crab fisheries in the pre- judge Edward Raffeedie decision, {ninth circuit court, January 1993 case} and also worked hand in hand with the department of fish and wildlife helping on the first Puget sound Dungeness crab advisory group established in the 1990's for many years that Phil Anderson set up to help divide up our states fishery for the 50 / 50 allocation quotas we are now under. So I do have a fairly good perspective on the entire industry before and after judge Raffeedie decision. Obviously we will not go back to the pre Raffeedie decision immediately, so we as a crab industry are looking forward to a realistic view of where our crab fishery is now and if we can make a viable living from our crab fishery with the present recommendations that have been given to the commission to decide upon. Our crab fishery is a total way of life that one spends his entire life trying to perfect his crab fishing skills, just to make a simple living. We ask only that you give us a fighting chance to have our fishery survive in this difficult time. We are faced with going out in the middle of winter , risking our lives daily , with the simple goal of just making a living, nothing more.-----{analogy} As Theodore Roosevelt once said, ---- that the credit belongs to the man{fisherman} who is actually in the arena: whose face is marred by sweat and blood, who strives valiantly, who errs and comes up short again and again, because there is no effort with out error and shortcomings: who does actually try to do the deed, who knows the great enthusiasm and great devotion, and spends himself in a worthy cause: who at the worst, if he fails, at least fails while daring greatly. far better it is to dare might things to win glorious triumphs{crab fishing} even though checkered by failure , then to rank with those poor spirits who neither enjoy nor suffer much because they live in the gray twilight that knows neither victory or defeat. -----I use this analogy, to signify, that we battle each day on the water to have a safe productive crab fishery, we only ask that you give us a fighting chance to fight on in a fishery that is a total way of life for all of us. My father ran a commercial salmon boat in Alaska from the 1930's to the 1970's, and my grand father before him was a commercial fisherman in Norway, so yes, our family, has over 100 years of commercial fishing in our family history, it is a total dedication of ones life to simple make a honest living, while enjoying Gods wonders in our crab industry. Please consider just this one small story that reflects on 100 years of a rich history and tradition in a commercial fishing family. I am very sure there are many, many stories like mine, that I pray you make a good decision based on our struggle to keep our way of life style alive! -----there is no quit in our crab fishery, we will always have the will to fight on, and also we will have the will to survive, regardless of the odds against us. Just please give us a chance to fight on in our traditional crab industry! Respectfully jerry, a crab fisherman and very proud of it. Thank you for your time and God bless! {360-509-crab, Mobil,} { 360-830-crab, land line.}

To Whom It May Concern,

I am a Puget Sound Commercial Crab Fisherman and I am concerned with this new sport priority policy. It seems ridiculous to give more time and crab to the user group with a proven history of violations that are going to harm the resource.

It is hard to believe that the way the economy is right now that you would try to put this many small businesses, out of business. At that wildlife commission meeting it made me sick to hear one of the commissioners on the phone say, who cares it's only 240 people we are putting out of business, in reality it effects more people all the buyers, the people that work for them, restaurants and stores.

My mother lives in Birch Bay, and this summer she noticed people crabbing over the line, so she contacted fisheries, come to find out it was the Indians which they could crab over the line. But she had also mentioned that on several occasions she had noticed sport crabbers going out two or three times a day to pick there crab pots keeping way over there limits of crab, how could you even consume that much crab obviously there selling it or doing something illegal, and all the fisheries could say was they where aware of the problem but there was nothing they could do about it.

Thanks,

Eric Sandvig

December 3, 2010

18

To Washington State Wildlife Commission:

I wanted to express my opposition to the change in the Puget Sound Sport Crab regulations.

I have been a resident of Washington State for more than 50 years, and a commercial fisherman in Alaska for over 25. Just this past year, due to a bad economy my son and I decided to invest in the Puget Sound Crab fishery, between the two of us our expenses are in excess of \$450,000. We would never have made such an investment if we thought we could possibly lose it all. That is what I fear this change in sport regulations will result in.

After hearing about the proposed change in regulations we wrote letters expressing our concerns, we also attended the Wildlife Commission meeting when the vote was taken. I felt the Puget Sound Commercial Crab Fisherman, did an excellent job expressing our concerns. However, the board's decision seemed to have already been made. They said that they had received many letters from sport fisherman wanting a change. It is a fact that the commercial fisherman are a small group compared to the sport fisherman, but does that make our group less worthy. Also, consider what is best for the resource. Commercial fisherman are regulated and can be shut down in a moment's notice if the crab fishery is in danger. The sportsman cannot. I have been through a similar experience while commercial fishing in Kenai, Alaska and have seen firsthand what happens when the natural resource is given to a group that cannot be controlled. It is a fact the sportsman cannot be regulated and the reporting of their catch is most often incorrect or not done at all. When fishing is good people get excited and cannot stop themselves from taking a few too many, it is their nature, it is fun. They don't think they are doing anything wrong. They tell themselves it is just a few extra crabs this one time. The problem is, if everyone does it just this one time, it turns into many, every time they have a good catch and pretty soon the natural resource pays the price. I have first hand information right now of sport fisherman who brag about catching 400 crab during a season. As the season stands currently the sportsman exceed their allotment. They have ample of opportunity to catch enough crab for personal consumption. 5 crabs per day 4 days a week is a possible 20 crab per week, times 9 weeks is 180 crabs, and that is if they only keep 5 crabs per person.

I respectfully request the board to reconsider their proposed change to the sport catch for Puget Sound Crab Fishing. I would request they increase the sport catch in small increments to see what impact it has on the fishery before you make a large change that will be very difficult to reverse and puts Washington State's natural resource in great danger of being lost forever.

There is no biological reason for this change that will greatly impact my livelihood.

Sincerely,  
David Wichers

To Fish and Wildlife Commission,

Before these new catch quota allocations are imposed, and in the event that they are, I believe the following must be considered:

A: Enforcement of the recreational fishery, and the catch record card reporting system and awareness of potential false reporting activity during the summer sport season in particular.

B: Understanding that due to the collapse of other fisheries by poor management, interest and effort in the Puget Sound Dungeness crab fishery has increased substantially in the recreational sector, significantly increasing the harvest, much of which is not recorded.

C: Consideration that the harvest of the commercial fleet is closely and effectively monitored by WDFW with fish receiving tickets, allowing accurate quotas to be maintained

D: Consideration of the fact that many families and individuals rely on the health of a sustainable Puget Sound crab fishery, and it is in the best interest of both recreational and commercial fishers to promote effective harvest management of the resource.

Nik Mardesich

Fish and Wildlife Commission  
600 Capital Way North  
Olympia, WA 98501-1091

Dear Commission Members,

First and foremost sport crabbing is something I value and would always like to protect in this State, however any considered increase on the part of sport fishers actually limits the access to all others in this State that rely on the retail sector for access to Washington crab. Most people do not own saltwater boats, our elderly, or they do not have financial wherewithal, and our disabled, and several others would be penalized by any increase in the sport quota. There needs to be balance to this harvest and facts show that the very resource we are discussing has considerably more violations in the sport caught than commercial caught quota.

Crab is generally consumed as fresh product so how can any users consume more than 5 crab in a given day or for that matter 10 crab with two people aboard.

With the commercial fishery, we all have access (Washington residents) to the crab. We are only paid for the effort and cost to retrieve it for all to benefit.

I have two boats in this fishery, I employ 4 people Chris Morse, Michael Isaacson, TJ Ryken, Tammy Isaacson as well as myself. We spend thousands per year in maintenance, yards, gear, etc.. and are a clear contribution to the State economy.

If you care about the resource and the citizens of the state overall I would urge you to look at the science, the data (violations, none reported harvest, lack of sport card mail in), and limit the sport harvest to consumable levels, not encourage an underground, commercial fishery mostly enjoyed by waterfront or the like homeowners.

I have personally witnessed significant violations in the sport industry being around the harbor. I have seen boats come in with two people aboard and a couple 5 gallon buckets full of crab. These people are not exiting the ramp that is typical if we would be so lucky where enforcement is generally located. I would say the State report is very accurate in regards to massive violations and however when all scientific and State generated reports indicate for you not to expand this, especially in a time where enforcement is being cut due to revenue losses, makes no sense to any rational person. **First and foremost please, I beg you, stop this action so you do not further destroy the common interest of this resource. Please, use some common sense to retain and protect the very resource.** I close with one final question, Why would you jeopardize the health and resource without any regard for the information that has been presented? I point out the last time you took public information, you already had your decision made as the power point presentation of your options had already been prepared immediately following the public testimony and 100 people in attendance, meaning, all our public testimony had no real consideration in your ultimate decision and I believe the record can be shown to support my claim.

Respectfully Submitted,  
Paul Isaacson

Wildlife Commission, Dec 2, 2010

Honorable Commissioners of Washington,

I am writing to you once again state the obvious; the proposed increase to the recreational fishery and the prioritizing of recreational opportunity will destroy the Dungeness Crab resource in this state and will cripple the commercial crab industry, leading to its extermination in the near future.

It was appalling to witness the events of the Oct 2, 2010 meeting as the representatives of the CCA sat to the side of the meeting, snickering and laughing at the testimonies of the commercial fishermen that were there pleading with you to not destroy the resource and their business's. The CCA representatives were smug that the decision was in the bag, and in fact did not even need to testify. This impressive example of their political lobby and power with the Commission, despite the findings of the State Audit Report, despite the obvious threat to the resource, and the successful circumvention of the Commission duty to "preserve and protect" they knew that they had already convinced the Commission leadership to give them what they wanted. It was truly one of the most sickening days of my life.

The worst fears were confirmed when immediately following the vote, the power point presentation which had been already been made the day before, showed the decision was made prior to even considering our testimony and the effects the decision would have on our lives.

Thanks to George Orr and Brad Smith for having the courage to stand up to the rest of you and state the facts and ask you to reconsider, basing their views on the real facts that were disregarded by the rest of the Commission through the entire process.

The resource is being damaged by the unmanaged, unenforced, sport fishery and it remains ludicrous to increase that opportunity with the plan to "educate them through stakeholder and department effort." It has failed to date and is fated to continue to fail. 200,000 recreational crabbers only make two to three trips per year, they are casual participants and do not understand the impact they have on the resource. Many of the others just plain enjoy catching and killing more crab than they can use. Clearly there is not enough enforcement to be successful and violators become more brazen in knowing that there are not officers available. We have discussed so many of these issues with you it seems pointless to repeat. Your minds were made up prior to starting this process.

We will continue to fight on every front for the chance to not be destroyed by your blatant disregard of the resource and your duties to protect it. This years sport numbers were finally available to the WDFW crab managers on Dec 1. The results were staggering, much higher than anticipated, another 500,000 pound loss to the commercial fleet. With the proposed added days for next years sport fishery the Region 2 E commercial fishery will disappear. The concentration of the fleet to the few areas we will

Karen Thompson

Fish and Wildlife Commission  
600 Capitol Way North  
Olympia, Washington 98501-1091

Dear Chairman Wecker and Commissioners,

I must protest once again about your decision to adopt a new policy that gives sport fishers priority over commercial crab fishers in Puget Sound. This is an inconceivable decision on your part. You have based your choice on misinformation and there is nothing right or fair about it. I do not believe you as unconfirmed commissioners have the authority to attach priority to any fishery in this state.

When Chairman Wecker contacted me by telephone the day before the Commission Fish Committee meeting, I was appalled by some of her comments. One in particular has come to mind over and over since then. I was told that the Commission considered the Coastal crabbers' and the Tribal crabbers' harvests as well as ours and determined that the markets would not be adversely affected by a reduction to our share. I keep wondering what expertise any Commissioner has in marketing crab? It is obvious to me that you know nothing about the seasons associated with each fishery which also affects the crab markets. With the new plan, when we are the only ones fishing, we may not be able to supply the markets with enough crab for everyone. This shortage will increase prices which will lock some citizens out of the market creating bad will for us which could adversely affect the markets in the future among other things. With less crab available to us, we may not have a share left while the season is open. If we do not have a steady supply of crab, our wholesalers will be forced to find other sources of product or other products.

There are other negative ramifications to your decision as well. The price of a crab license has dropped from \$75,000 to \$60,000 as of two weeks ago. This is a huge impact to a small business such as ours. Crab boats have lost their value in the resale market as well. It is almost impossible to sell a boat now. We are seeing negative effects taking place precipitated simply by the thought of an unlimited and unregulated recreational fishery. I request that you do not go any further to implement this destructive policy.

Regards,

Karen Thompson