



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

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Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

February 3, 2020

Dear Coastal Commercial Dungeness Crab Fishery Participant:

The purpose of this letter is to let you know that the Washington Fish and Wildlife Commission (Commission) adopted changes to regulations affecting Washington's coastal commercial Dungeness crab fishery at their meeting January 17, 2020. The Commission approved the proposed changes with some revisions based on input we heard during the public comment period. Specifically, WDFW recommended, and the Commission approved, delaying implementation of the line marking requirement until December 1, 2020. This change will give WDFW staff time to work with industry members, coordinate with the National Marine Fisheries Service (NMFS), Oregon, and California before finalizing the specifics of the requirement. More information on the rule changes are outlined below.

A reduced pot limit and summer buoy tag requirement will be effective May 1, 2020 and will be in place annually after that. The intent of this rule change is to reduce the risk of whales becoming entangled in commercial crab gear by reducing the number of lines in the water during the peak time when humpback whales are abundant off the Washington coast. The new buoy tag requirement will ensure compliance with the reduced pot limit. Beginning May 1, license owners with a permanent 500- pot limit would be allowed to use 330 pots and license owners with a 300-pot limit would be allowed to use 200 pots. License owners who want to continue to fish after May 1 will need to purchase summer buoy tags, which will be different from the winter buoy tag. Beginning May 1, it will be unlawful to deploy gear that has tags other than the summer buoy tag. More information will be provided in a follow-up letter to explain the process for ordering summer buoy tags.

Another rule change will **remove the second period for replacement tags**, which will not be needed with the new requirement for summer buoy tags in place beginning May 1. Replacement buoy tags will be available for all coastal commercial crab license holders March 1 through April 30. During this period, license holders with a 500-pot limit may replace up to 15 tags, and license holders with a 300-pot limit may replace up to 10 tags. No replacement tags will be issued after May 1.

The new rules will **require that license owners and operators use only the amount of line necessary to compensate for ocean conditions. This rule will be effective March 3, 2020 and will remain in place after that.** The purpose of this rule is to reduce slack line at the surface which can increase the risk of entangling whales. This rule change implements the "Best Practice" recommendations from the Washington Whale Entanglement Working Group into regulation. The Commission approved the language of this rule change with one revision to

insert the word “reasonably.” The rule now reads, “All crab pots used in the Commercial Dungeness crab fishery shall be set to use only the amount of line *reasonably* necessary to compensate for tides, currents, and weather.”

Line marking specific for Washington will be required effective December 1, 2020 and will remain in place year-round after that. The rule change language was modified to require 12 inches, rather than the originally proposed 18 inches, of red in at least two places – at the top near the buoy and at the bottom near the pot – to identify it as gear from the Washington coastal commercial Dungeness crab fishery. The Commission also delegated the Director with the authority to adopt any changes to the rule language if needed following coordination with fishery participants, NMFS, and managers in Oregon and California over the summer.

We appreciate your input during this rule making process and look forward to continuing our coordinated efforts this spring and summer. If you have any questions about this notice, please contact me at 360-902-2487 or Heather.Hall@dfw.wa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Heather Hall".

Heather Hall
Intergovernmental Ocean Policy Coordinator

cc: Michele Culver, Dan Chadwick, Dan Ayres, Victoria Knorr