



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

Mailing Address: 375 Hudson St, Port Townsend, WA 98368 · (360)302-3030
Main Office Location: Natural Resources Building, 1111 Washington Street, Olympia, WA

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Hello Puget Sound commercial crab industry members,

Following the finalization of the upcoming October 20, 2023, through October 24, 2023, short-duration season opening there have been many questions from industry members. Many of the inquiries that we have received broadly fall into the following general questions, which this briefing will provide detail on:

1. What are the process, goals, and considerations used when determining the season structure?
2. Who makes the decisions regarding season structure?
3. What role do the advisory group and Puget Sound Commercial Crab Association have in this process?

Last year, the Puget Sound state commercial crab fishery was in the unprecedented position of closing the fishery due to market-driven conservation concerns. Both the domestic and international markets were unable to accommodate the volume of crab landed by the state commercial harvesters to the point that the local holding capacity for live-market crab was exceeded. This resulted in many fishers having no buyer to sell their catch to and laid bare several key features of the PS state commercial crab fishery.

The first is that there are circumstances when the production of the fishery outpaces the market's ability to accept and distribute catch which can result in wastage and lost opportunity. During the first week, the state fishery lands an average of 740,000 pounds. The live market dealers have space and facilities to hold an estimated 500,000 pounds. Market demand and how quickly dealers can move crab onto secondary and terminal markets dictate how quickly their facilities are able to accommodate more catch.

The second key feature of the fishery that emerged is that it is effectively a live-market-only fishery. Fishers in the state commercial fishery are largely geared for same-day deliveries to a live-market. Most do not have fish holds and do not store crab between deliveries. Also, most do not have the capacity to hold crab for an extended period on their vessels. Market outlets to the cooked, sectioned, frozen, or processed product markets that large volumes of Puget Sound catch historically could have been directed towards have been supplanted by a higher value, international market. This has resulted in processed markets having a price point significantly lower than what dealers or harvesters will accept.

It was with these features in mind that the department created the Puget Sound Commercial Crab Advisory Group and approached setting the season this year. The overall goals that we considered with the advisory group are:

1. Implement a fishery structure that strives to avoid outpacing the market capacity during the most productive period of the season (i.e. slowing down the fishery).



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2. Industry requests to maximize *ex-vessel* value using mechanisms that fall within the department's authority (i.e. are employed on a pre-season basis rather than through in-season adjustments).
3. Provide firm, current, and accurate information for harvesters and dealers to plan markets and around.
4. Solicit input and engage with dealers, harvesters, industry groups, and the advisory group to explore how the historic all-areas "derby" opening could be modified, with industry support, to achieve goal 1 (and 2, if possible).
5. Coordinate with the treaty co-managers to space out fisheries and accommodate a certain level treaty harvest that was inordinately delayed this year.

Our engagement with the industry this year has been primarily through the advisory group and the crab association. The role of our interaction with both the association and the advisory group has been to inform the department about the current perspectives of our users, the outlook for the market, and constraints of the fishery that the department may want to address by modifying season structure. Both groups also provide a means for two-way communication between the department and industry stakeholders and a means for input and refinement of ideas collaborative with the department and industry members. However, the decisions made regarding season setting have been made solely by the department albeit with significant consideration of industry input and perspectives. This is no different than *every* season structure that has preceded this one – the department has always incorporated industry input but has and will be the sole decision-maker in managing the fishery.

Through multiple discussions with industry stakeholders, and several rounds of fleetwide input, the department identified that a short-duration pulse opening lasting five to seven days with five to ten days of space between fisheries (state or tribal) was the approach that best balanced department constraints and industry preferences. Unfortunately, harvest by the Region 1 treaty fishery has been more delayed this year than at any point in the recent past – by October 1 they had harvested approximately 800,000 pounds less than they had by that point in the last few seasons. To ensure the relative starting abundance would be similar to recent seasons, the department delayed an early October opening to accommodate additional treaty harvest. Following continued planning and coordination with the co-managers, the department provided a target pulse opening of October 16 through October 20 to both allow dealers and harvesters to plan and for the co-managers to plan their fisheries around.

After releasing our intended plans, we became aware of the *finalized* tribal fishery plans. Region 2E co-managers scheduled a fishery targeting 150,000 pounds that directly overlapped with the opening we had previously announced. As a result of our own constraints, and in recognition that the industry needs time to plan and prepare for any fishery that we implement, the department moved the announced opening to October 20, 2023 through October 24, 2023. These dates are *between* the Region 2 East fishery that is



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targeting 150,000 pounds and the Region 1 opening that the tribes have issued a regulation for starting October 25, 2023, through February 28, 2024. However, we believe, based on the information that dealers have shared with us, that the time for 150,000 pounds of crab to be distributed out to consumers is less than the five to seven days that was advised for fisheries with total landings more than 500,000 pounds, such as the previous Region 1 treaty fisheries. Additionally, while there is a regulation opening a treaty Region 1 fishery on October 25, 2023, we know that fishery coordination is also still ongoing. Unfortunately, the amount of space between the Region 2E and Region 1 treaty fisheries does not provide enough time for us to further adjust our initial fishery dates and accommodate the amount of space preferred by the industry. However, the co-managers have all the same incentives we do to provide space between openings. We also believe that going forward, Region 1 treaty fishery coordination will target more space between our fisheries than what is currently advertised in their regulations.

The fishery structure that we are pursuing this year following industry input, is new for the state commercial fishery and is in part informed by the structure the co-managers employ to seemingly maximize *ex-vessel* value at different points in the year. However, we are employing this new fishery structure for more than that singular purpose; to prevent the oversaturation of the finite resources of live-market-dealers and the market that all commercial harvest in Puget Sound (state and treaty) supplies. This was a primary concern members of the advisory group communicated to the department during advisory group meetings. The need to try and prevent a situation similar to what occurred last year, is our primary motivator in moving forward with a short-duration opener this year, particularly given the market dynamics that have been shared with us leading into season planning discussions.

One important distinction between how the co-managers employ short-duration fisheries as a tool compared to the state, is the co-managers can do so with a greater degree of flexibility in their fishery planning and regulations. Treaty co-managers represent sovereign nations that have independent authority over how they manage the resources they retain the right to utilize and access. Our management plan agreements layout the same basic framework and tenets by which we collectively manage all co-managed fisheries. However, the tribes inherently have more regulatory tools at their disposal and more flexibility to respond to any given situation than the department has. All this means that tribal fishery planning is more adaptive and malleable than what the department can accommodate.

This flexibility also comes with significant unpredictability for harvesters to fish and dealers to organize markets in response to the dynamic tribal fishing plans. When fishery plans are so unpredictable that markets cannot organize around them and customers leave disappointed in anticipation of a product that was never delivered, as has happened this year, it is disadvantageous to the market, dealers, and ultimately the harvesters. One of the constraints we sought to make clear to our advisory group and association members who attended the industry meeting is that we will strive for stability and predictability in the plans that we



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formally announce. Once we have a rule in place that is the plan that will be enacted. We do not share or advertise final decisions until we have certainty that we are able to implement them and do so with enough advance notice for harvesters and dealers to plan and prepare for them.

It is our intention from this point forward to implement the short-duration fishery starting on October 20, 2023, through October 24, 2023, to solicit industry input on when we should consider coming back on the water on or after November 1, 2023. We value the input and perspectives of the stakeholders that we manage this fishery on behalf of and will continue to engage with them, so they have meaningful input and understanding regarding how they access and use the resource they rely on. The circumstances leading into this year's season have been unusually complex and we appreciate everyone's patience and understanding as we have navigated them together. We hope that even if everyone is not in agreement with the result, they understand and respect the process by which we got there and the dedication that our team has in working with all sectors of the industry in Puget Sound.

Please do not hesitate to reach out with any questions. Any delays in responding to industry members of late have been due to having to manage many inquiries simultaneously with limited time. We hope that this statement resolves some of the outstanding confusion.

Regards,

The Puget Sound Commercial Crustacean Management Team

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