

Town Hall

Commercial Dungeness Crab

Proposed Rule Changes

February 26, 2025

5:00 – 7:00 PM



Washington
Department of
**FISH &
WILDLIFE**

Agenda

Time	Topic	Presenter
5:00 – 5:10 PM	Introductions	Lorna Wargo
5:10 – 5:20 PM	Proposed Rule and Fishery Overview	Lorna Wargo
5:20 – 5:30 PM	Large whale entanglements	Megan Hintz
5:30 – 6:15 PM	Proposed rule changes	Megan Hintz
6:15 – 6:30 PM	Economic Impact	Megan Hintz
6:30 – 6:50 PM	Questions	Lorna Wargo
6:50 – 7:00 PM	Next steps and Adjourn	Lorna Wargo

Introduction

Proposed Rule - Purpose and Need

Coastal and Puget Sound

- Gear marking prohibitions
- Compliance responsibility – shifted to operator
- Clarify annual buoy registration deadline – before fishing

Coastal Dungeness crab

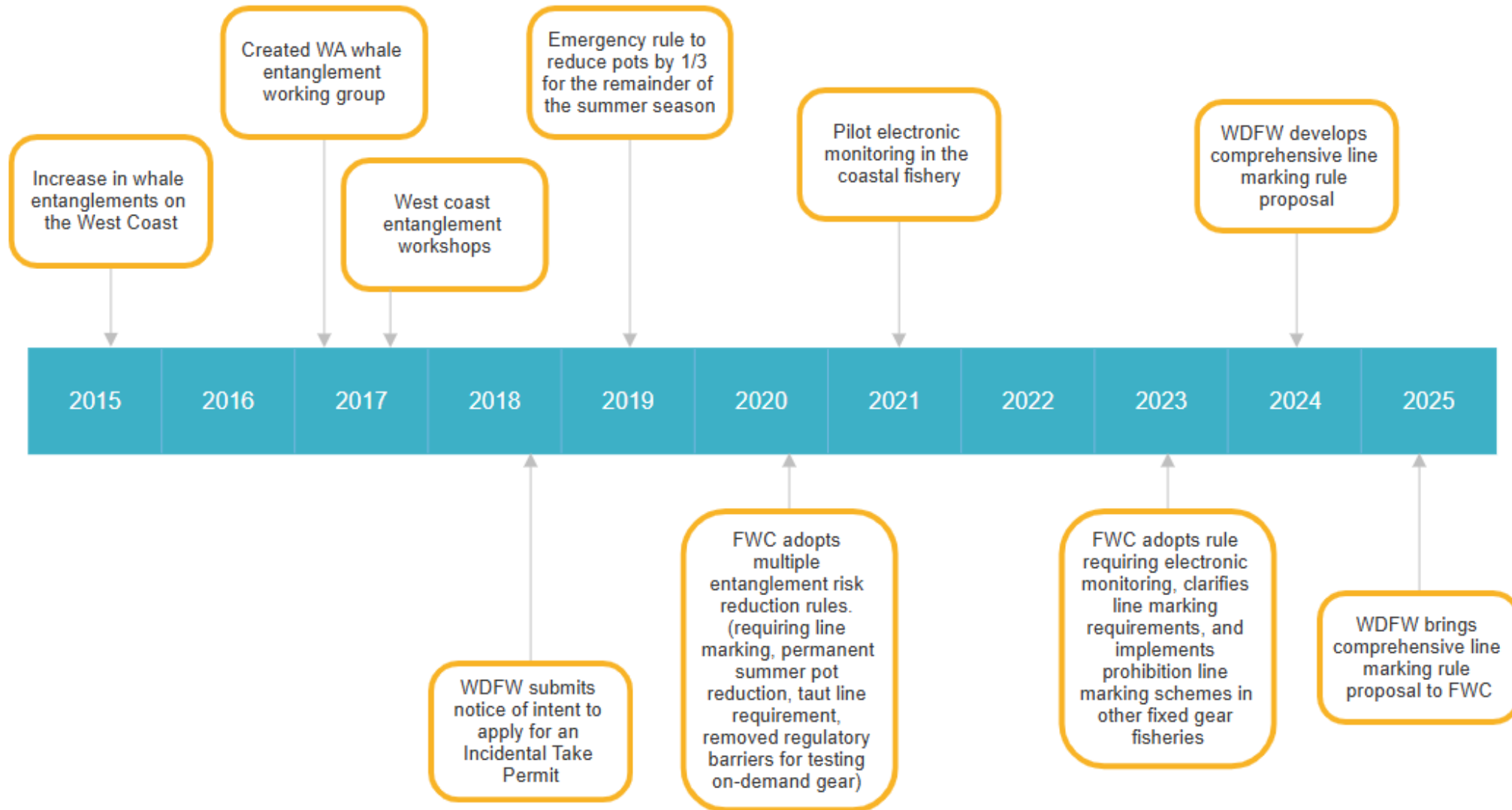
- Fishing line marking requirements – expanded
- Surface gear limits
- Clarification on buoy brand registration – prohibit use of brand required in tribal fishery

Need for proposed rule

- Entanglement risk reduction
- Improve gear traceability; positive/negative attribution
- Monitoring requirements for Incidental Take Permit and Take Reduction Team Plan



Whale entanglements and WDFW response: Timeline



Fishery Overview

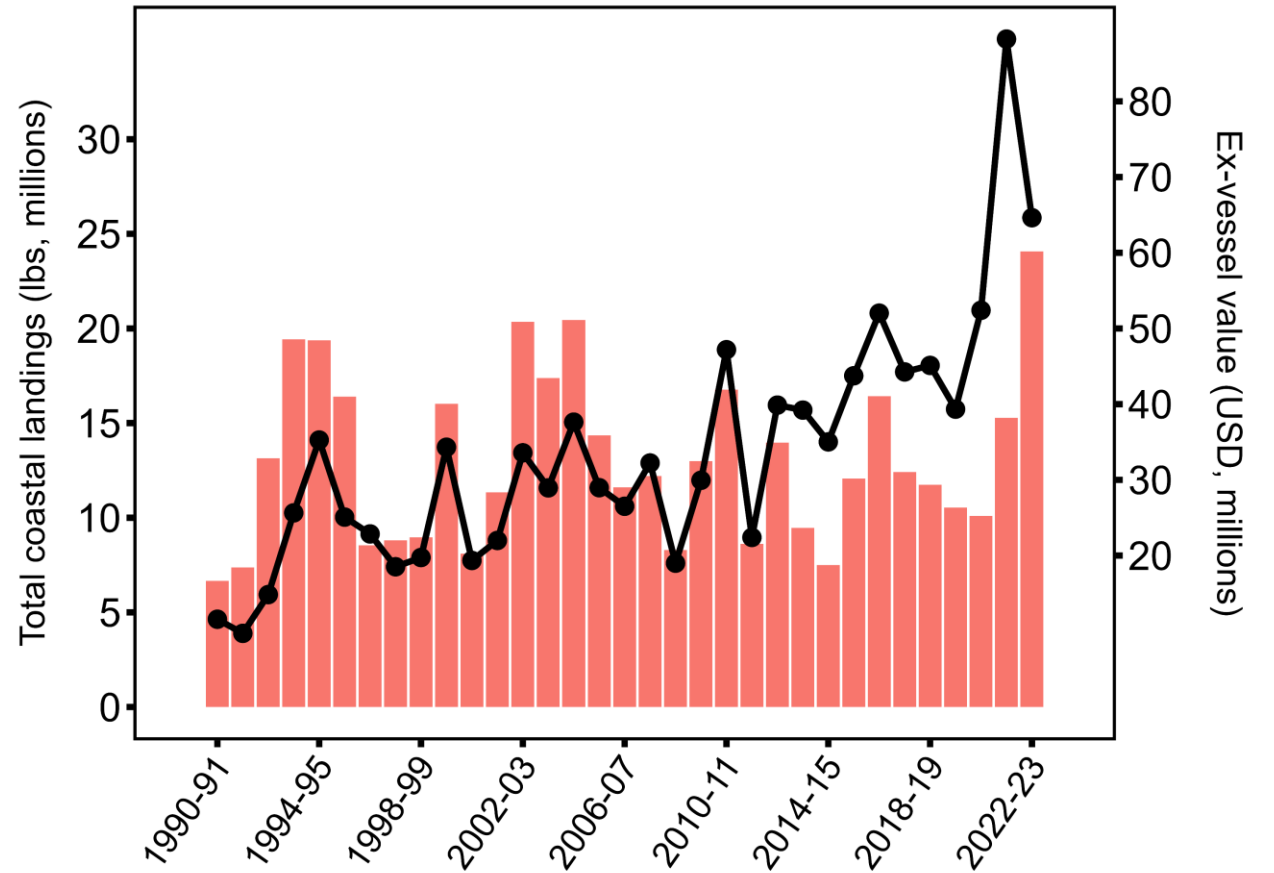
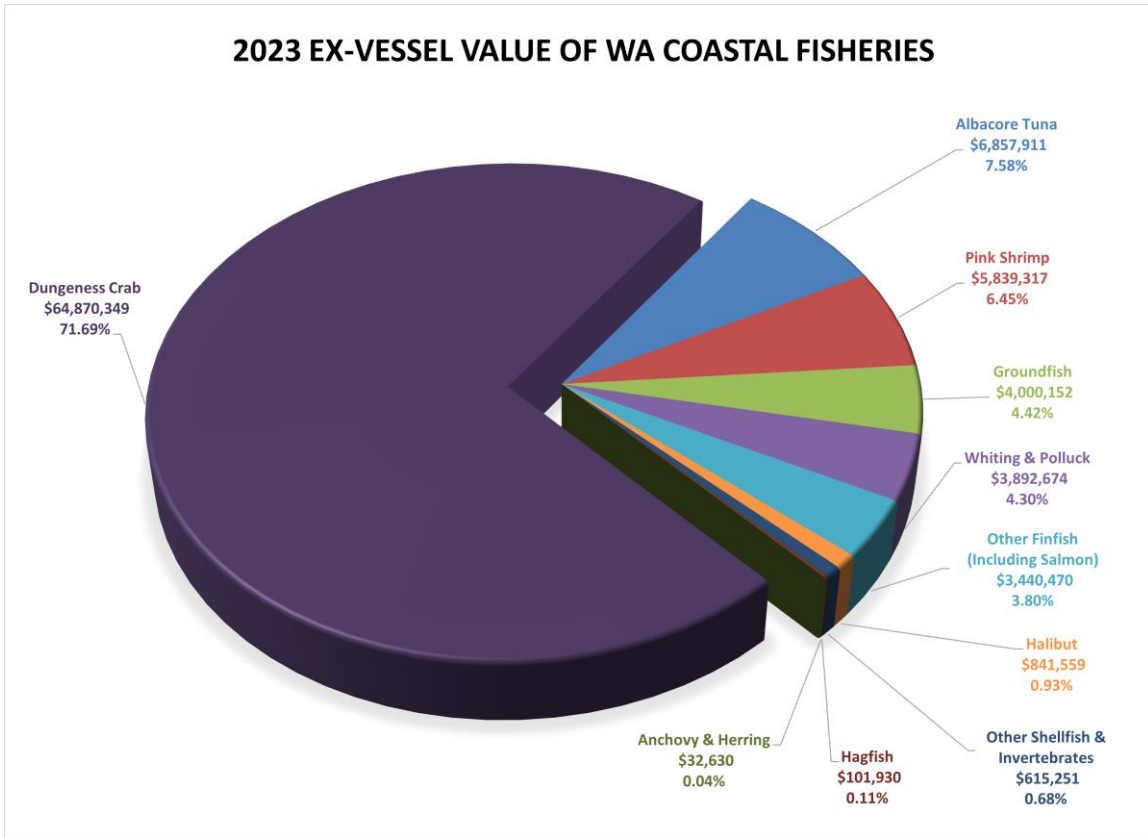
Coastal Dungeness Crab Fishery

Management

- State authority to manage D. crab fishery in federal waters
- **3-S strategy – Size, Sex, Season**
- Limited Entry License Program – 223 coastal licenses
- Pot Limitation Program – 500 or 300 pots license assignment
- Pot and Buoy Tags – Identify owner, Buoy tags specific to State, Year, and Season
- Limited Entry 200 – License may only be used to fish off issuing state, including federal waters
- Derelict Gear Program (2009) – Expanded Program (2020)
- Electronic Catch Reporting – real time reporting of landings
- Summer Pot Reduction Program – aligned with large whale migration/presence timing
- Electronic Monitoring Program – replaced paper logs, provides pot-level location data
- Line Marking – Each vertical line marked, distinctive to WA coastal D. crab
- Recreational Fishery Sampling Program

Fishery Overview

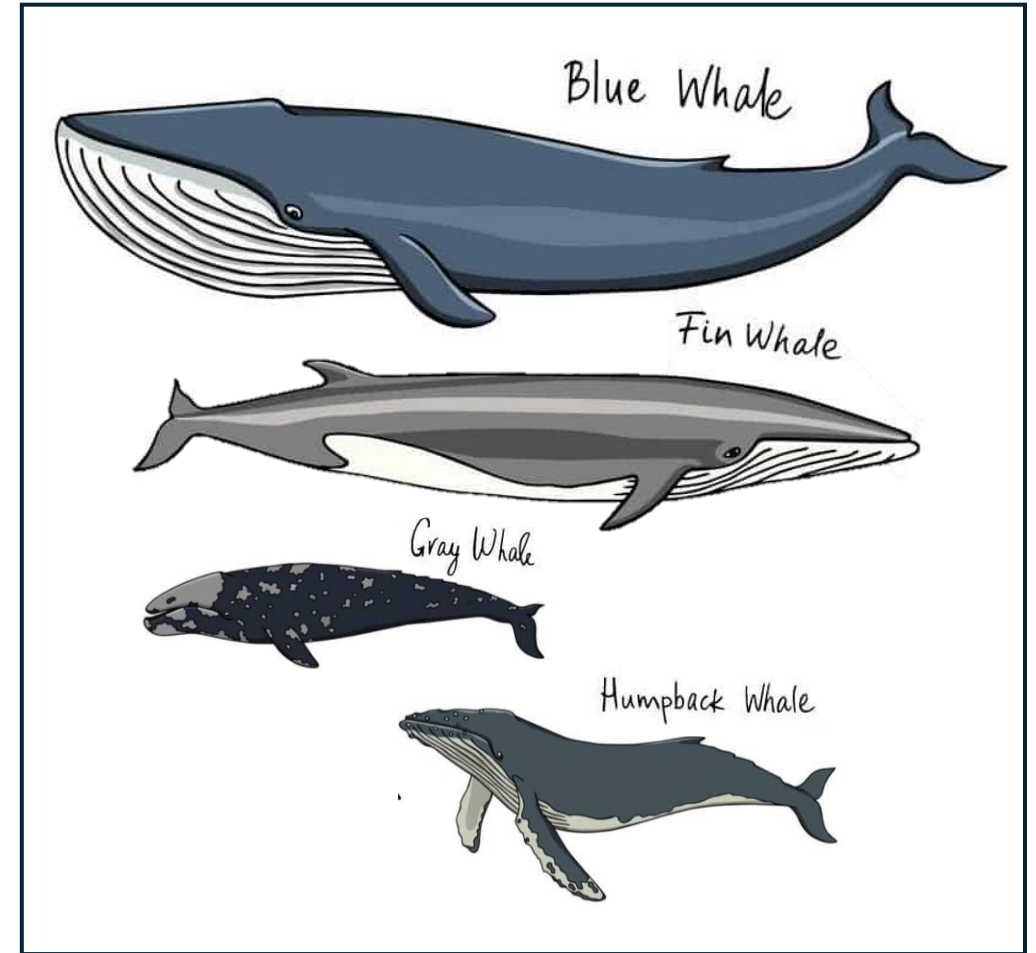
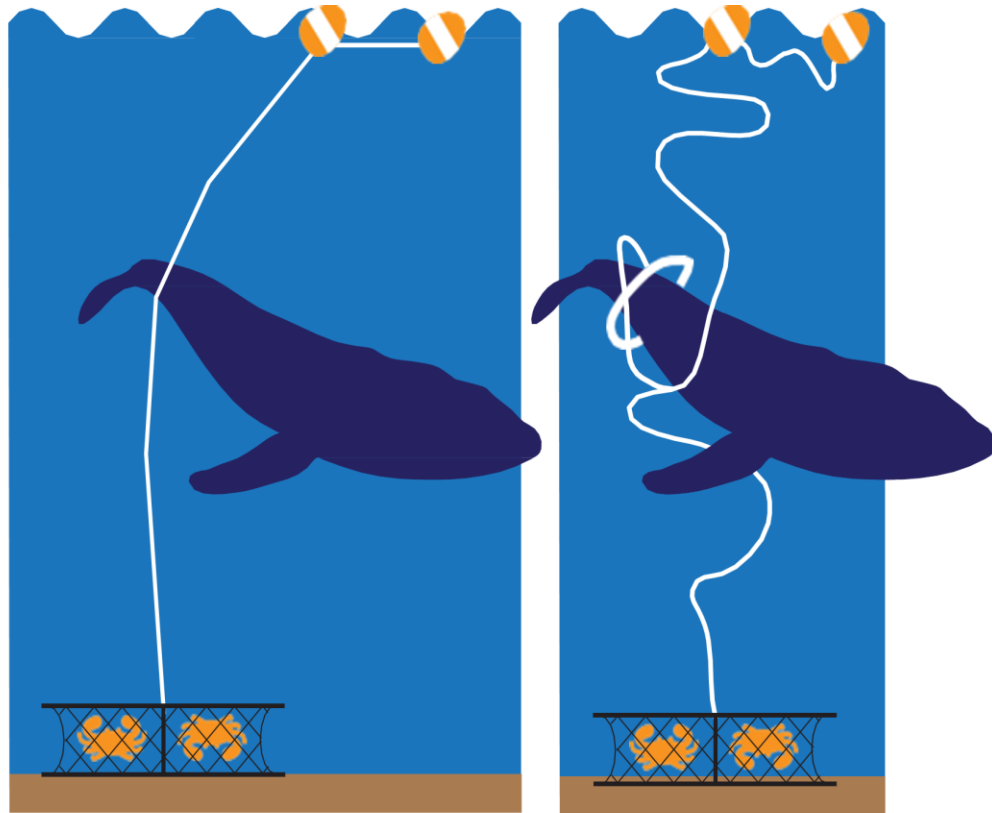
Coastal Dungeness Crab Fishery





Large whale entanglements

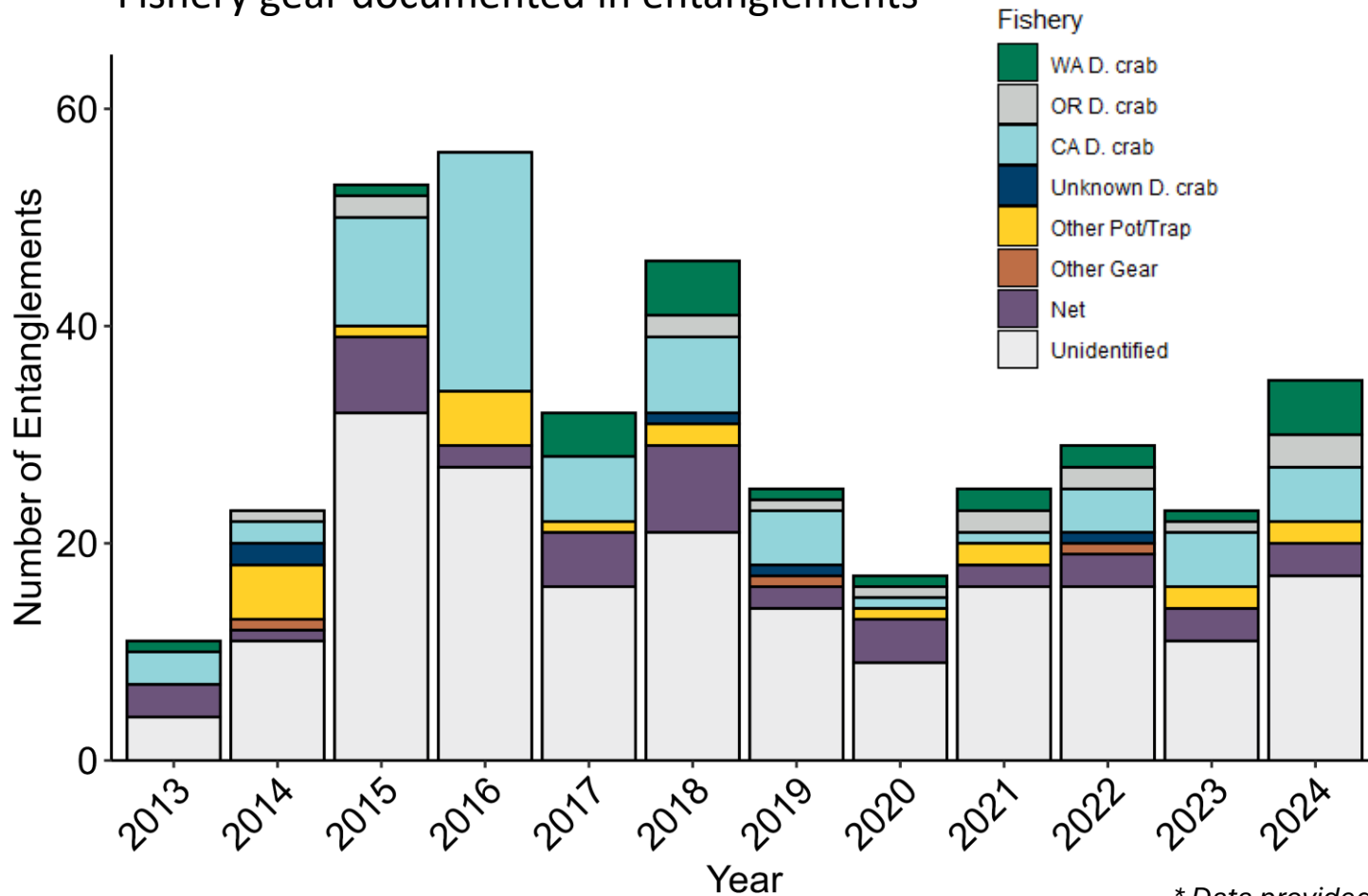
Large whale entanglements: Dungeness crab fishing gear



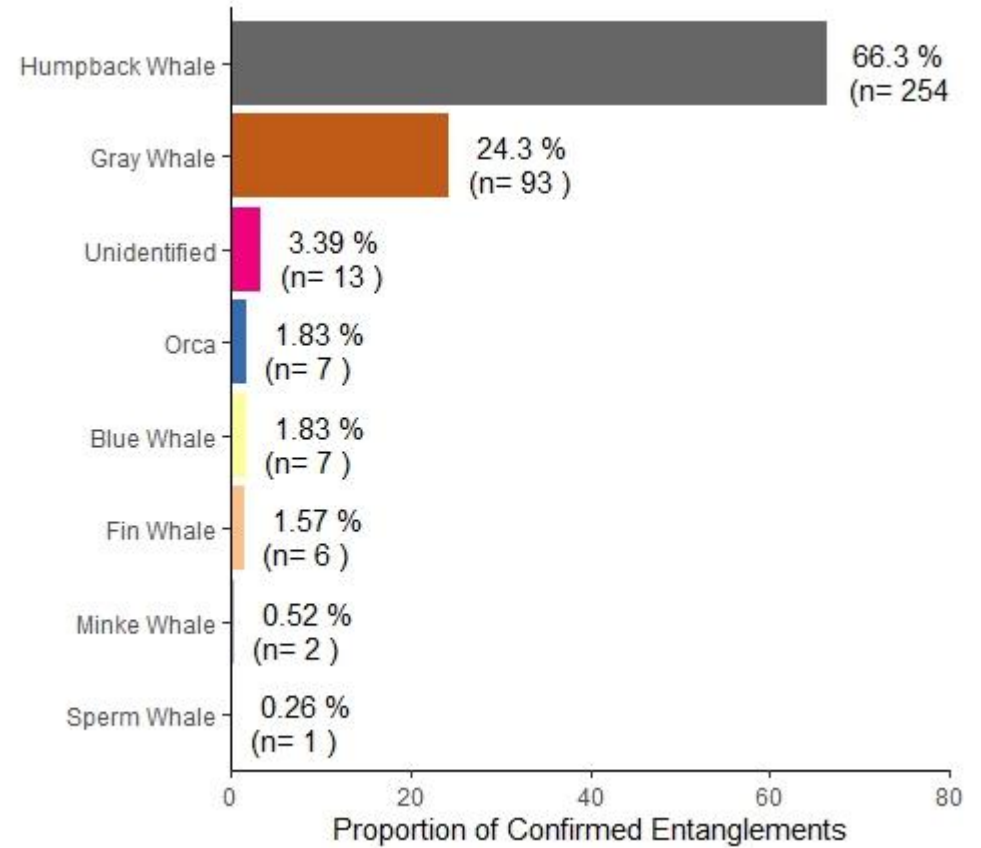
Large whale entanglements:

West Coast Large Whale Entanglements

Fishery gear documented in entanglements



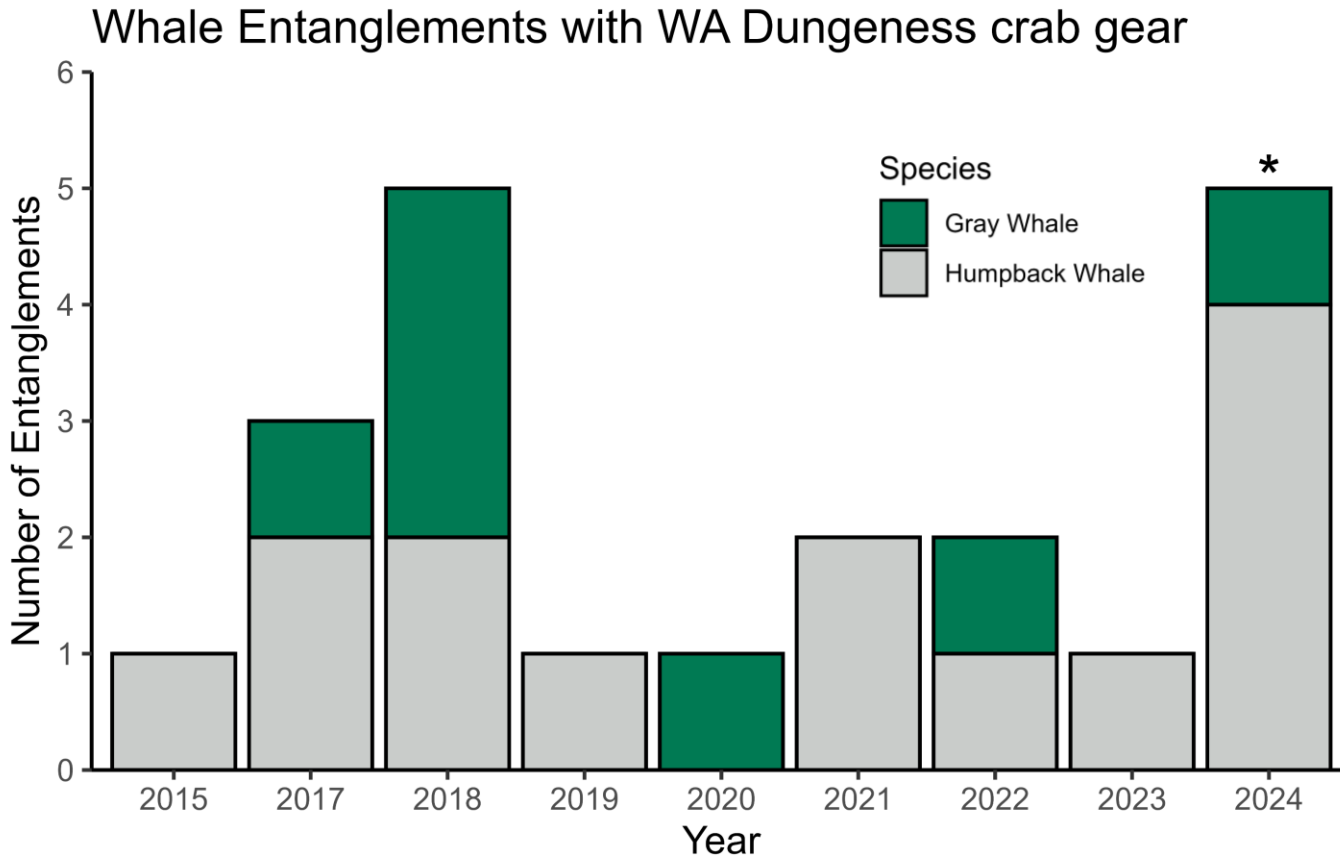
Whale species



* Data provided by the National Marine Fishery Services West Coast entanglement database

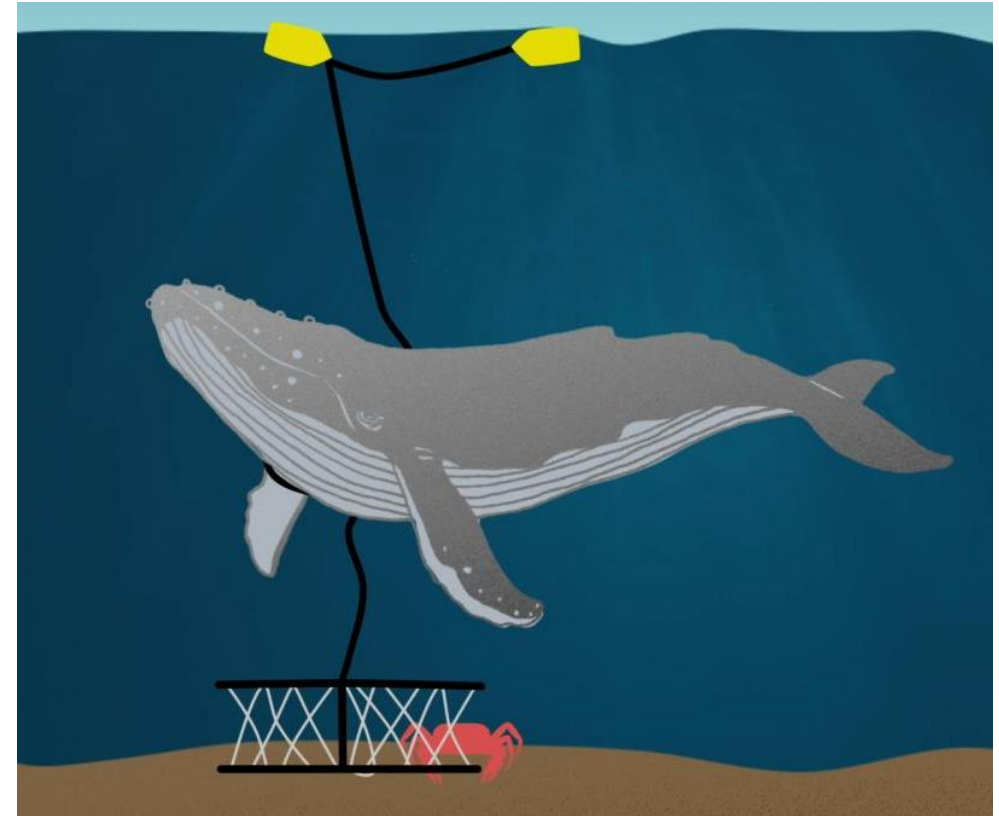
Large whale entanglements

WA coastal Dungeness crab gear



* 2024 data is still preliminary

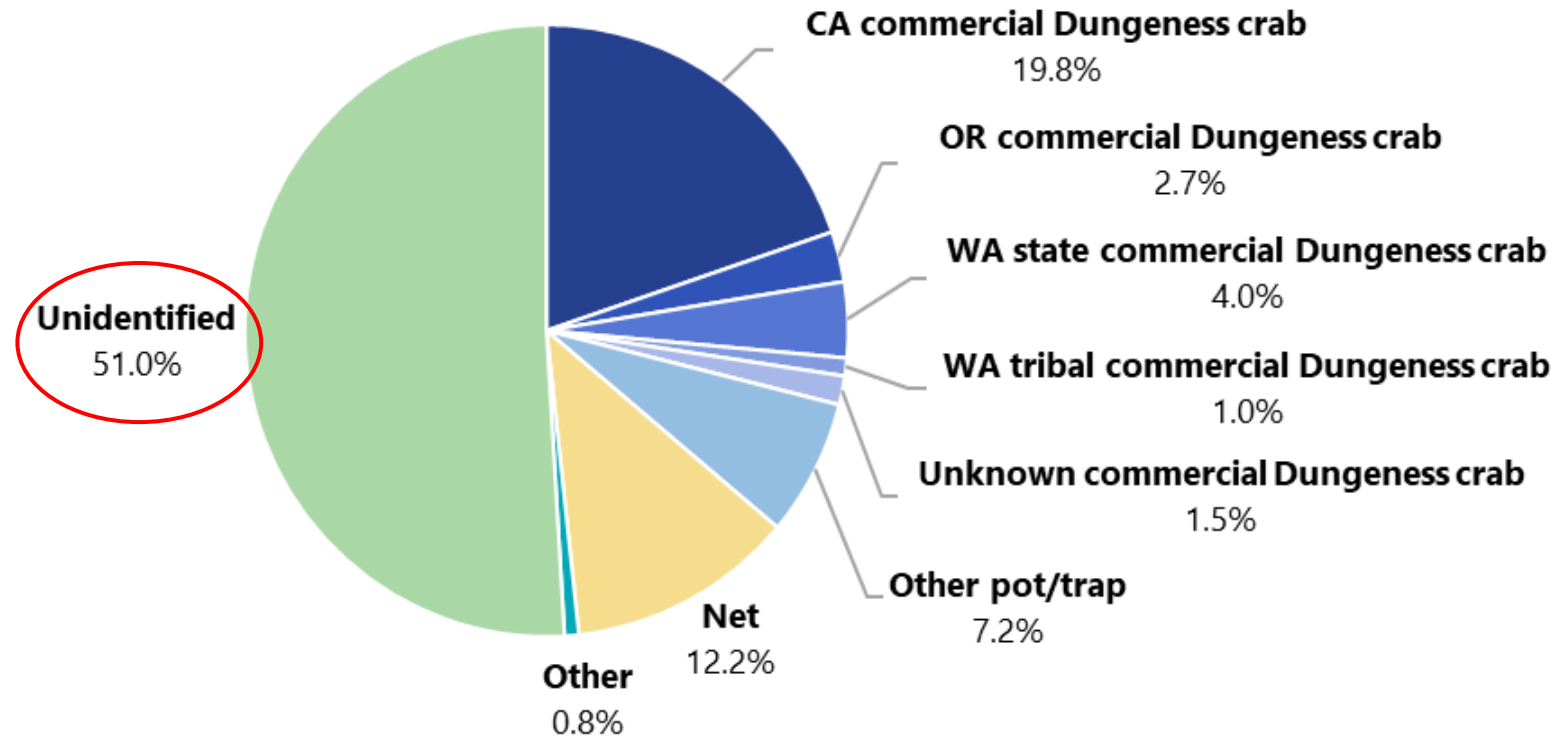
** 2016 there were no entanglements in WA coastal Dungeness crab gear



Large whale entanglements: Why gear marking?

- Improve identification of gear
 - Positive and negative
- Decrease % of unidentified
- Effective monitoring of the gear involved in future entanglements is essential to getting an Incidental Take Permit

**West Coast entanglement record
2013 – 2020**
(n=263)



Large whale entanglements:

Goals of comprehensive line marking

- Line marking easily visible from reported entanglement photos and videos
- Coordinated with West Coast fisheries following NMFS guidance
- Reduce unknown gear in entanglements
- Satisfy federal monitoring requirements



Washington line marking documented on gear recovered from an entangled whale





Proposed changes

Puget Sound & Coastal Commercial Dungeness crab fisheries

- **Gear Marking Prohibitions:** Fishery participants in both regions will be prohibited from using line markings or buoy brands associated with other fisheries. This ensures clear distinctions across jurisdictions and enhances the ability to trace entangling gear back to its source fishery.
- **Compliance Responsibility Shift:** The rule transfers compliance responsibility from license holders to designated operators of vessels designated on the license. Since many license holders lease their licenses and do not operate vessels, this change ensures that those actively engaged in fishing are accountable for gear compliance.
- **Annual Buoy Registration Requirement:** Vessel operators must register buoy brands and color combinations annually, changes to the rule clarify that registration is required before the commencing fishing. This ensures consistency in traceability efforts across seasons.

Coastal commercial Dungeness crab fishery

- **Fishing Line Marking Requirements:** Vessel operators must ensure that their fishing line is marked with a distinctive red and black color scheme. Compliance can be achieved using dual-colored manufactured line or manually applied durable marks. Marking requirements will be phased in.
 - A “sunset” provision mandates that manually applied marks will no longer be compliant after December 1, 2035, unless further extended.
- **Surface Gear Limitations:** The length of surface gear (including buoy and trailer lines) is capped at 36 feet, and the number of trailer buoys is limited to two. These measures reduce the risk of entanglement by minimizing excess surface gear in the water.
- **Tribal Buoy Prohibition:** WA coastal Dungeness crab vessel operators are prohibited from registering or fishing with a buoy brand that is used in a treaty tribal fishery

Proposed WA coastal Dungeness Crab Line Marking:

Timeline

Phase 1: December 1, 2025

- Surface gear line marking
- Maintain current 12-inch continuous mark in the top fathom of vertical line until transition to new main line marking requirements (phase 2)
- No longer require the bottom 12-inch continuous red mark within one fathom of the pot
- Surface gear limitations on the amount of line and buoys attached to each pot

Phase 2: December 1, 2028

- All phase 1 requirements
- Main line (vertical line from buoy to pot) marked
 - Top 15 fathoms of line marked
 - Shallow depth provision allows for less than 15 fathoms of line to be marked when fishing with less than 20 fathoms of line



Coastal Line Marking & Gear Requirements

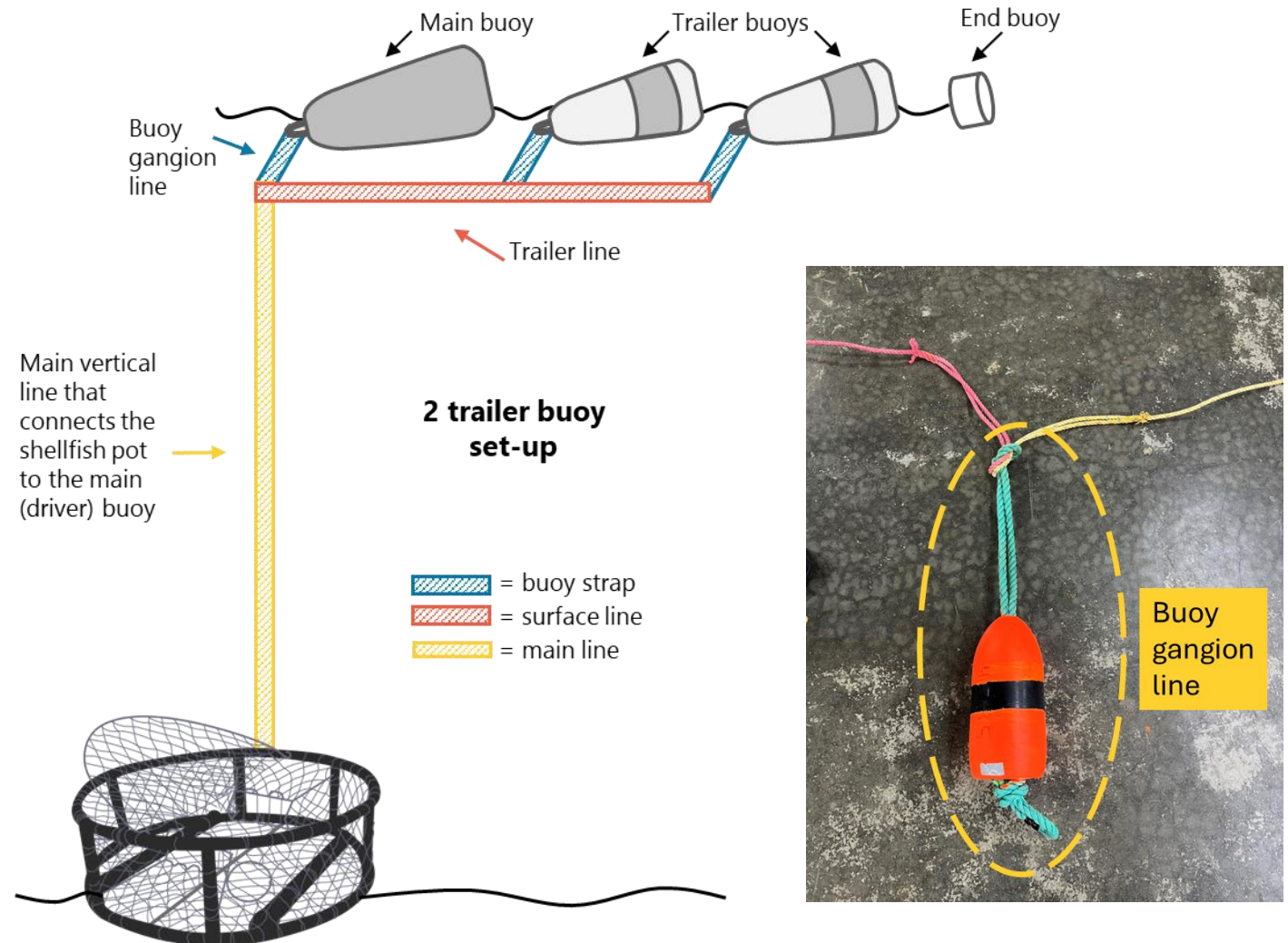
Resources:

Line Marking Compliance Guide

The compliance guide is incorporated into the rule as a resource for vessel operators and enforcement and includes:

- Definitions
- Diagrams
- Photo examples
- Implementation timeline

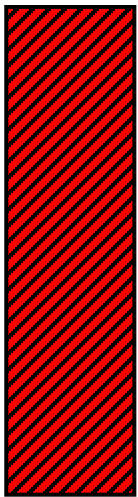
Draft compliance guide is available on the website for public review



Proposed WA coastal Dungeness Crab Line Marking: Line Marking Options

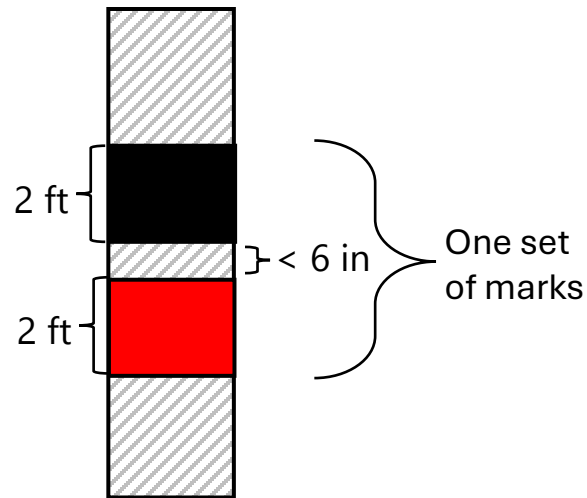
Manufactured Line

3 strands: 2 strands red and
1 strand black
Tracer line permissible



Solid markings

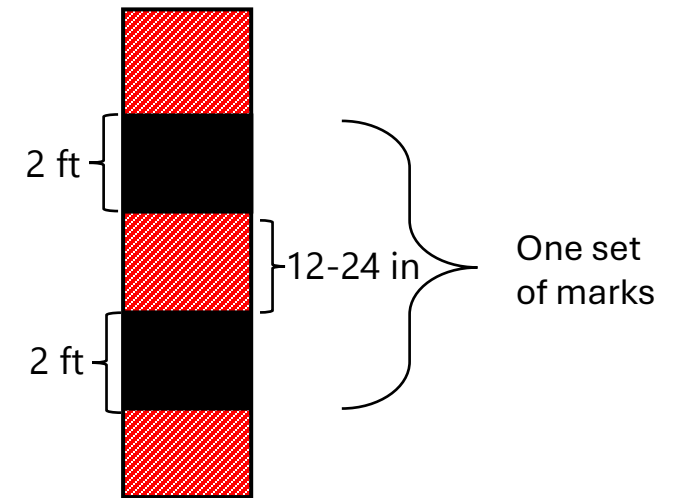
For line of any color: 2 ft of black
within 6 inches of 2 ft of red.
Marks must cover circumference
of line



Main line can be any color,
except red or black

Solid markings

For red line: 2 ft of black
within 12 - 24 inches of
2 ft of black. Marks must cover
circumference of line



Red line

Proposed WA coastal Dungeness Crab Line Marking: **Marked line examples**

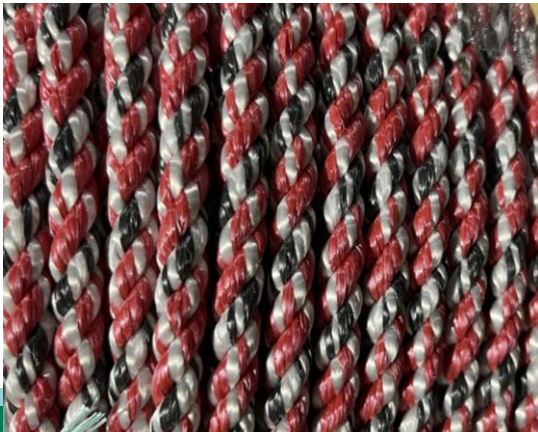
Manufactured



Floating line with tan tracer



Red line with black tracer



Hydropro 3/8"



Hydropro 1/2"

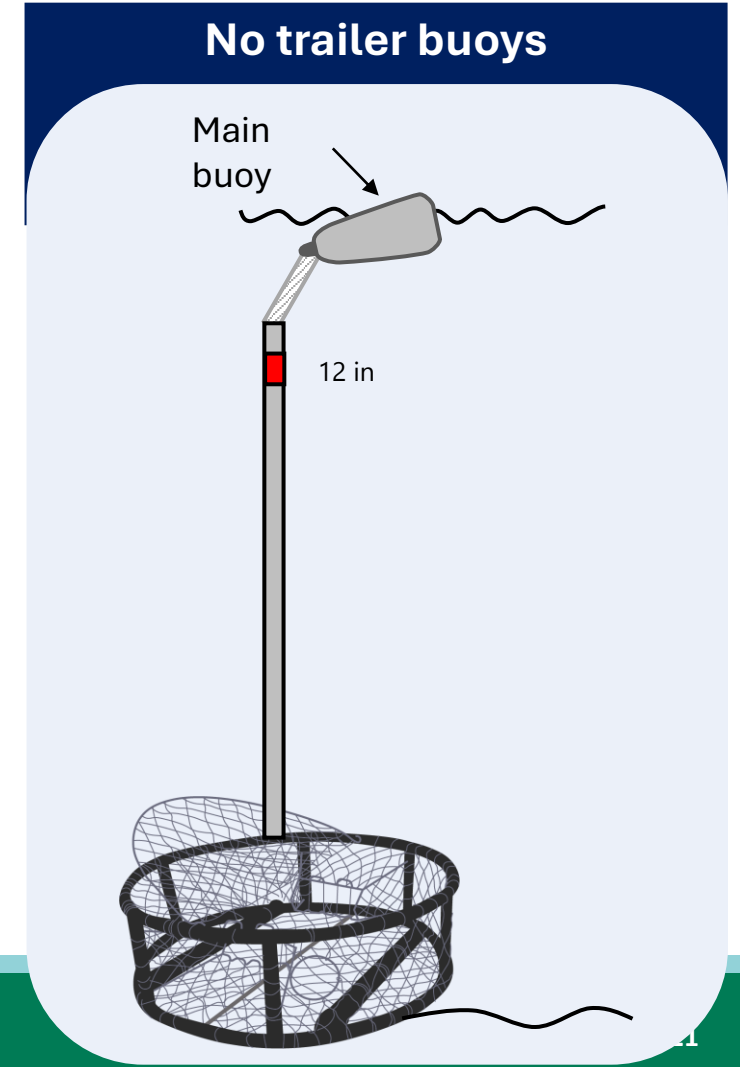
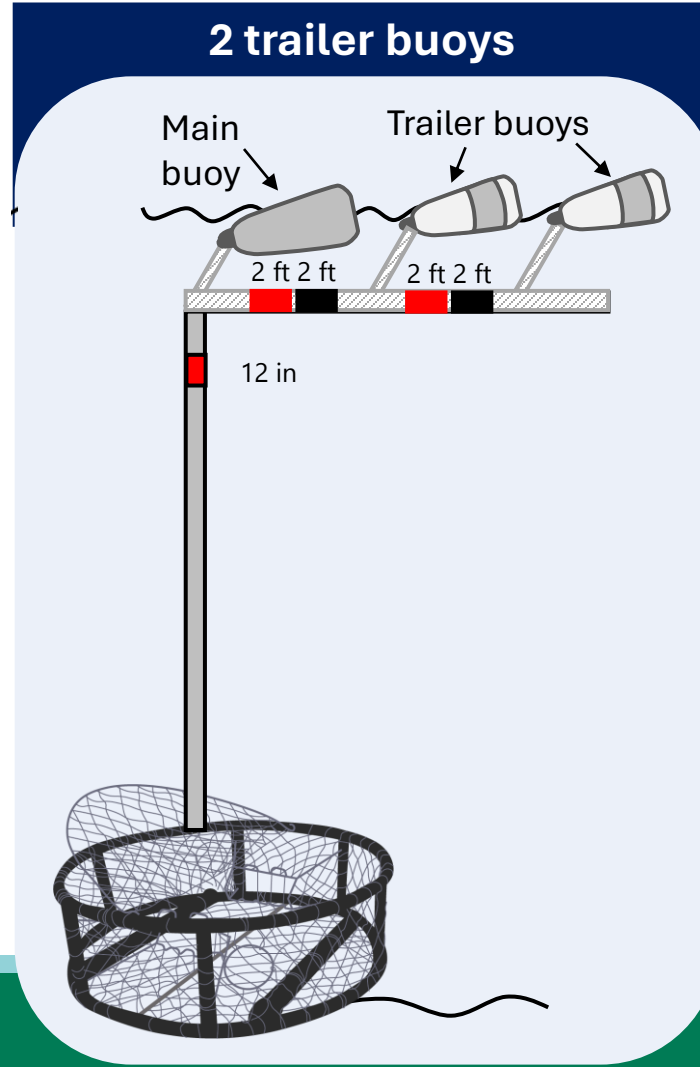
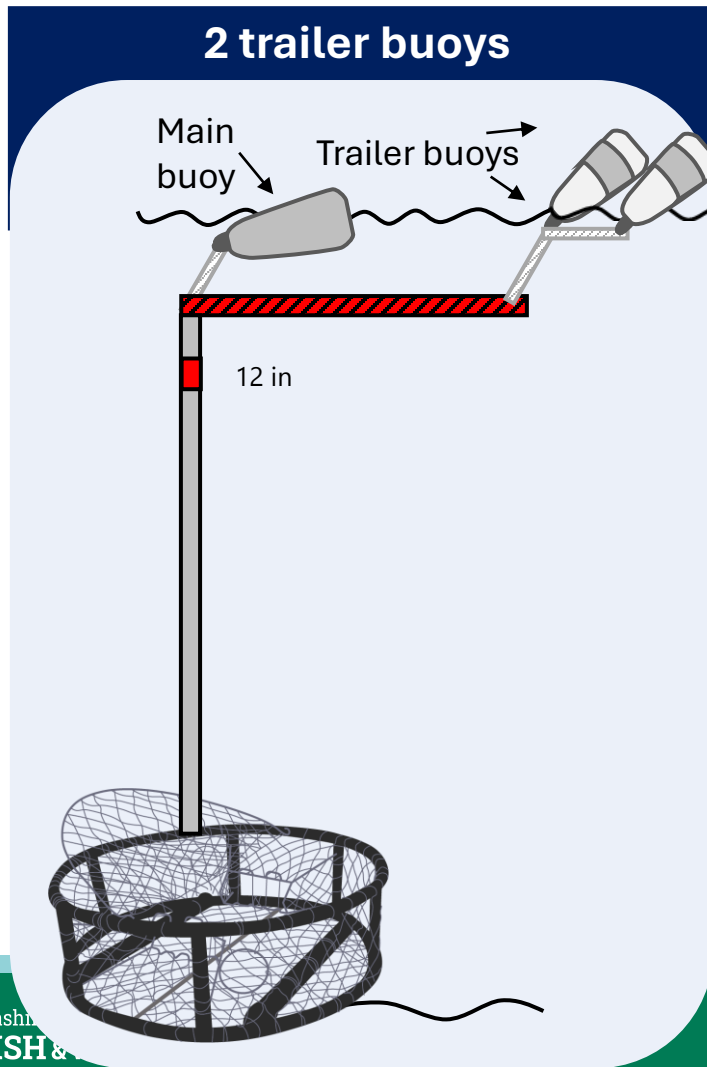
Solid marks



Proposed WA coastal Dungeness Crab Line Marking: Surface Gear Configuration

Phase 1 - Surface gear marking
Effective Date: December 1, 2025

 = Marked line  = unmarked line



Proposed WA coastal Dungeness Crab Line Marking: Main Line Gear Configuration

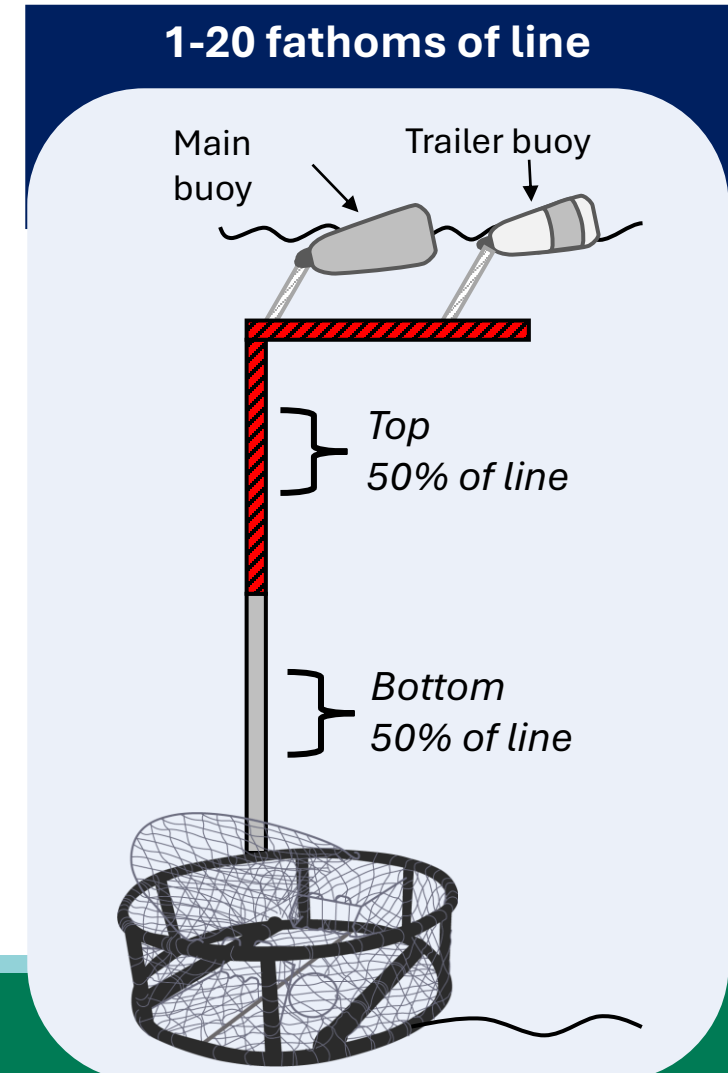
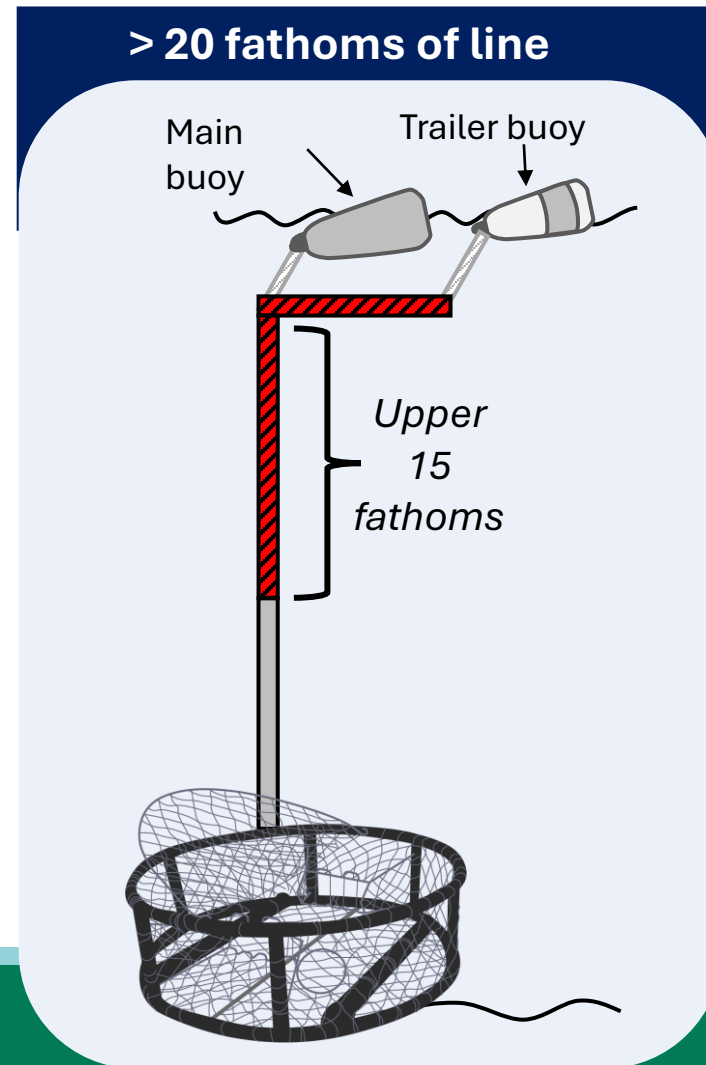
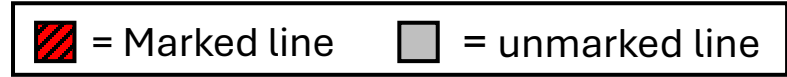
Phase 2 - Main line marking

Proposed Effective Date: December 1, 2028

Vertical line marking

When fishing a total line length:

- 20 or more fathoms:
Top 15 fathoms marked
- Less than 20 fathoms:
Top 50% of the line marked



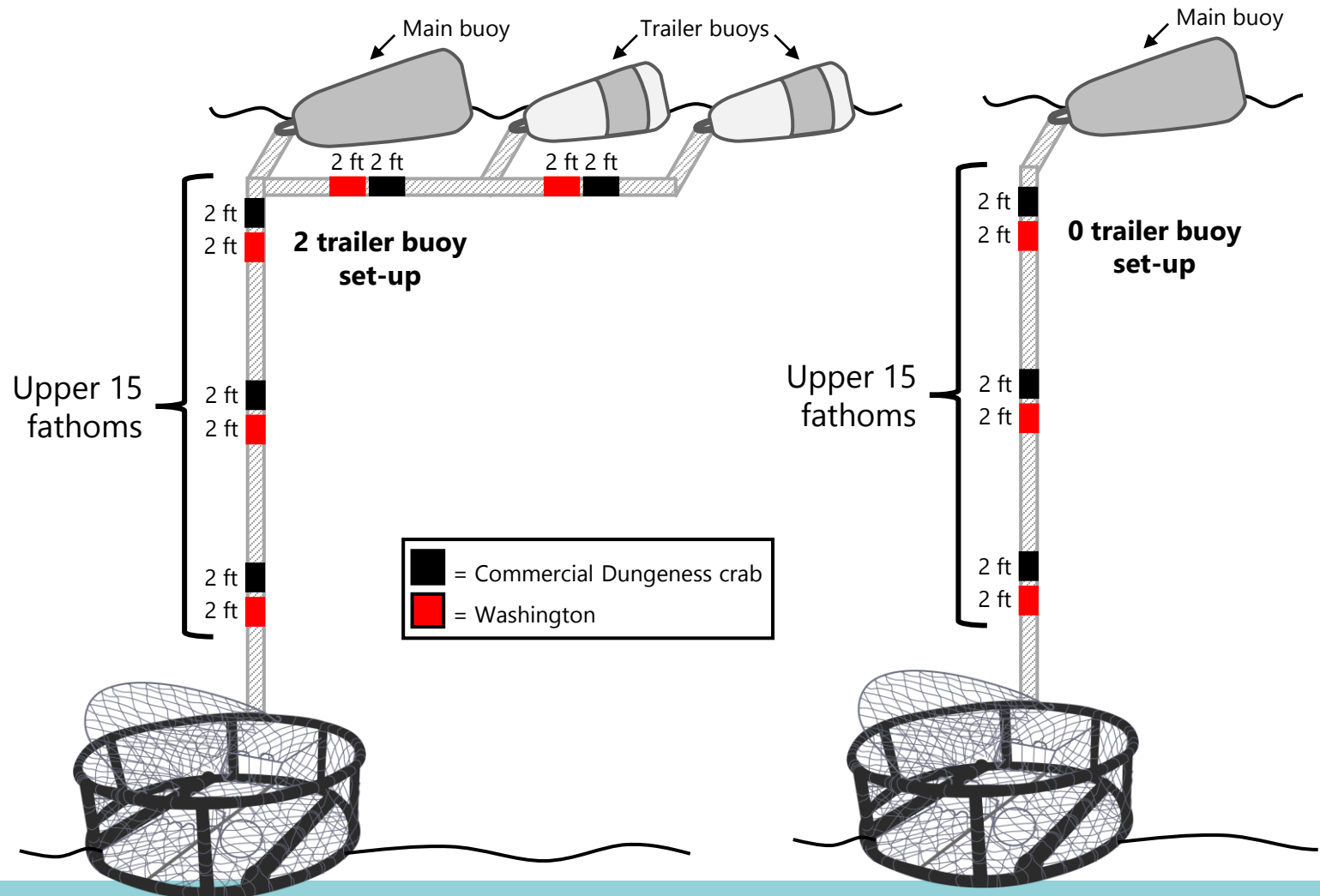
Proposed WA coastal Dungeness Crab Line Marking: Solid Marking Intervals

Allowance: Current proposal sunsets Nov 1, 2035 (can revisit)

Surface line: One set of marks on trailer line connecting two buoys

Main line: 3 sets of marks, 1 set of marks in the top fathom, 1 set of marks in the bottom fathom, and 1 set of marks in the middle of the line segment required to be marked

Marks: Solid marks (e.g. paint) must cover the entire circumference of the line



Proposed rule WA coastal Dungeness crab:

Surface gear maximum allowance

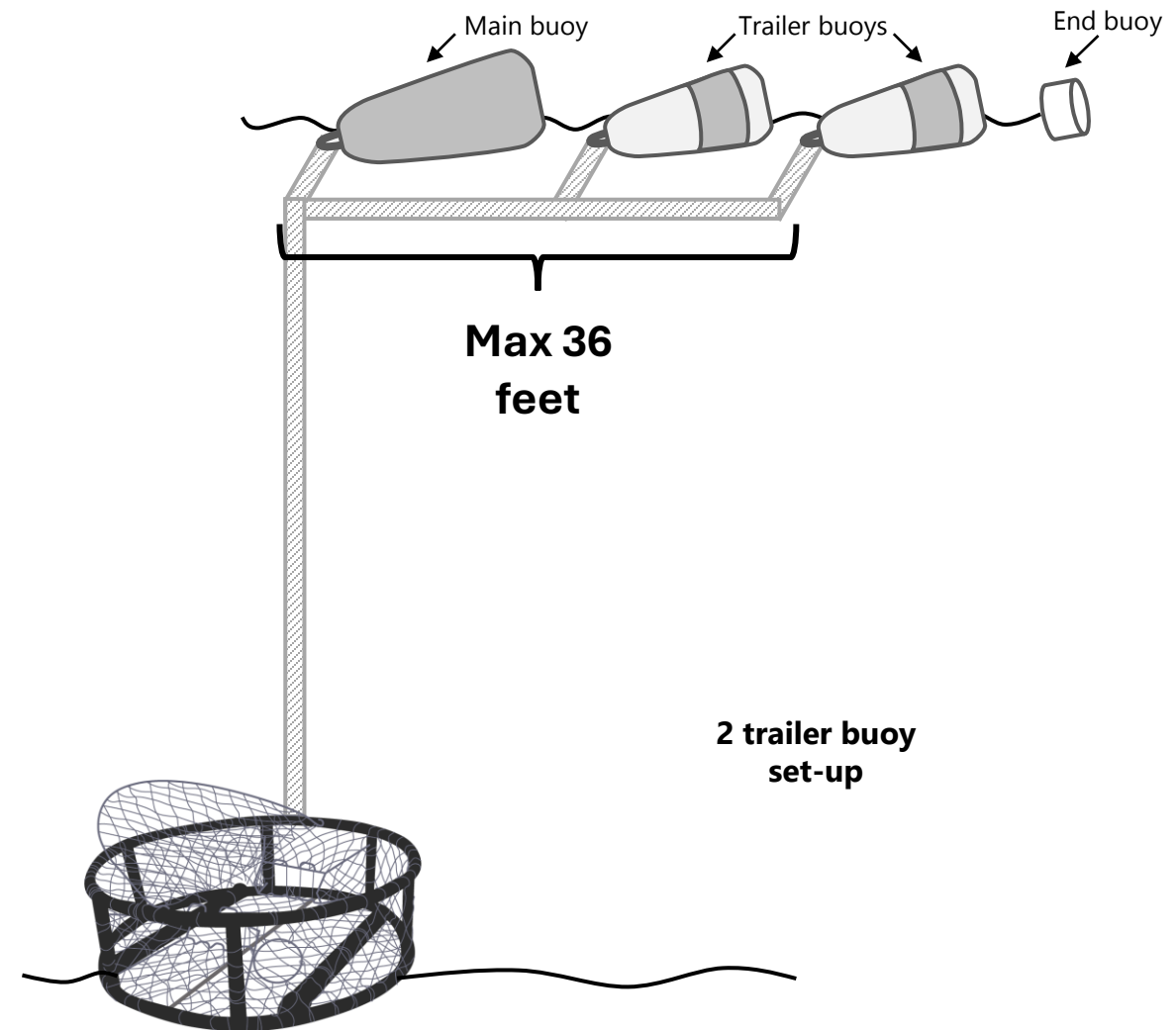
Proposal to implement with phase 1 of line marking on Dec 1, 2025

Buoys

1. No more than two trailer buoys
2. One end marker buoy, less than 5 inches in diameter, cannot extend greater than 3 feet behind last trailer buoy

Trailer line length

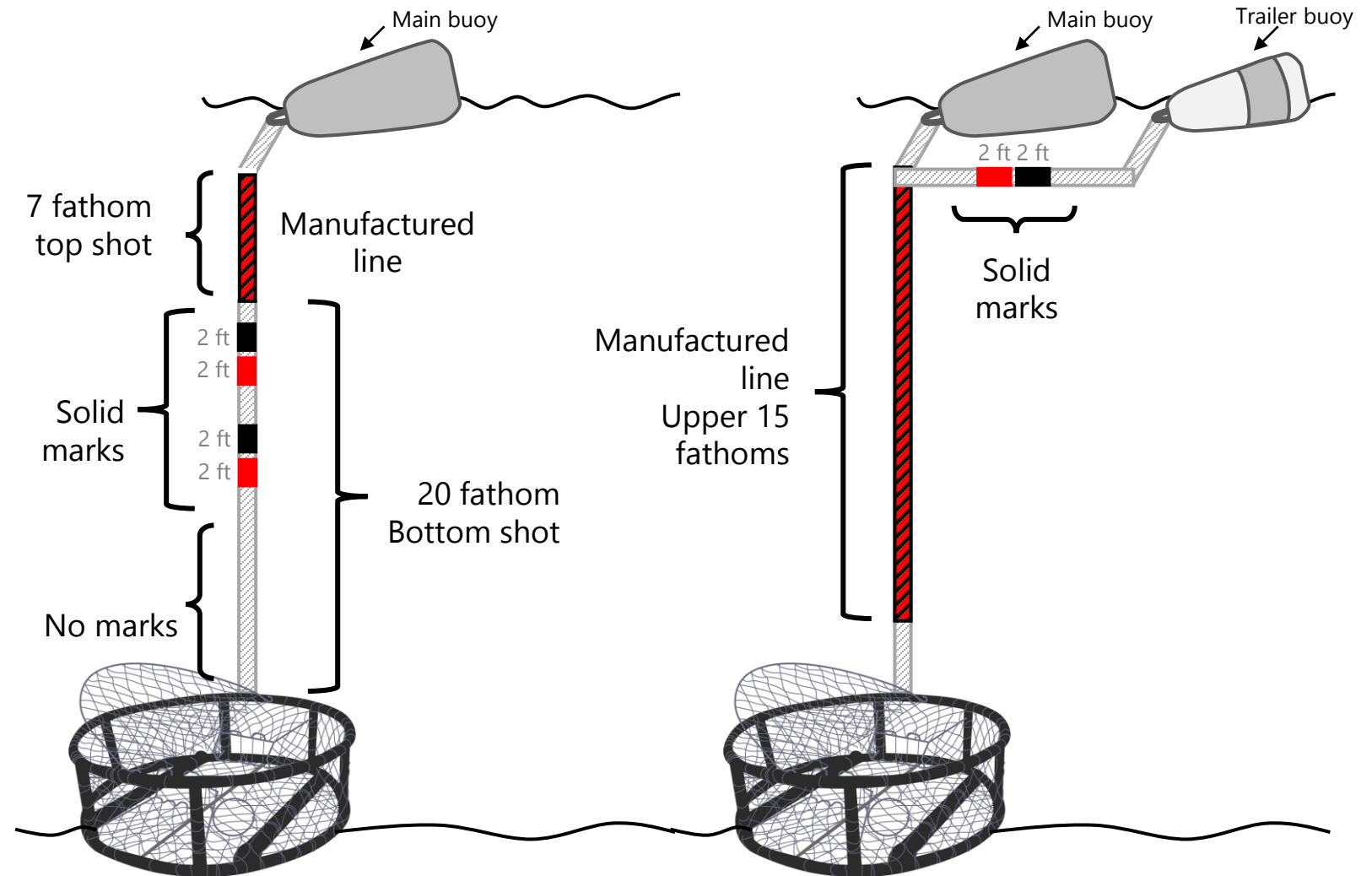
1. Maximum of 36 feet (6 fathoms)



Proposed WA coastal Dungeness Crab Line Marking: **Mix and match marking methods allowed**

Examples:

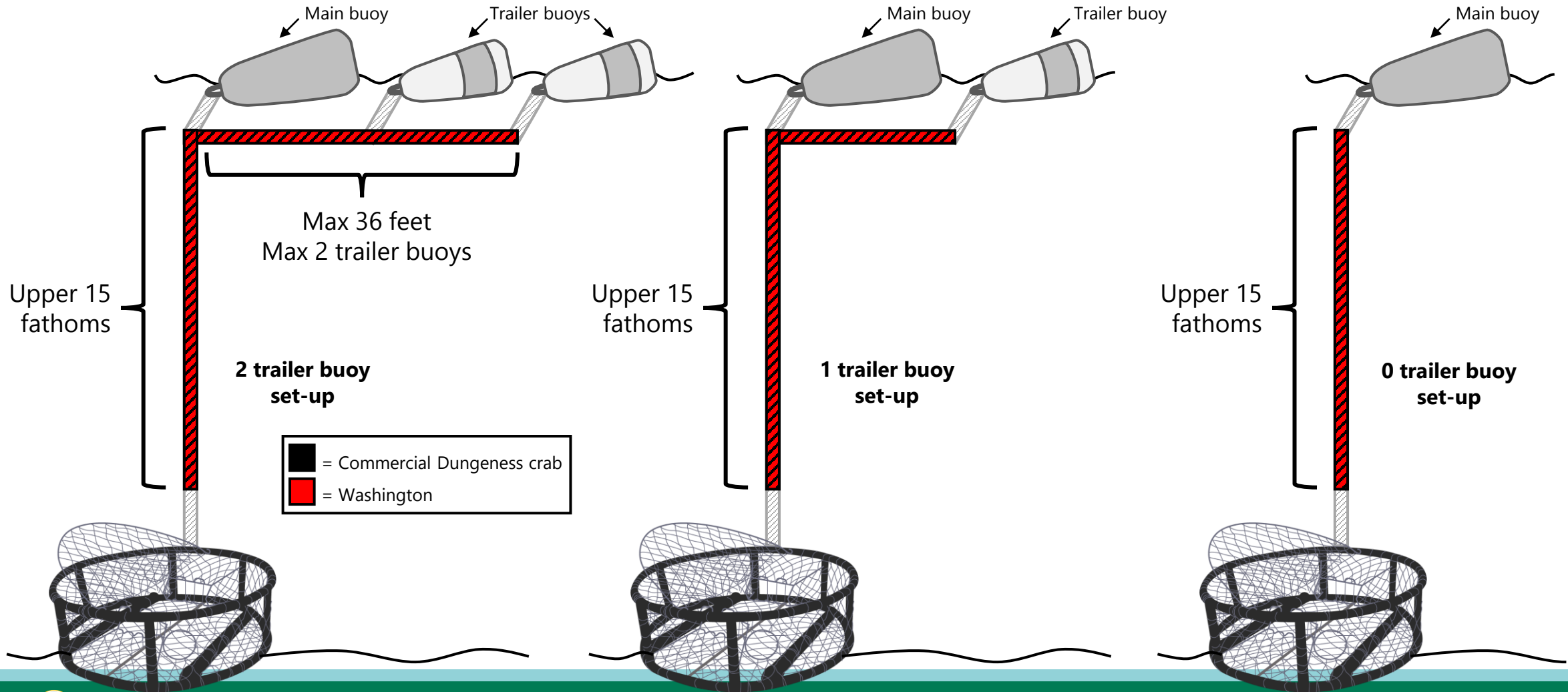
- Different marking methods for surface gear and the vertical line
- The top 15 fathoms of vertical line marking requirement can be met with more than one shot of line, even using different methods of marking, as long as the top 15 fathoms of line is always marked



Washington Commercial Coastal Dungeness Crab Line Marking Proposed Rule

Manufactured line

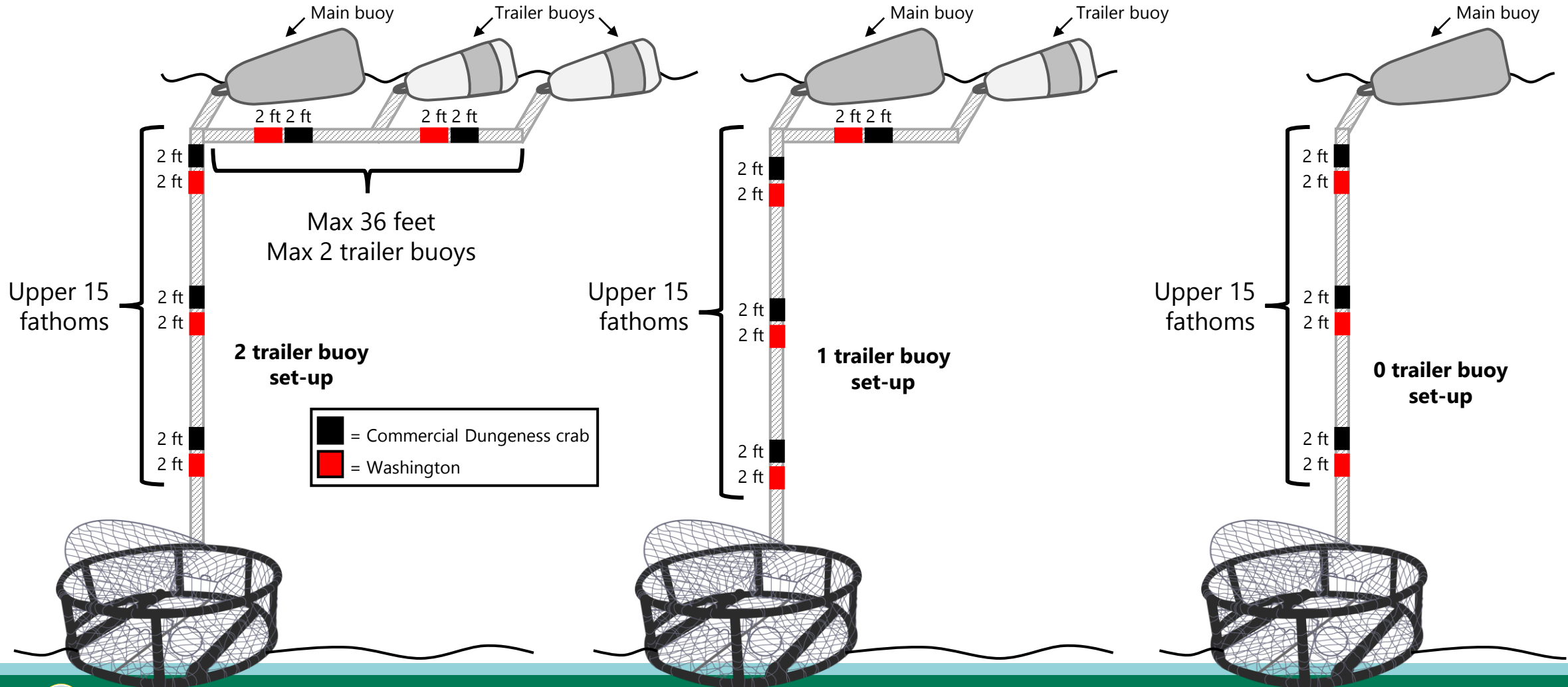
Manufactured red and black line used for any **surface line** *and* the **upper 15 fathoms of the main line**



Washington Commercial Coastal Dungeness Crab Line Marking Proposed Rule

Alternative marking method: Sets of solid marks, sunset 2035

One set of **solid marks** (2' black mark within 6" of 2' red mark) **on surface line between any two buoys** *and* **three sets evenly distributed in upper 15 fathoms of the main line**





Economic Impact

Economic Impact:

Compliance Cost

Regulations will impact approximately 223 small business. Each vessel/license is considered a small business. Cost estimates are calculated based on the what is required to be in compliance for each business, but the actual cost for each small business to convert their business practices will vary.

Compliance costs per license

- Manufactured line ranges from \$4,563 to \$19,384
- Manually marking line with:
 - Liquid paint: \$845 - \$1,375
 - Spray paint: \$600 - \$1,000
- Labor costs for gear modification vary, with estimates ranging from \$4,000 to \$15,000 per vessel for replacing line and approximately \$6,000 for painting existing lines

Economic Impact: Cost breakdown

Cost of raw materials	
Floating line (per coil)	\$119-\$230
Neutrally buoyant line (per coil)	\$227-\$334
Spray paint (per can)	\$10
Liquid paint (per gallon)	\$55

Line marked	300 pots			500 pots			Average cost per pot		
	Trailer	Main	All	Trailer	Main	All	Trailer	Main	All
Manufactured line	\$1,434 - \$3,676	\$3,129 - \$8,021	\$4,563 - \$11,697	\$2,347 - \$6,016	\$5,215 - \$13,368	\$7,562 - \$19,384	\$6.55	\$18.58	\$25.13
Paint - liquid	\$350	\$495	\$845	\$550	\$825	\$1,375	\$1.13	\$1.65	\$2.78
Paint - spray can	\$240	\$360	\$600	\$400	\$600	\$1,000	\$0.80	\$1.20	\$2.00

Economic impact:

Cost mitigation strategies

While compliance costs exceed the minor cost threshold for small businesses, WDFW has implemented several cost mitigation strategies, including:

- **Phased Implementation:** Staggering compliance deadlines over multiple years reduces financial strain and allows vessel operators to spread costs over time
- **Flexible Compliance Options:** Operators can choose between purchasing pre-manufactured dual-colored line or applying manual markings using durable paint
- **Adjustments Based on Industry Feedback:** Input from fishery participants led to changes such as adjusting marking placement and reducing required marking length to balance conservation goals with practical fishing operations:
 - Initial proposals required marking 20 fathoms of vertical line, which was reduced to 15 fathoms resulting in cost savings of approximately \$1,043–\$2,674 per 300-pot vessel and \$1,695–\$4,345 per 500-pot vessel
 - Similarly, the number of required manual marks was reduced from 5 to 3 sets of marks on the main vertical line

Proposed WA coastal Dungeness Crab Line Marking: **Summary of changes we've made based on feedback**

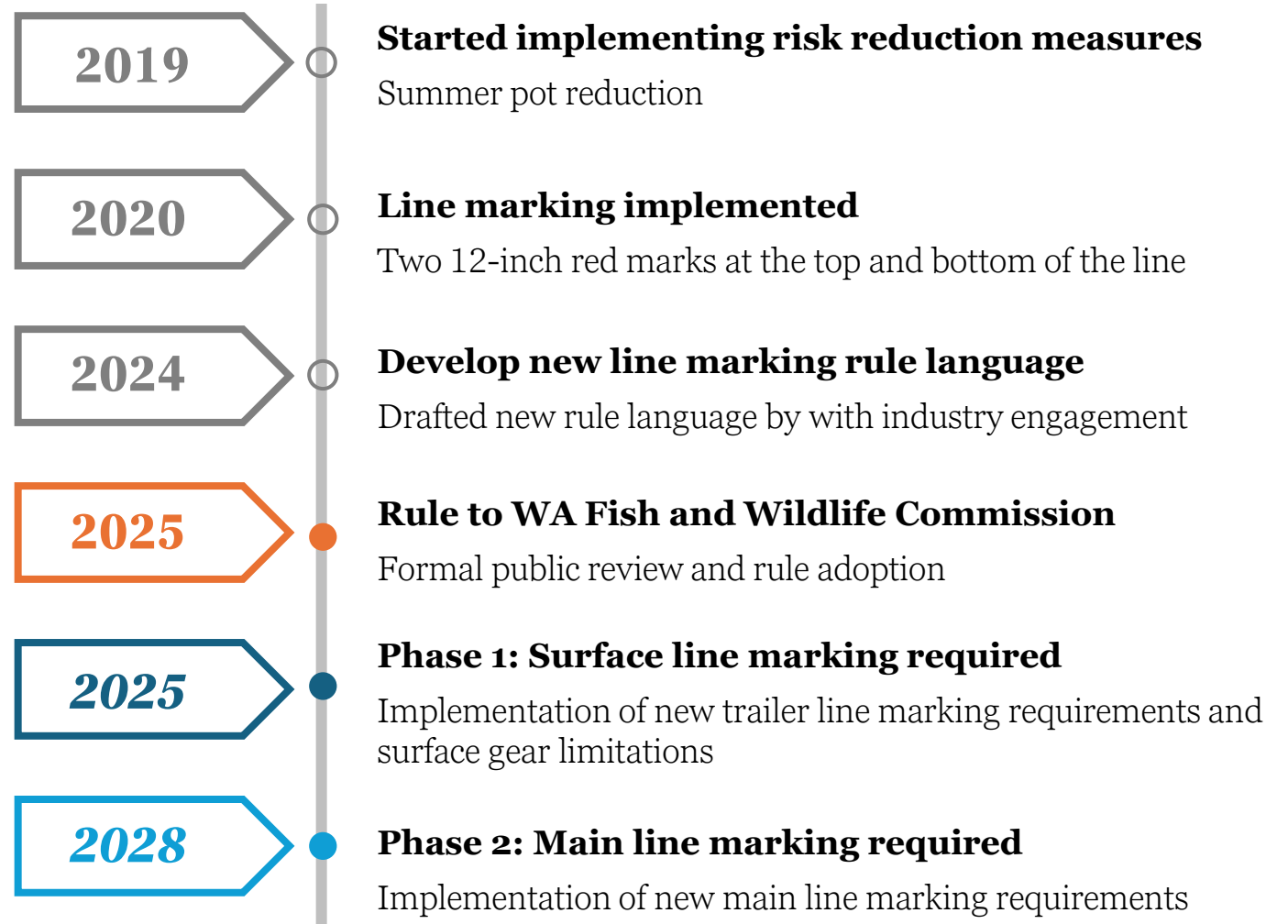
Input we've incorporated:

- Buoy straps are exempt from line marking
- Surface line definition changed to allow 2 buoys to be added to the end of a gangion line without marking
- Maintain current 12" continuous mark on vertical line during phase one
- Rule is written to line length, not fishing depth
- Shallow depth provisions now allow for more than 5 fathoms of unmarked line and less than 15 fathoms of line to be marked
- Work with manufactures to have the line used in the fishery made to meet the requirements (e.g., hydropro)
- Keep it simple, the first rule proposed was too complicated
- Define methods allowed to meet solid marking requirement
- Implement surface gear maximums during phase one of line marking, if implementing restrictions eventually
- Reduced the number of solid markings required from 5 to 3
- Rule sunsets solid markings, with the intent for the rule to be revisited by WDFW prior to the sunset
- Allow existing red line with two black tracers to meet the definition

Proposed rule changes: Next Steps

Rule to Commission

- March 20-22, 2025
- Hybrid Meeting – virtually and in person in Kennewick, WA
- Public hearing –
 - ❑ register to testify at: <http://wdfw.wa.gov/about/commission/meetings>, or contact the Commission office at 360-902-2267
- Public comment
 - ❑ Public engagement webpage
 - ❑ Email: commercialcrabrules@publicinput.com
 - ❑ Voicemail to 855-925-2801 project code 11027



What to do if you observe an entanglement?



REPORT Entangled Whales IMMEDIATELY

1-877-SOS-WHALE (1-877-767-9425) or hail the U.S. Coast Guard on Channel 16

- DO Report** Immediate reporting is critical to give the best chance for response teams to remove life-threatening gear from the whale and gather information to understand where, when and how entanglements occur to prevent future ones. Preventing future entanglements will help preserve our fishery.
- DO Stand By** If possible please stand by and keep sight of the whale. It is difficult and rare to relocate an entangled whale if a boat does not stay with the whale. Stay at least 100 yards away.
- DO Photograph Entangled Whales** WHALE: side view of dorsal fin (or hump); flukes (especially if underside is raised); head; any part of the body where gear may be present. ENTANGLEMENT: buoy(s); tags; lines on the body; trailing lines (including distance from whale); netting or other gear (if present); other gear if present.
- DO Respond Promptly if Contacted** If you are contacted about a whale entangled in your gear, please respond. You can help prevent future entanglements by providing as much information as possible about your fishing gear and practices.
- DO NOT ATTEMPT to disentangle the whale** Removing the easily accessible lines at the surface will leave the life-threatening lines attached to the whale and may make it impossible for responders to detect and remove these. Entangled whales are very rarely in immediate danger of drowning.



Questions?

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