

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE
COASTAL DUNGENESS CRAB INDUSTRY MEETING
September 30, 2019 – Montesano, WA

PROPOSED AGENDA

9:00 am	Introductions/Purpose of the Meeting	Michele Culver
Purpose: To review and discuss proposed rule changes intended to reduce the risk of whale entanglements		
9:15 am	Review Proposed Rule (WAC) Changes and Rationale • Discussion	Heather Hall and Michele Culver
• Review Draft Legislative Change (RCW) for Gear Recovery		
10:30 am	Review Proposed Process and Timeline	Michele Culver
10:45 am	Wrap Up and Next Steps	Michele Culver
11:00 am	Adjourn	

Next Steps

October 18 – FWC Meeting – Briefing and public comment – Natural Resources Building, Olympia

November 6 – Industry meeting and public hearing on proposed rule changes – Montesano City Hall

Jan 2020 – FWC Meeting – Rule adoption

Item # 1: Require only the amount of line necessary (WAC 220-340-430 (6) (a))

(6) Coastal commercial crab fishery line requirements.

(a) All crab pots used in the coastal Dungeness crab fishery

shall be set up to use only the amount of line necessary to compensate
for tides, currents, and weather.

Rationale: Washington coastal Dungeness crab industry members, NOAA entanglement responders, whale researchers, and other participants in the Washington Whale Entanglement Working Group developed “Best Practices Guidelines” that outline practical ways to reduce the risk of entangling whales. One recommendation is to use only the amount of line necessary to compensate for tides, currents and weather because slack line at the surface can increase the risk of entangling whales. This proposed rule change would implement that “Best Practice” recommendation through regulation.

Item # 2: Reduced pot limit (WAC 220-340-480 (5) (a) and (b)

(5) Summer management period - Pot limits. Beginning May 1 through September 15, it is unlawful for a person to deploy or fish more than the specified reduced pot limit assigned to each license. Each pot deployed during the summer management period must possess a summer buoy tag.

- (a) Licenses with a permanent pot limit of 500 will be assigned a reduced pot limit of 330 pots.
- (b) Licenses with a permanent pot limit of 300 will be assigned a reduced pot limit of 200 pots.
- (c) It is unlawful to deploy gear that includes tags other than the summer buoy tag.

Rationale: The intent of these rule changes 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 present off the Washington coast. The rule changes include a pot limit reduction coupled with a new buoy tag requirement to ensure compliance with the reduced 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. Currently, license owners are issued buoy tags at the start of the season, which are required for all of their pots. Buoy tags are season-specific and untagged gear is unlawful. License owners who want to continue to fish after May 1 will need to purchase a reduced number of summer buoy tags, which will be different from the preseason buoy tag, and deploying gear that has tags other than a summer buoy tag will be unlawful.

Item # 3: Replacement buoy tags (WAC 220-340-430

(3) Commercial crab fishery buoy tag requirements.

(A) Coastal crab license holders with a 300-pot limit may replace lost tags according to the following schedule: ((I) Period 1)) March 1 through April 30, up to 10 tags.

((II) Period 2, 5 additional tags with no more than 15 tags total issued through the end of Period 2.))

(B) Coastal crab license holders with a 500-pot limit may replace lost tags according to the following schedule: ((I) Period 1)) March 1 through April 30, up to 15 tags.

((II) Period 2, 10 additional tags with no more than 25 tags total issued through the end of Period 2.)

(C) Replacement tag periods are defined as follows:

(I) Period 1: March 1 through April 30.

((II) Period 2: May 1 through June 30.)) (C) No replacement tags will be issued for the current season after ((July)) May 1.

(D) In the case of extraordinary loss of crab pot gear, the department may issue replacement tags in excess of the amount listed in this subsection on a case-by-case basis.

Rationale: This rule change will remove the second period for replacement tags, which will not be needed with the new requirement for summer buoy tags that will be in place beginning May 1.

Item # 4: Require line marking specific for Washington (WAC 220-340-430 (6) (b) (i) and (ii))

(6) Coastal commercial crab fishery line requirements.

(b) (i) It is unlawful for a coastal Dungeness crab fishery license holder to use line that connects the main buoy to the crab pot that is not marked sufficiently to identify it as gear used in the Washington coastal Dungeness crab fishery.

(ii) Each shellfish pot used in the Washington coastal commercial Dungeness crab fishery must be rigged with line that is marked with 18 inches of red in at least two places. At a minimum, 18 inches of line must be marked in red, no more than one fathom from the main buoy and no more than one fathom from the pot.

Rationale: NOAA's whale entanglement responders have indicated that about half of the confirmed entanglements cannot be attributed to a specific fishery or state because the buoy is missing or the buoy or buoy tag are not sufficiently visible. This makes it difficult to assess whether regulatory changes are effective, identify additional tools to reduce the risk of entanglements, and monitor compliance with state-specific incidental take permits. This proposed rule change would require that line be marked with red in two places—at the top near the buoy and at the bottom near the pot—to identify it as gear from the Washington coastal Dungeness crab fishery. WDFW is coordinating its line marking requirement with the states of Oregon and California to ensure it is unique to Washington, which will help NOAA and WDFW assess the effectiveness of our management tools.

Legislative Item: Derelict gear recovery

WDFW would like to allow gear recovery as soon as May 16th. This would help ensure compliance with the reduced pot limit, provide an incentive for fishers to report and bring in unmarked gear, and prevent excess gear from becoming derelict. However, legislative action is required to revise RCW 77.70.500 to allow WDFW to issue gear recovery permits prior to the close of the regular crab season. Below is an excerpt of RCW 77.70.500 with suggested edits that would allow WDFW to issue gear recovery permits earlier.

RCW 77.70.500

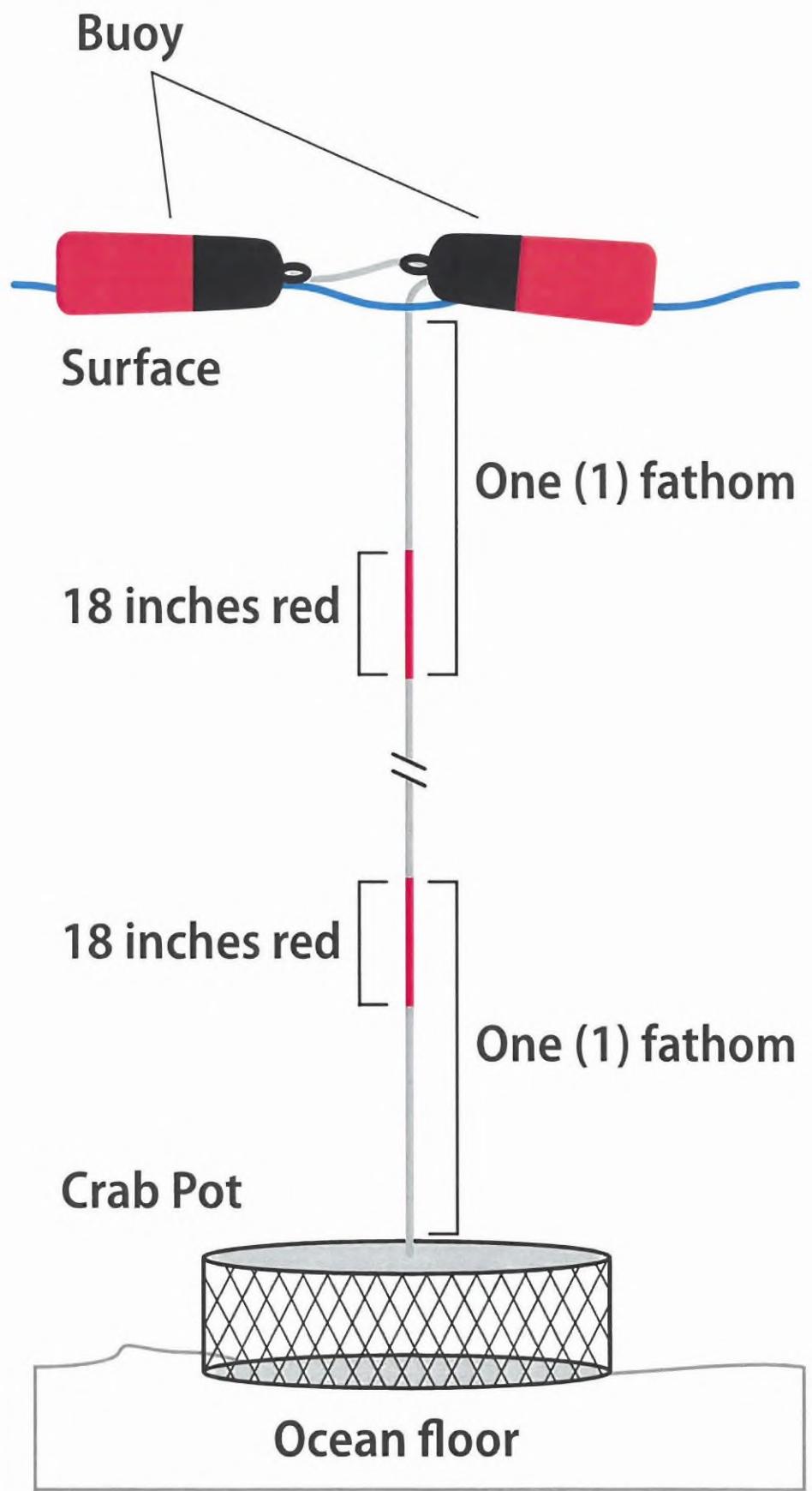
Crab pot removal permit—Shellfish pot removal permit—Rules—Penalty.

(1)(a) As part of a coastal commercial Dungeness crab pot removal program, the department shall issue a crab pot removal permit that allows the participants in the Dungeness crab-coastal fishery created in RCW 77.70.280 to remove crab pots belonging to state commercial licensed crab fisheries from coastal marine waters after the close of the primary commercial Dungeness crab-coastal harvest season, regardless of whether the crab pot was originally set by the participant or not.

(b) Beginning fifteen days after the close of the primary commercial Dungeness crab-coastal harvest season, any individual with a current commercial Dungeness crab-coastal license and a valid crab pot removal permit issued by the department may remove a crab pot or crab pots used to harvest Dungeness crabs remaining in coastal marine waters after the close of the primary commercial Dungeness crab-coastal harvest season.

(c) In cooperation with individuals with a current commercial Dungeness crab-coastal license, the department may expand the coastal commercial Dungeness crab pot removal program to those areas closed to commercial Dungeness crab harvest prior to the end of the primary season and during the summer fishery from May 1 through September 15.

(d) Nothing in this section prohibits the department from exempting certain crab pots from the coastal commercial Dungeness crab pot removal program or from restricting crab pot removal activities to specific geographic areas.



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Montesano
City Hall

9/30/19

Meeting place/ room

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