

**Concise Explanatory Statement (CES)  
Amending Recreational Crab Rules**

**Rules amended as part of this rule making:**

WAC 220-330-040 Crab – Areas and seasons – Personal

**A. Reasons for adopting the rules:**

The purpose of this rule change is to reduce gear conflict with the coastal recreational and commercial Dungeness crab fishery. Under current regulations, the recreational and commercial fisheries open on December 1. In addition, the commercial sector is allow to put pots in the water on November 28, 73 hours prior to opening. Allowing the recreational crab pot fishery to open two weeks earlier in Willapa Bay, on November 15, would reduce gear conflict and provide recreational anglers with the opportunity to access fishing areas that are common to both commercial and recreational fisheries prior to the date when commercial crab gear goes in the water. The proposed changes will reduce gear conflict and provide some additional access to coastal Dungeness crab and will not negatively affect the resource.

**B. Difference between the text of the proposed rules and the text of the rules as adopted:**

The rule as adopted limits the scope of the geographic area where the proposed change would be implemented to Willapa Bay only compared to the proposed rule, which would have implemented the change to all coastal Marine Areas excluding the Columbia River.

**C. Summary of comments and WDFW response and consideration for the comments:**

This issue was brought to the attention of WDFW managers through a petition to the Fish and Wildlife Commission requesting a change to current regulations that describe the opening of the recreational Dungeness crab season on the coast. In order to better facilitate a public process, WDFW staff worked with the petitioner to consider the proposed changes through the typical Commission process. This allowed WDFW staff to communicate the concerns and proposed changes with members of the Coastal Dungeness Crab Advisory Board at meetings this past spring and summer.

WDFW staff met again with the Coastal Dungeness Crab Advisory Board (Advisory Board) on October 10, 2018 following the September 14, 2018 Commission briefing. The Advisory Board reiterated their position that there is sufficient recreational crab fishing opportunity under current regulations given the opportunity for recreational anglers to use ring nets year round in coastal areas. In addition, they expressed concerns with how the proposed changes might affect state/tribal harvest sharing, catch accounting and potentially lead to expansion of commercial and recreational allocation issues.

WDFW staff also received a letter from the Quinault Indian Nation with questions about the earlier opening of the recreational fishery and how that might affect catch accounting and how that might potentially affect state/tribal harvest sharing.

In response to the concerns raised by the Advisory Board and the Quinault Indian Nation, WDFW scaled back the original proposal to shift the opening date from December 1 to November 15 in Willapa Bay only, which is not subject to state/tribal harvest sharing agreements. This revision would address any tribal catch sharing issues while still addressing the proposed need for recreational anglers in the Willapa Bay. The Advisory Board agreed that restricting the geographic scope of the change to Willapa Bay only would be a reasonable approach.