



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (August 2017)**  
**(Implements RCW 34.05.310)**  
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: April 30, 2019

TIME: 9:22 AM

WSR 19-10-059

**Agency:** Washington Department of Fish and Wildlife (WDFW)

**Subject of possible rule making:** WAC 220-340-430 Buoy tag, pot tag, and buoy requirements

WAC 220-340-435 Shellfish pot requirements

WAC 220-340-440 Commercial crab gear – Possession of another’s gear and tag tampering

WAC 220-340-450 Commercial crab fishery – Seasons and areas – Coastal

WAC 220-340-480 Commercial crab fishery – Gear limits – Coastal

WAC 220-340-490 Commercial crab fishery – Coastal gear recovery permits

**Statutes authorizing the agency to adopt rules on this subject:** RCWs 77.04.012, 77.04.055, 77.12.045 and 77.12.047.

**Reasons why rules on this subject may be needed and what they might accomplish:** Changes to coastal commercial Dungeness crab rules are needed to implement regulatory measures that will reduce the risk of crab pot gear entanglements with humpback whales.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** Coastal commercial Dungeness crab is managed by WDFW but includes management coordination with Oregon and California through the Tri-State Dungeness Crab Committee, which is facilitated under the umbrella of the Pacific States Marine Fisheries Commission. The Tri-State D.Crab Committee does not have regulatory authority but will be notified regarding changes that affect Oregon and California.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

	(If necessary)
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Additional comments:

**Date:** April 29, 2019

**Name:** Scott Bird

**Title:** Rules Coordinator

**Signature:**

