



Fish and Wildlife Commission Presentation Summary Sheet

Meeting date:

9/26-27/2024; Fish Committee, Fish and Wildlife Commission

Agenda item:

Coastal Dungeness Crab Policy C-3604

Presenter(s):

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BACKGROUND SUMMARY

We are proposing to update the Fish and Wildlife Commission policy that serves as the framework for coastal Dungeness crab management. Department management of the coastal Dungeness crab fishery has been well served for 25 years by Fish and Wildlife Commission Policy number C-3604. While the policy remains robust to meeting the ongoing matters faced by the fishery, it needs updating to incorporate guidance on three emergent issues described below the Department has been actively addressing.

- **Reduce marine life entanglement risk:** The proposed revisions update the policy to recognize and support the need to seek an Incidental Take Permit (ITP) and address marine life entanglement risk (focused on humpback whales, blue whales, and leatherback sea turtles) in the coastal Dungeness crab fishery. Pursuant to ESA, the Department is preparing the ITP application which includes a required Conservation Plan (CP).
- **Recreational fishery management:** The proposed revisions add language in support of management of the recreational fishery. Recreational Dungeness crab opportunity has been managed through regulations for seasons, gear, and harvest limits. Recently WDFW implemented an intensive monitoring program to generate estimates of coastal recreational harvest. This crabber interview program will enhance our understanding of this fishery and aid us in evaluating whether management measures are consistent with treaty/non-treaty fair-sharing of the resource.
- **Climate-resiliency:** The proposed revisions incorporate support for climate-resiliency/adaptive management. A legislative proviso is funding a new Climate and Ecosystem research scientist. This position will evaluate research on fishery adaptation to climate change and whether and how

that information can be used to guide practical applications. We expect the incumbent to provide expert scientific advice for addressing marine life entanglements in the coastal Dungeness crab fishery and other state-managed fisheries, and on climate driven processes (e.g., species distribution changes, ocean acidification, harmful algal blooms) to inform the development and evaluation of management actions, fishery monitoring programs, and plans.

Coastal Dungeness Crab Fishery Description

The coastal Dungeness crab fishery spans the entire 157 miles of Washington’s Pacific coastline, including the estuaries of Grays Harbor, Willapa Bay, and the Columbia River. Primarily operating during the winter and spring, the commercial sector produces the majority of the state's Dungeness crab harvest. The recreational fishery is also important, offering year-round opportunities. The fishery is most productive in winter when male crab have recovered from their primary molt, however weather and ocean conditions can be prohibitive to participation except by larger vessels.

The coastal commercial Dungeness crab fishery is the most economically significant fishery on Washington's coast, with an average annual ex-vessel value of approximately \$32.6 million (1990-91 through 2022-23 seasons; \$46.1 million inflation-adjusted, 2023 dollars) and a high of \$88 million in the 2021-22 season (\$91.8 million inflation-adjusted, 2023 dollars; Figure 1). During the 2022-23 season, Dungeness crab represented 71.69% of the total value of Washington’s coastal fisheries, outpacing the value of all other coastal finfish, groundfish, and shellfish fisheries combined (Figure 2).

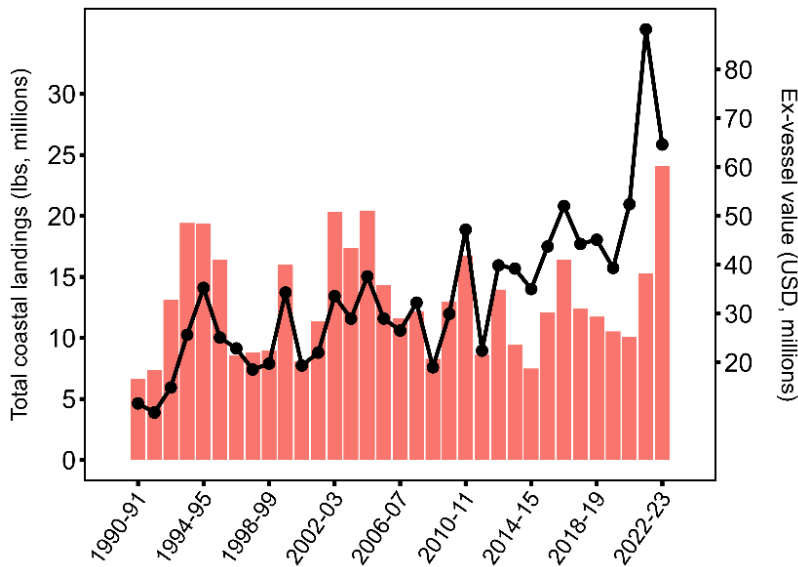


Figure 1. Coastal Non-Treaty Commercial Dungeness Crab landings (pounds, millions) and Ex-vessel Value (\$USD, millions), 1990-91-2022-23 seasons.

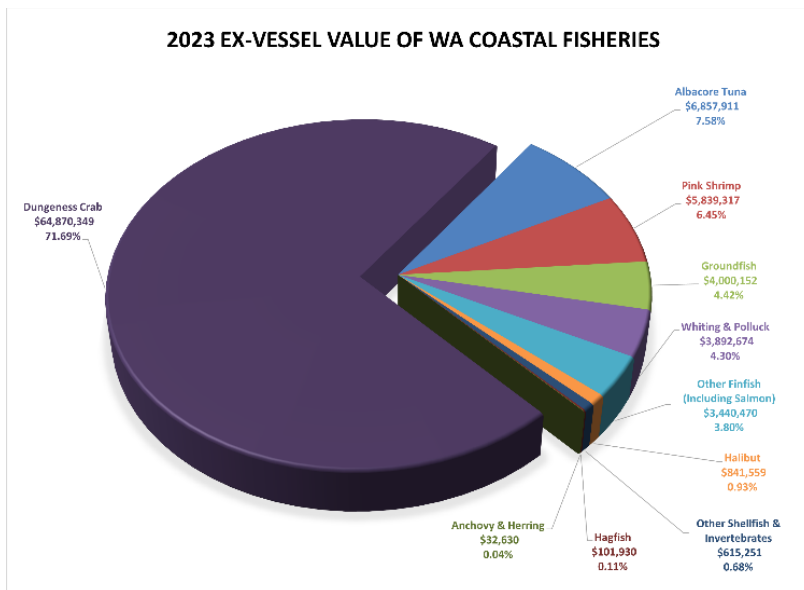


Figure 2. Comparison of Coastal Non-treaty Commercial Fishery Ex-vessel Values, 2023 (USD).

The Washington coastal Dungeness crab resource has long been observed to experience significant cyclic fluctuations in abundance. The fishery has sustained harvest through these cycles suggesting the fluctuation in abundance is likely governed by a variety of climate and oceanographic factors affecting crab larval life history dynamics more than fishing pressure. The common fishery management strategy to protect the health and reproductive vitality of the crab resource is known as the “3-S” strategy, which stands for “size, sex, and season.” This management approach is utilized for crustacean fisheries around the world. It is used all along the West Coast and has been in place in Washington for approximately 70 years. The strategy is based on a minimum size limit, prohibition of harvest of female crab, and a season closure during the primary male molt period.

- **Size:** The minimum size limit allows male crabs to sexually mature and mate at least once before reaching legal harvestable size, thereby helping to ensure a perpetual breeding stock. The commercial minimum size is 6 ¼ inches. The recreational harvest minimum carapace width is 6” along the Pacific Ocean, Grays Harbor, and Willapa Bay, and 5 ¾” in the Columbia River. The smaller sport minimums provide recreational crabbers exclusive access to a segment of the crab population.
- **Sex:** Harvest of female crab is prohibited, which also helps ensure a perpetual breeding stock.
- **Season:** The commercial fishing season is closed in the fall (September 16 through November 30) to coincide with recruitment molting. Freshly molted soft-shelled crabs often yield very little meat and are particularly vulnerable to mortality from handling and sorting during normal fishing operations. This seasonal closure protects these soft-shelled crabs and allows them time to grow into their new carapaces.

The recreational fishing season is open year-round in all coastal marine areas for certain gear types that lie flat, e.g. snares, foldable/collapsible traps, and ring nets (that lie completely flat).

The use of crab pots is not allowed September 16 through November 14 in Willapa Bay and from September 16 through November 30 for Marine Areas 1-3 and 4 (west of Tatoosh-Bonilla line) and Grays Harbor to reduce the mortality of soft-shell crab. The Columbia River is open year-round to all gear types.

While “3-S” serves as the foundation for resource protection, management of the commercial fishery is further accomplished through a robust set of statutory and regulatory measures. Implemented progressively since the 1990’s, measures have capped and reduced fishing capacity by limiting participation (license limitation) and the amount of gear used through total and seasonal pot limits. In contrast, monitoring capacity of the commercial fishery has expanded significantly through the use of pot and buoy tags (identifies owner), line marking (identifies origin of gear to Washington Dungeness crab) and replacing paper documents with electronic equivalents making fishery catch and vessel/pot location data available more immediately available to managers. A non-comprehensive list below highlights some major programs and their features. Additional regulations not described here are also in place to address conservation, and orderly and safe fisheries.

- Limited Entry License Program – Legislation fully implemented by 1996 capped the number of licenses to 225. The number of licenses is now 223.
- Pot Limitation Program – A license is assigned 500 or 300 pots depending on historical participation.
- 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)
- Measures to monitor and mitigate biotoxin impacts - 2015
- Electronic Catch Reporting – Real time reporting of landings via landing receipts “fish tickets”
- Summer Pot Reduction Program – Reduce lines in water when whales more likely to be present, effective May 1, 300-pot licenses may not use more than 200 pots and 500-pot licenses may not use more than 330 pots
- Electronic Monitoring Program – Replaced paper logs, provides high resolution fishing activity information including pot-level location data.
- Line Marking – Each vertical line marked in a manner distinctive to WA coastal D. crab
- Recreational Fishery Sampling Program (new) - Recreational effort and catch monitoring began in 2023 with funding from the Washington legislature. The recreational crab sampling program monitors crabbing effort and catch at coastal crabbing sites and collected data will be utilized to develop catch estimations from popular crabbing sites surrounding Grays Harbor, Willapa Bay, and the Columbia River.

COASTAL DUNGENESS CRAB POLICY

The coastal Dungeness crab policy, articulated through these regulations and programs, provides a strong conservation framework for management of the coastal fishery. The proposed updates to the policy for consideration under this action maintain the strength of the policy framework that places conservation foremost and respond to new conservation and management needs. Upholding the policy’s framework

ensures we continue to manage sustainably into the future and realize the maximum economic benefit from the coastal Dungeness crab fishery which provides vital support to the communities on Washington's coast.

Presented below are the current policy in its original structure and the proposed policy that modernizes the format and addresses the new needs. Modernizing the format expresses the policy as a set of values and guidelines while retaining the original policy's intent which is presented more as a series of outcomes. The current and proposed policy structures do not lend themselves to the traditional underline/strikeout format when providing edits for comparison. Here, text in the proposed policy that addresses the new needs or elements is underlined.

Current Policy

Goals

- To protect the reproductive capacity of the stock.
- To involve the commercial fishing industry representatives in the management of the fishery.
- To protect public health.
- To maximize the economic benefit from the resource.
- To adopt regulations which seek to achieve safe and orderly fisheries.
- To provide a sustainable Dungeness crab fishery of high-quality product consistent with the "even flow" legislative mandate.
- To provide support to industry buyback initiatives.
- To protect Dungeness crab habitat.

Policies

- Comply with the federal court order relative to treaty/non-treaty sharing of coastal shellfish resources
- Manage the fishery to primarily benefit the commercial fishery.
- Cooperate with other states' fish and wildlife agencies.
- Seek to achieve a fair and equitable distribution across industry sectors of the effects resulting from the design and implementation of "even flow" management measures.
- Manage the coastal Dungeness crab fishery consistent with the preferred alternative in the Even Flow Harvest Management Plan.

Proposed Coastal Dungeness Crab Policy

The Washington Department of Fish and Wildlife (Department) shall promote a healthy and sustainable population of Dungeness crab and work cooperatively with the Tribal Co-Managers in structuring management measures to ensure a healthy, sustainable resource and fishery that achieve Treaty/Non-treaty fair sharing of the harvestable resource.

The management intent is to provide for the economic viability of the coastal Dungeness crab resource, implement measures consistent with addressing entanglement risks to marine life and for the

Department to work collaboratively with partner state and federal agencies and fishery stakeholders to promote shared stewardship.

The Department will articulate goals, objectives, and strategies consistent with this policy and its guidelines through the Coastal Dungeness Crab Fishery Management Plan and Coastal Dungeness Crab Conservation Plan.

Policy Guidelines

- Protect the reproductive capacity of the stock.
- Protect Dungeness crab habitat.
- Achieve and maintain federal coverage for ESA listed marine mammal impacts in the coastal fishery.
- Investigate and consider climate-resilient management measures.
- Involve commercial and recreational fishing representatives in the management of the respective sectors of the fishery to address crab fishery issues.
- Adopt regulations which promote safe and orderly fisheries.
- Implement measures that ensure the safety and health of consumers and the public.
- Manage the fishery to maximize economic benefits from the Dungeness crab resource for the commercial sector while also providing recreational opportunities.
- Consistent with the legislative “even-flow” mandate, achieve high quality product and strive for a fair and equitable distribution of the impacts and benefits from management measures across commercial industry sectors.
- Provide administrative support for industry-led programs aimed at reducing fishing capacity (e.g., “buy-back”) and enhancing sustainability.

Staff recommendation:

Staff recommend the Commission adopt the *Proposed* Coastal Dungeness Crab policy for public review.

Policy issue(s) and expected outcome:

In updating the policy, the Commission signals support for and guidance to the Department to pursue and implement management strategies that address the identified emergent needs consistent with the mandate to preserve, perpetuate, and protect the resource and provide for sustainable commercial and recreational opportunity.

Fiscal impacts of agency implementation:

None

Public involvement process used and what you learned:

Staff met with the Coastal Dungeness Crab Advisory Board on July 22 and August 22 to brief them on the purpose and need for the action and to share draft policy language for discussion. All Washington coastal crab fishery license holders and alternate operators received the draft policy in advance of a public meeting held on September 5, 2024.

A shared sentiment of commentors was the current policy has been very successful and the fishery has been sustainably managed under it. Commentors expressed support for ongoing measures related to marine life entanglement risk consistent with federal ESA and MMPA requirements. Commentors were cautious about the addition of language related to climate-resiliency noting the need to provide for the evaluation and consideration of appropriate measures. Comments were strongly supportive of maintaining current policy language regarding managing for economic benefit of the commercial fishery given the importance of the fishery to coastal communities. Comments acknowledged the need for managers to engage with the recreational sector and support for maintaining the commercial advisory board structure since it is viewed as very successful and productive. Staff considered these comments and feedback in developing the *Proposed* Dungeness crab policy.

Action requested and/or proposed next steps:

At this meeting the Commission is asked to adopt the *Proposed* Dungeness Crab policy for public review. This agenda item is scheduled as a hearing at the Commission’s October meeting. The Commission will receive a staff report and public comment at the October meeting.

Draft motion language:

I move the *Proposed* Coastal Dungeness Crab Policy be approved for public review and comment.

Post decision communications plan:

The *Proposed* Coastal Dungeness crab policy for public review will be made available on the WDFW Dungeness crab webpage, shared by mail with commercial fishery participants, and at a public townhall meeting prior to the hearing scheduled for the Commission’s October meeting. A public online portal will be included on the crab webpage for the public to provide comment.