



PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF A STATE ADMINISTRATIVE RULE

Print Form

In accordance with [RCW 34.05.330](#), the Office of Financial Management (OFM) created this form for individuals or groups who wish to petition a state agency or institution of higher education to adopt, amend, or repeal an administrative rule. You may use this form to submit your request. You also may contact agencies using other formats, such as a letter or email.

The agency or institution will give full consideration to your petition and will respond to you within 60 days of receiving your petition. For more information on the rule petition process, see Chapter 82-05 of the Washington Administrative Code (WAC) at <http://apps.leg.wa.gov/wac/default.aspx?cite=82-05>.

CONTACT INFORMATION *(please type or print)*

Petitioner's Name Martin F Chen, Ph.D. CDFW and WDFW retired, Past President and Board Member

Name of Organization South Sound Chapter of Puget Sound Anglers

Mailing Address [REDACTED]

City Olympia State WA Zip Code 98512

Telephone [REDACTED] Email [REDACTED]

COMPLETING AND SENDING PETITION FORM

- Check all of the boxes that apply.
- Provide relevant examples.
- Include suggested language for a rule, if possible.
- Attach additional pages, if needed.
- Send your petition to the agency with authority to adopt or administer the rule. Here is a list of agencies and their rules coordinators: <http://www.leg.wa.gov/CodeReviser/Documents/RClist.htm>.

INFORMATION ON RULE PETITION

Agency responsible for adopting or administering the rule: WDFW

1. NEW RULE - I am requesting the agency to adopt a new rule.

The subject (or purpose) of this rule is: _____

The rule is needed because: _____

The new rule would affect the following people or groups: _____

2. AMEND RULE - I am requesting the agency to change an existing rule.

List rule number (WAC), if known: 220-330-040 Crab Permanent Rules and 220-330-04000S Emergency Rules

- I am requesting the following change: Change the complete closure of MA13 to all crabbing to allow sport red rock crab harvest north and west of a line between Johnson Pt (47°10'01.2"N, 122°48'53.3"W) and Devil's Head (47°10'01.2"N, 122°46'01.5"W). This is the same line used to regulate Chum
- This change is needed because: All other open MA's allow red rock crab harvest, with no catch recording. WDFW 2023 survey data show red rock crab are approximately 10 times more abundant than Dungeness crab at Zangle Cove, the only sample point included in the proposed new
- The effect of this rule change will be: This rule protects rebuilding Dungeness crabs in the Nisqually Reach, and prevents mortality of Dungeness by not allowing pots. This rule allows harvest of red rock crab which are historically and currently abundant and which has been closed for 7 years.
- The rule is not clearly or simply stated: See attached for WDFW enforcement opinion, Squaxin Tribe opinion and PSA statewide endorsement of this proposal. See attached signatures in support of this petition. See attached Powerpoint with map and WDFW sampling data regarding this

3. REPEAL RULE - I am requesting the agency to eliminate an existing rule.

List rule number (WAC), if known: _____

(Check one or more boxes)

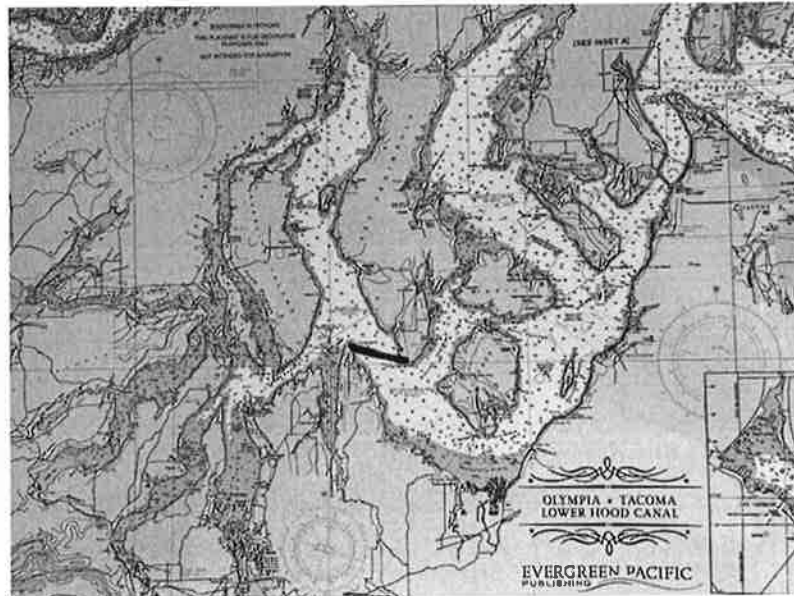
- It does not do what it was intended to do.
- It is no longer needed because: _____
- It imposes unreasonable costs: _____
- The agency has no authority to make this rule: _____
- It is applied differently to public and private parties: _____
- It conflicts with another federal, state, or local law or rule. List conflicting law or rule, if known: _____
- It duplicates another federal, state or local law or rule. List duplicate law or rule, if known: _____
- Other (please explain): _____

Area 13 Red rock crab only season proposal. Please sign the petition!
7 years of closure is enough!



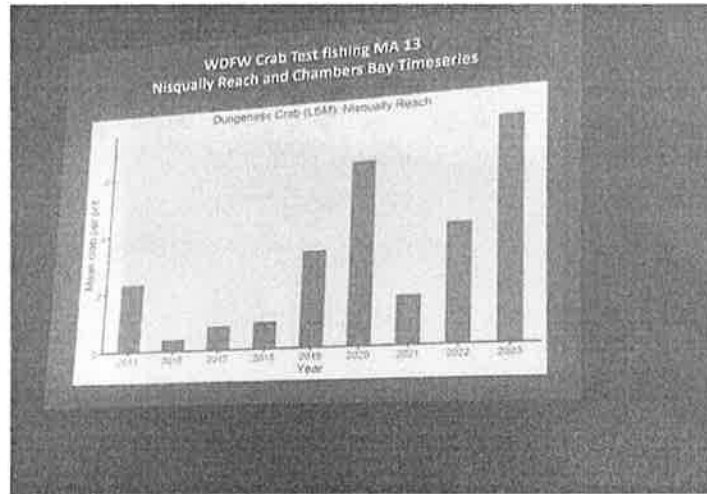
1

Area proposed for MA 13 rock crab season: west of a line between Johnson Point and Devil's Head.



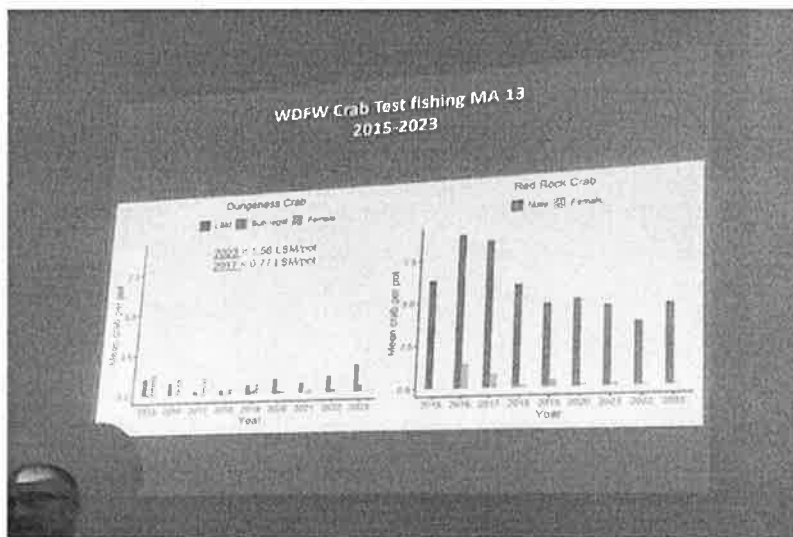
2

Area 13 has been closed to all recreational crabbing since 2018 due to declining abundance and catch of Dungeness crab. Recent sampling indicates a possible recovery may be starting especially off the Nisqually Delta (WDFW data)



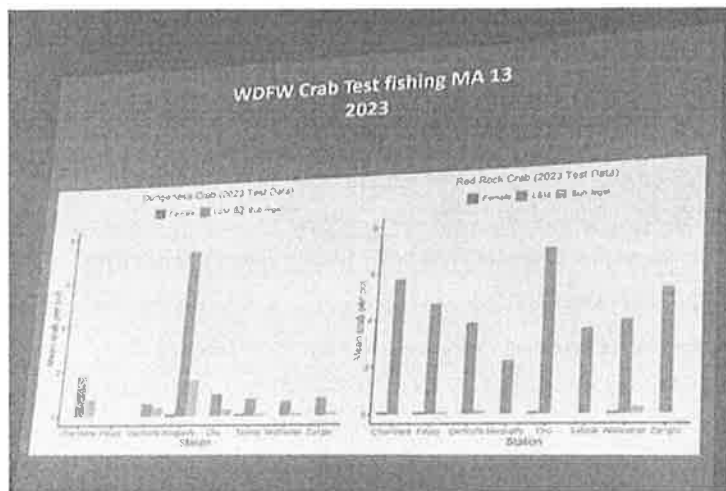
3

Red rock crabs also declined from 2012-2017. However they are more abundant than Dungeness. Red rock crab greatly outnumber Dungeness in MA 13, currently and historically.



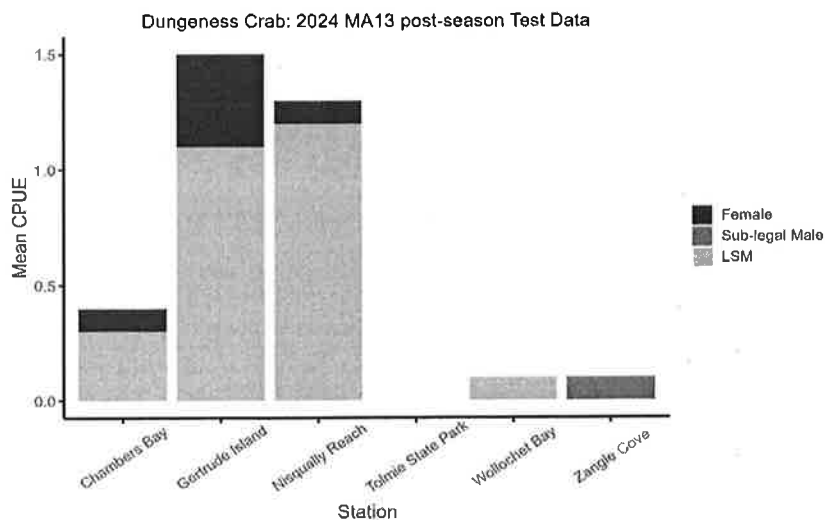
4

WDFW test pot sampling only goes as far west as Zangle Cove near Boston Harbor. This is near the limit of the Dungeness range but misses a large area of rock crab abundance. Legal rock crab outnumber legal Dungeness by 10:1 at Zangle Cove



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2024 WDFW MA 13 crab survey shows very low Dungeness numbers in the proposed red rock zone.



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Proposed: MA 13 red rock only season to coincide with MA 9-10 crab seasons. Open west of a line between Johnson Point and Devil's Head. Hand, Dipnet, Rings and crab snares only, daily limit 5 crab 5 inches and over.

- ▶ Avoids the area of historical abundance of Dungeness and rebuilding Dungeness population.
- ▶ Similar season and limits to other MA's to keep regs simple. 5 inch minimum excludes most female crabs.
- ▶ Opens a very large area with a lot of shoreline and shallow waters. Borders Mason, Thurston, Pierce Counties
- ▶ Support shellfish industry in Totten and Eld Inlets and Oakland Bay by harvesting clam predators.
- ▶ Hand, Dipnet, Rings and snares only would further reduce impacts on Dungeness and simplify enforcement.

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Recruit, Retain and Reactivate Anglers

- ▶ This doesn't attract the big boat crowd with power pullers. That's OK, we don't have the ramps to accommodate them.
- ▶ It does favor younger less affluent anglers with kayaks, small boats and those crabbing from beaches, private docks and public piers. This is how many anglers get their start.
- ▶ It does foster passing on a tradition of summer crabbing – parents or grandparents can take kids out and crab.
- ▶ Restores a lost recreational opportunity – most of MA 13 was red rock crabbing anyway.
- ▶ Shoreline property owners and communities should welcome this season.

Will require a PS crab endorsement but now there will be a local opportunity.

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This proposal has been sent around!

- ▶ Scott Stelzner, representing the Squaxin Tribe responded that the Tribe would not oppose this proposal (email of 11/20/23)but would like to see state enforcement effort.
- ▶ The Nisqually Tribe was sent the proposal twice but did not respond.
- ▶ WDFW Enforcement: Captain Dan Chadwick responded that the proposed red rock only season would be challenging but would be doable (email 6/13/23).
- ▶ This proposal received the unanimous endorsement of the Statewide PSA chapter representatives at the December 2023 meeting.
- ▶ This proposal has 94 signatures asking that the petition be passed by the WDFW Commission.

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WDFW's current position (2024)

- There is no way to record the red rock catch (But there is no red rock crab harvest recording anywhere in MA's 1-12).
- We should wait until the electronic (phone app) catch recording is in place before opening any new season. (But the new app will only be for Dungeness, meanwhile red rock harvest will continue in all other MA's 1-12 while the app awaits further development to include red rock. Firm date for red rock e catch recording: none).
- WDFW will continue this policy of selectively penalizing people who live near MA13 (Olympia, Lacey, Shelton, Tumwater) because there's no phone app.
- To it's credit, WDFW has been very open in sharing and presenting sampling data, policy goals and other information from which the petition was developed.

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What do other states do about red rock crab?

- Oregon: Daily limit of 24 red rock crab, any size, any sex
- California: To protect rebuilding Dungeness in San Francisco Bay, red rock crab harvest only, no pots allowed, daily limit 36, minimum size 4 inches.
- The MA13 red rock proposal supports the current daily limit of 6, 5 inch minimum size. The 5 inch minimum protects female red rock crab as they seldom reach that size.