



## WDFW Permitted Stray and Abandoned Gear Recovery Program.

In 2009 WDFW implemented a state supported Permitted Stray and Abandoned Gear Recovery Program. This program provides fishers who hold a Washington State commercial crab fishing license the opportunity to request a permit from WDFW that allows them to recover and retain any pots remaining in the ocean following the close of the commercial fishing season. This permitted program required action by the state legislature to modify long-standing lost property statutes in Washington State law and provides some incentive for fishers to recover abandoned pots by allowing them to keep the gear recovered.

This permit, when issued by the WDFW to a coastal commercial Dungeness crab license owner, allows for the recovery and retention of commercial Dungeness crab gear owned by Washington state licensed fishers in the specified areas and at times outlined below. Failure of the license owner or alternate operator to abide by the terms of this permit will result in termination of the provisions authorized.

### Permit Conditions:

- Recovery operations are restricted to the waters between 46° 15 North Latitude and the Washington-Canada border (the borders of WA state).
- This permit must be on board the vessel at any time crab pot recovery work is being conducted or anytime crab pots that do not belong to the license owner are on board.
- WDFW staff must be notified 24-hours prior to the vessel leaving the dock and at least 2-hours prior to returning to the dock following a gear recovery operation even if no gear was recovered during the trip. Notification can be made by calling a WDFW Enforcement Sergeant.
- All pots recovered during permitted gear recovery must remain on the vessel and remain in the condition it was recovered until the gear is registered and tagged by WDFW. Tampering with recovered gear, including removing pot tags, buoys or other markings prior to registering the gear will result in termination of this permit.
- No fishing gear belonging to tribal fishers can be recovered.
- Accurate and complete data records must be collected and provided to the Department upon returning with recovered gear. A gear recovery log book is provided with the recovery permit.
- It is unlawful to retain crab during the closed season, WAC 220-52-040, all crab caught must be immediately returned to the ocean.

WDFW Permitted Dungeness Crab Gear Recovery		
Permit Season	Permits Issued	Recovered Pots
2009	8	372
2010	15	512
2011	6	70
2012	19	914
2013	12	165
2014	11	564
2015	8	228
2015	19	650
Total		3,475

## 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.

(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.

## WAC 220-340-490

### **Commercial crab fishery—Coastal gear recovery permits.**

(1) **Emergency coastal crab gear recovery permit.** Emergency permits are granted on a case-by-case basis to allow crab fishers to recover shellfish pots that were irretrievable at the end of the lawful season opening due to extreme weather conditions. The director or director's designee may grant an emergency coastal crab gear permit once a commercial crab season is closed. Crab fishers must notify and apply to the department's enforcement program for such emergency permits within 24 hours prior to the close of the commercial crab season.

(2) **Coastal crab gear recovery permit.** 15 days after the close of the primary coastal commercial crab season, the director or director's designee may grant a coastal crab gear recovery permit for licensed coastal Dungeness crab fishers to recover crab pots that remain in the ocean and belong to state licensed fishers.

(3) It is unlawful to fail to follow the provisions of a coastal crab gear recovery permit. Violation of this section is a misdemeanor, punishable under RCW [77.15.750](#) Unlawful use of a department permit—Penalty.

[Statutory Authority: RCW [77.04.012](#), [77.04.013](#), [77.04.020](#), [77.04.055](#), and [77.12.047](#). WSR 17-05-112 (Order 17-04), recodified as § 220-340-490, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW [77.04.012](#), [77.04.013](#), [77.04.055](#), [77.12.045](#), and [77.12.047](#). WSR 12-23-016 (Order 12-267), § 220-52-044, filed 11/9/12, effective 12/10/12.]



**2016 COASTAL DUNGENESS CRAB GEAR REMOVAL PERMIT**

Permit Valid Dates	
License Owner	<b>FOR EXAMPLE ONLY</b>
Vessel Operator	
Alternate Operator	
Vessel Name	
Geographic* Restrictions	
Permit Authorized by	

*I understand and agree to abide by the terms of this permit and acknowledge that failure to do so will result in immediate termination of the provisions of this permit.*

Signature (license owner) \_\_\_\_\_

Date \_\_\_\_\_

Signature (alternate operator) \_\_\_\_\_

Date \_\_\_\_\_



