

March 4, 2002

The Honorable Fritz Hollings, Chairman
United States Senate Committee on
Commerce, Science, and Transportation
Room SD-508
Washington, DC 20510-6125

The Honorable James V. Hansen, Chairman
Committee on Resources
U.S. House of Representatives
1324 Longworth House Office Building
Washington, D. C. 20515-6201

Dear Sirs:

As requested in Section 624(b) of P.L. 107-77, please find enclosed a report on the health and management of the Dungeness crab fishery located off the coasts of the States of Washington, Oregon, and California.

Sincerely,

Randy Fisher
Executive Director

enclosure

The Pacific Coast Dungeness Crab Fishery

by

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Submitted to the

**Committee on Commerce, Science, and Transportation
of the United States Senate**

and

**Committee on Resources
of the United States House of Representatives**

by

The Pacific States Marine Fisheries Commission

March 2002

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The Pacific Coast Dungeness Crab Fishery

Fishery Statistics

Landings of Dungeness crab (*Cancer magister*) in the coastal fisheries of California, Oregon, and Washington (excluding the inland waters fishery of Puget Sound) have maintained a cyclic pattern for nearly 50 seasons (Figure 1). Harvests since have ranged between 8 million and 54 million pounds, and peak approximately every ten years. Since the 1990-91 season coastwide annual landings have averaged 32.8 million pounds, of which 30% were landed in California, 32% were landed in Oregon, and 38% were landed in Washington (Table 1). The greatest volume of landings generally occurs shortly after the major coastal season opens on December 1. The seasonal weighted ex-vessel price of Dungeness crab during the 1990-91 through 2000-01 seasons averaged \$1.63 per pound, with monthly weighted averages ranging between \$0.50 and \$4.12. Prices generally trend higher during the middle of the season on declining volume, and fall toward the end of the season as crabs approach the molt and quality becomes more variable (Figure 2). The total annual ex-vessel value of the fishery since the 1990-91 season has ranged between \$31.7 million and \$84.4 million annually.

The total number of vessels landing in each individual state has increased historically (Table 2), but since the 1981-82 season the number of coastwide participants has remained relatively stable between 918 and 1,303 vessels (Table 3). The number of participating vessels coastwide peaked during the 1991-92 season and has slowly declined in recent seasons. All agencies do not currently estimate the numbers of pots or traps used in the fishery, but for those that do (WA and OR) the number has increased over time (Table 4). During the 2000-2001 season Washington implemented a two-tiered pot limit for all fishers operating adjacent to its coast (see Appendix B) as part of an Even-Flow Harvest Management Plan.

Regulatory Process

Regulations governing the Dungeness crab fishery on the Pacific Coast are implemented by both the legislatures and by the administrative branches of the affected states. License requirements, fees, and limitations on entry generally require legislative action. These regulations are found in the Revised Code of Washington (RCW), the Oregon Revised Statutes (ORS), and in California's Fish and Game Code. In Washington and Oregon, permanent regulations concerning the time, place, and conduct of the coastal crab fishery are administrative rules adopted by the state's Fish and Wildlife Commission (i.e., the Washington Administrative Code [WAC] and the Oregon Administrative Rules [OAR]). Washington's Commission has also adopted a Coastal Dungeness Crab Fishery Management policy that guides its resource agency's staff in developing management strategies for coastal crab. In California, however, the state Legislature has generally retained authority for regulating most aspects of the commercial Dungeness crab fishery. Only a few administrative regulations dealing with destruction devices and gear marking in the crab fishery (Appendix B) are found in the California Code of Regulations (CCR).

In Washington, the state's resource agency (the Washington Department of Fish and Wildlife) is also co-manager of the coastal Dungeness crab fishery with four coastal treaty tribes. Part of the co-management structure involves the development of pre-season harvest management plans

with each of the tribes. The Washington Fish and Wildlife Commission has delegated certain rule-making authority to the agency Director for all emergency rules, permanent rules that are a product of state/tribal management plans, and emergency and permanent rules pertaining to the harvest of fish and wildlife in the Exclusive Economic Zone by vessels or individuals registered or licensed under the laws of the State.

Management Structure

Dungeness crab fisheries in California, Oregon, and Washington are managed under a regimen known as “3-S” (i.e., size-sex-season). Only male Dungeness crab are harvested commercially, and the minimum commercial harvest size is 6.25 inches, measured by the shortest distance across the back immediately in front of the lateral spines. With only a few exceptions, the states open their coastal seasons on December 1 to spread the initial effort throughout the region (Table 5). The minimum size limit is designed to protect sexually mature crab from harvest for one or two seasons, and season scheduling is designed to provide some measure of protection to crabs during times when molting takes place. State managers do not make pre-season forecasts of stock abundance, and harvest levels are based on recruitment into acceptable harvest categories.

This basic management structure has been stable over time. California implemented regulations prohibiting the sale of female Dungeness crabs in 1897, followed by Washington in 1927 and by Oregon in the late 1940s. Minimum size regulations were first implemented by California in 1903, and have remained substantially unchanged since 1911. Washington adopted a 6.25-inch size limit in 1927, and all three states standardized methods of measurement in the mid-1960s. Season opening dates have generally remained the same since the late 1960s.

Although independent administrative processes are used in each state to adopt the regulations governing the fishery, the resulting regulations are generally consistent. An interstate Memorandum of Understanding (MOU), first signed in 1980 and subsequently amended (Appendix A), committed the state management agencies to take mutually supportive crab management actions. In addition to the basic regulatory structure, all states require 4.25-inch diameter escape rings located on the top or sides of all pots or traps, some form of biodegradable escape mechanism, and identifying marks on pot buoys. All states generally allow some time before the season opens during which baited pots may be placed on the fishing grounds but no crabs may be removed or landed. Appendix B is a detailed comparison of the current state Dungeness crab fishing regulations.

Soft Shell Testing and Season Delay

Based on discussions of the Tri-State Dungeness Crab Committee, an ad hoc advisory group of commercial crab fishermen and processors sponsored by the Pacific States Marine Fisheries Commission, provisions to provide formal multi-state preseason quality testing of Dungeness crabs were added to the state agencies’ crab MOU in 1993. The procedures were subsequently amended in 1996. The procedures project whether large numbers of post-molt soft shell crabs will be present when the season is scheduled to open on December 1, and to delay the opening of the season if those conditions exist (Appendix A). The agreement specifies a pre-season sampling schedule and testing protocol that is conducted first by the Washington Department of

Fish and Wildlife, with additional sampling by the Oregon Department of Fish and Wildlife should conditions warrant. If the meat recovery percentage from crabs in the test area is projected to be below 23%, the fishery opening in Washington and northern Oregon waters is delayed by 15-day increments until that standard is reached, or until January 15. Even if the season in the northern area is delayed, some segments of the coastwide fishery may still open as scheduled on December 1. Fishermen who choose to participate in those openings must wait an additional 30 days after the opening of the northern area before they may operate there.

Legislation to authorize a similar pre-season soft shell testing program in California was introduced during 1994, and industry-funded pre-season testing began there prior to the 1995-96 season. The protocol for this program was modeled after the northern area agreement, but the testing is monitored by the PSMFC and a minimum meat recovery of 25% is required. The Tri-State Dungeness Crab Committee endorsed the California testing program in 1996, and in 1997 recommended that the management agencies in Washington and Oregon enact complementary regulations.

License Limitation in the Coastal Dungeness Crab Fishery

Limitations on effort, including license limitations, taxes on catch and gear, and individual catch quotas, were all considered in the Pacific Fishery Management Council's (PFMC) 1978 review of Dungeness crab management. The Council declined to implement a federal Fishery Management Plan for the Dungeness crab fishery in 1978, and no state license limitation plans were imposed. By the early 1990s, however, license limitation schemes were in effect for all or portions of the West Coast salmon (both ocean troll and Columbia River gillnet), scallop, and pink shrimp fisheries, and plans were being implemented for the West Coast groundfish fishery. Concerned that license limitation in other fisheries could stimulate speculative participation in the then unlimited Dungeness crab fishery, Washington fishermen sponsored a measure in the 1992 Washington legislature (HB 2294) that proposed a cut-off date for participation that would qualify in any future license limitation program.

After two surveys of crab fishery participants sponsored by the Tri-State Dungeness Crab Committee and PSMFC, fishermen sponsored independent crab license limitation efforts in their home states. In California, AB 3189 (1992) required fishermen to possess a separate license to land Dungeness crab, and limited those licenses to individuals who had landed crab during the previous ten commercial seasons. AB 3337 replaced the California moratorium with a permanent license limitation program in 1995. Washington enacted Dungeness crab license limitation through 2ESHB 1471, which became effective January 1, 1995. The Oregon crab industry was unsuccessful in its first attempt to secure license limitation in 1993, but succeeded in 1995 with HB 3094 (effective December 1, 1995). Since all this legislation became effective during 1995, the 1995-96 crab season was the first in which all coastal crab fisheries operated under license limitation schemes. The programs developed through these legislative efforts are quite different (Appendix C). Initial license eligibility requirements, fees, transfer restrictions, and the ways these elements are combined vary among the states.

Table 1. Pounds and value of Dungeness crab taken in the coastal fisheries of California, Oregon, and Washington.

Season	California (Coastal)	Oregon (Coastal)	Washington (Coastal)	Total
POUNDS				
1990-91	11,977,785	8,327,008	6,762,478	27,067,271
1991-92	9,835,209	7,667,543	7,455,029	24,957,781
1992-93	10,080,591	10,928,294	13,397,323	34,406,208
1993-94	6,454,632	10,344,208	19,756,666	36,555,506
1994-95	13,260,016	15,097,698	19,593,583	47,951,297
1995-96	15,192,174	17,692,788	17,388,113	50,273,075
1996-97	4,011,863	7,049,585	9,269,172	20,330,620
1997-98	11,386,501	7,108,268	8,570,320	27,065,089
1998-99	9,899,122	9,124,229	9,818,328	28,841,679
1999-00	8,769,512	15,716,892	17,023,530	41,509,934
2000-01	5,646,772	7,404,725	8,958,547	22,010,044
VALUE				
1990-91	\$18,940,402	\$13,162,325	\$10,978,961	\$43,081,688
1991-92	\$12,800,765	\$9,619,137	\$9,323,846	\$31,743,748
1992-93	\$11,233,074	\$11,463,237	\$14,084,619	\$36,780,930
1993-94	\$7,939,113	\$12,625,301	\$23,754,984	\$44,319,398
1994-95	\$20,824,519	\$24,872,627	\$33,767,383	\$79,464,529
1995-96	\$19,958,440	\$22,458,835	\$22,051,633	\$64,468,908
1996-97	\$8,547,822	\$13,353,251	\$18,060,067	\$39,961,140
1997-98	\$22,012,864	\$12,549,018	\$15,719,358	\$50,281,240
1998-99	\$17,528,575	\$16,286,207	\$18,598,583	\$52,413,365
1999-00	\$17,799,767	\$31,809,870	\$34,839,947	\$84,449,584
2000-01	\$12,616,252	\$15,684,510	\$19,376,104	\$47,676,866

Table 2. Numbers of vessels (by state) that fished for Dungeness crabs in California, Oregon, and Washington.

Season	California	Oregon	Washington
1950-51	450	63	69
1951-52	473	83	69
1952-53	411	71	76
1953-54	391	83	116
1954-55	356	89	88
1955-56	365	92	102
1956-57	334	68	93
1957-58	373	75	93
1958-59	440	105	97
1959-60	473	103	105
1960-61	472	110	93
1961-62	408	103	88
1962-63	324	121	103
1963-64	312	95	95
1964-65	321	100	90
1965-66	310	81	83
1966-67	266	87	81
1967-68	262	90	70
1968-69	303	105	97
1969-70	330	143	138
1970-71	357	193	NA
1971-72	295	205	173
1972-73	243	310	147
1973-74	164	300	129
1974-75	199	300	127
1975-76	370	220	138
1976-77	NA	346	141
1977-78	NA	452	135
1978-79	NA	444	135
1979-80	NA	519	123
1980-81	NA	450	105
1981-82	603	458	121
1982-83	656	395	144
1983-84	587	324	158
1984-85	588	317	144
1985-86	567	339	124
1986-87	579	329	130
1987-88	667	327	199
1988-89	648	345	331
1989-90	585	452	324
1990-91	630	366	229
1991-92	753	374	236
1992-93	650	354	262
1993-94	601	385	304
1994-95	592	423	274
1995-96	543	346	246
1996-97	496	331	234
1997-98	496	314	226
1998-99	496	306	215
1999-00	431	326	202
2000-01	413	323	218

SOURCES

California:

1950-51 through 1975-76 – PMFC, 1978
 1981-82 through 2000-2001 – PacFIN

Oregon:

1950-51 through 1980-81 – Demory, 1990
 1981-82 through 2000-01 – PacFIN

Washington:

1950-51 through 1975-76 – PMFC, 1978
 1976-77 through 1980-81 – PSMFC Crab and Shrimp
 Data Series. Includes only vessels that made at
 least five landings totaling at least 2,000 pounds
 1981-82 through 2000-01 – PacFIN

Table 3. Numbers of vessels that have landed Dungeness crab in one or more of the states of California, Oregon, or Washington by state combination and season.

Season	CA	OR	WA	CA/OR	CA/WA	OR/WA	CA/OR/WA	Total
1981-82	553	392	103	49	1	17	0	1,115
1982-83	625	344	122	29	0	20	2	1,142
1983-84	555	276	137	29	2	18	1	1,018
1984-85	555	275	131	31	2	11	0	1,005
1985-86	515	261	96	51	1	27	0	951
1986-87	554	298	118	22	3	9	0	1,004
1987-88	638	304	168	8	16	10	5	1,149
1988-89	603	287	256	8	25	38	12	1,229
1989-90	516	330	182	19	39	92	11	1,189
1990-91	603	319	199	22	5	25	0	1,173
1991-92	720	324	200	23	9	26	1	1,303
1992-93	563	261	227	69	11	17	7	1,155
1993-94	522	283	258	64	8	31	7	1,173
1994-95	565	348	217	20	2	50	5	1,207
1995-96	508	280	210	32	2	33	1	1,066
1996-97	475	287	206	18	2	25	1	1,014
1997-98	480	280	208	16	0	18	0	1,002
1998-99	466	257	192	28	2	21	0	966
1999-00	413	288	177	15	2	22	1	918
2000-01	398	295	198	11	3	16	1	922

Table 4. Estimated number of crab pots used in coastal Dungeness crab fisheries of Washington, Oregon, and California

Season	California	Oregon	Washington
1950-51	22,161	13,600	10,650
1951-52	23,015	15,700	10,300
1952-53	21,864	13,500	11,675
1953-54	20,575	16,200	18,300
1954-55	22,605	19,600	15,600
1955-56	51,383	18,900	18,225
1956-57	40,236	19,200	13,600
1957-58	32,410	21,300	14,900
1958-59	39,715	21,800	16,800
1959-60	40,266	20,600	21,585
1960-61	34,390	24,400	18,515
1961-62	31,745	28,400	17,550
1962-63	27,850	24,600	18,115
1963-64	28,200	23,000	17,965
1964-65	29,481	22,100	17,845
1965-66	30,490	25,000	17,275
1966-67	34,196	27,100	18,400
1967-68	44,068	28,600	17,500
1968-69	48,708	29,200	21,300
1969-70	39,294	33,500	33,000
1970-71	46,190	49,600	39,752
1971-72	37,370	54,900	40,600
1972-73	30,720	52,000	41,000
1973-74	16,240	50,000	31,100
1974-75	23,516	50,000	29,100
1975-76	37,730	55,000	37,400
1976-77		87,800	34,900
1977-78		70,000	37,100
1978-79		100,800	42,400
1979-80		125,400	40,300
1980-81		126,600	33,400
1981-82		107,100	30,300
1982-83		104,700	32,400
1983-84		90,300	42,100
1984-85		83,600	34,700
1985-86		93,600	37,300
1986-87		88,700	36,000
1987-88		85,200	52,600
1988-89		91,900	89,300
1989-90		151,400	76,100
1990-91		86,400	62,500
1991-92		94,800	66,600
1992-93		102,300	73,100
1993-94		111,900	92,000
1994-95		114,200	100,200
1995-96		141,446	102,610
1996-97		135,358	101,005
1997-98		128,634	87,000
1998-99		128,094	88,300
1999-00		142,843	74,869
2000-01		146,978	64,806

SOURCES

California:
 1950-51 through 1975-76 – PMFC, 1978
 1976-77 through 2000-2001 – Not Available

Oregon:
 1950-51 through 1975-76 – Demory, 1990
 1976-77 through 2000-01 – Rod Kaiser, ODFW

Washington:
 1950-51 through 1975-76 – PMFC, 1978
 1976-77 through 1994-95 – Paul LaRiviere, WDFW
 1995-96 through 2000-01 – Heather Reed, WDFW

Table 5. Dungeness crab fishing seasons in California, Oregon, and Washington.

Season	CALIFORNIA				OREGON				WASHINGTON	
	Mexican border to Point Arena		Point Arena to Oregon border		California border to Cascade Head		Cascade Head to Columbia River		Coastal (excludes Puget Sound)	
	Open	Close	Open	Close	Open	Close	Open	Close	Open	Close
1950-51	Nov 15	July 31	Nov 15	July 31	Nov 15	Aug 15	Dec 15	Sept 15	Dec 15	Sept 30
1951-52	Nov 15	July 3	Dec 15	July 31	Nov 15	Aug 15	Dec 15	Sept 15	Dec 15	Sept 30
1952-53	Nov 15	July 3	Dec 15	July 31	Nov 15	Aug 15	Dec 15	Sept 15	Dec 15	Sept 30
1953-54	Nov 15	July 3	Dec 15	July 31	Nov 15	Aug 15	Dec 15	Sept 15	Dec 15	Sept 30
1954-55	Nov 15	July 3	Dec 15	July 31	Nov 15	Aug 15	Dec 15	Sept 15	Dec 15	Sept 30
1955-56	Nov 15	May 31	Dec 15	June 30	Nov 15	Aug 15	Dec 15	Sept 15	Dec 15	Sept 30
1956-57	Nov 15	May 31	Dec 15	June 30	Nov 15	Aug 15	Dec 15	Sept 15	Dec 15	Sept 30
1957-58	Nov 15	May 31	Dec 15	July 15	Nov 15	Aug 15	Dec 15	Sept 15	Dec 15	Sept 30
1958-59	Nov 15	May 31	Dec 15	July 15	Nov 15	Aug 15	Dec 15	Sept 15	Dec 15	Sept 30
1959-60	2 nd Tues Nov	May 31	Dec 15	July 15	Nov 15	Aug 15	Dec 15	Sept 15	Dec 15	Sept 30
1960-61	2 nd Tues Nov	May 31	Dec 15	July 15	Nov 15	Aug 15	Dec 15	Sept 15	Dec 15	Sept 30
1961-62	2 nd Tues Nov	June 30	Dec 15	July 15	Dec 1	Aug 15	Jan 1	Sept 15	Jan 1	Sept 30
1962-63	2 nd Tues Nov	June 30	Dec 15	July 15	Dec 1	Aug 15	Jan 1	Sept 15	Jan 1	Sept 15
1963-64	2 nd Tues Nov	June 30	Dec 15	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1964-65	2 nd Tues Nov	June 30	Dec 15	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1965-66	2 nd Tues Nov	June 30	Dec 8	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Oct 15
1966-67	2 nd Tues Nov	June 30	Dec 8	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1967-68	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1968-69	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1*	Sept 15
1969-70	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Sept 15	Dec 1	Sept 15	Dec 1	Sept 15
1970-71	2 nd Tues Nov	June 30	Dec 1	Aug 31	Dec 1	Sept 15	Dec 1	Sept 15	Jan 1	Sept 30
1971-72	2 nd Tues Nov	June 30	Dec 1	Aug 31	Dec 1	Sept 15	Dec 1	Aug 15	Jan 1	Sept 15
1972-73	2 nd Tues Nov	June 30	Dec 1	Aug 31	Dec 1	Aug 31	Dec 1	Aug 15	Jan 1	Sept 15
1973-74	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1974-75	2 nd Tues Nov	June 30	Dec 1	Aug 31	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 30
1975-76	2 nd Tues Nov	June 30	Dec 1	Aug 31	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1976-77	2 nd Tues Nov	June 30	Dec 1	Aug 31	Dec 1	Sept 15	Dec 1	Sept 15	Dec 1	Sept 15
1977-78	2 nd Tues Nov	June 30	Dec 1	Aug 31	Dec 1	Sept 15	Dec 1	Sept 15	Dec 1	Sept 30
1978-79	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Sept 15	Dec 1	Sept 15	Dec 10**	Sept 15
1979-80	2 nd Tues Nov	June 30	Dec 1	Aug 31	Dec 1	Sept 15	Dec 1	Sept 15	Dec 1	Sept 15
1980-81	2 nd Tues Nov	July 31	Dec 1	Aug 31	Dec 1	Sept 15	Dec 1	Sept 15	Dec 1	Sept 18
1981-82	2 nd Tues Nov	July 31	Dec 1	Aug 31	Dec 1	Oct 15	Dec 1	Oct 15	Dec 1	Sept 30
1982-83	2 nd Tues Nov	July 31	Dec 1	Aug 31	Dec 1	Sept 15	Dec 1	Sept 15	Dec 1	Sept 2
1983-84	2 nd Tues Nov	July 31	Dec 1	Aug 31	Dec 1	Sept 1	Dec 1	Sept 1	Dec 1	Sept 15
1984-85	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1985-86	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1986-87	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1987-88	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1988-89	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Jan 10**	Sept 15
1989-90	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1990-91	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1991-92	2 nd Tues Nov	June 30	Dec 1+	July 15	Dec 1++	Aug 15	Dec 1++	Aug 15	Dec 1+++	Sept 15
1992-93	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1993-94	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1994-95	2 nd Tues Nov	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 16***	Aug 15	Dec 16**	Sept 15
1995-96	Nov 15	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 16***	Aug 15	Dec 16**	Sept 15
1996-97	Nov 15	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1997-98	Nov 15	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 3 †
1998-99	Nov 15	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
1999-00	Nov 15	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 1	Aug 15	Dec 1	Sept 15
2000-01	Nov 15	June 30	Dec 1	July 15	Dec 1	Aug 15	Dec 15***	Aug 15	Dec 15**	Sept 15

* Emergency closure December 11, 1968 to January 1, 1969 due to soft shell crab
** Season opening delayed due to soft shell crab
*** Season opening North of Cape Falcon delayed due to soft shell crab
+ Season suspended December 14, 1991 through December 21 1991 due to domoic acid in crab viscera
++ Season closed December 11, 1991 through December 21 1991 due to domoic acid in crab viscera
+++ Season closed December 6, 1991 through December 25, 1991 due to domoic acid in crab viscera
† Season closed due to soft shell crab

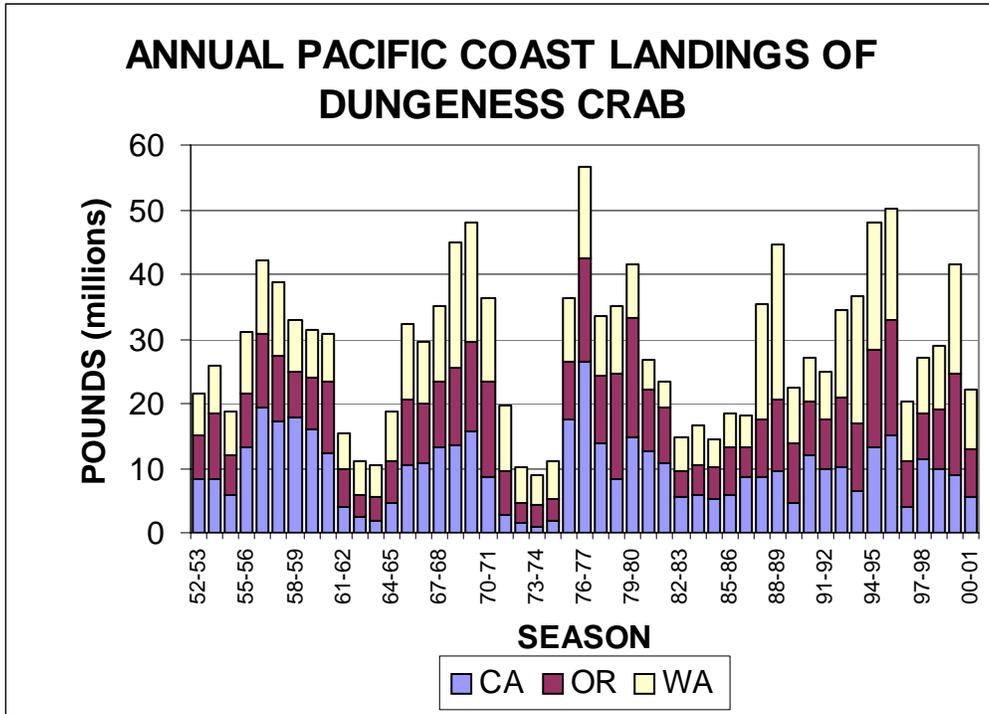


Figure 1. Annual landings of Dungeness crab in coastal fisheries of California, Oregon, and Washington.

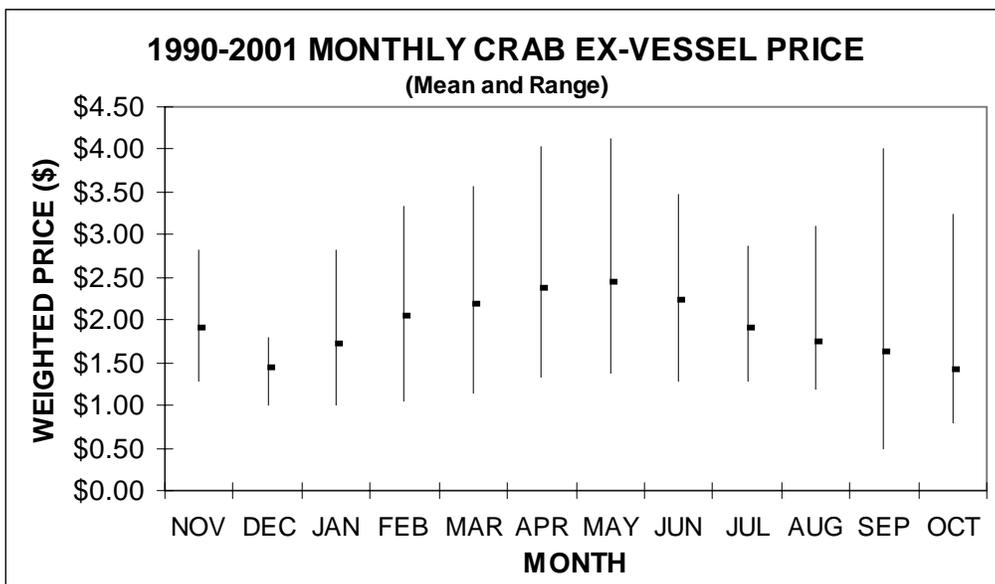


Figure 2. Monthly average price (mean and range) of Dungeness crab landed in the coastal fisheries of California, Oregon, and Washington.

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Acknowledgements

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APPENDICES

Appendix A

**MEMORANDUM OF UNDERSTANDING REGARDING MANAGEMENT OF THE
PACIFIC COAST DUNGENESS CRAB FISHERY¹**

It is recognized by the Directors of the fishery agencies of California, Oregon, and Washington that a need exists for interstate cooperation in management of the Pacific Coast Dungeness crab fishery in general, and specifically in dealing with adjustments of the fishing season.

Therefore, the Directors of the aforementioned agencies declare it to be their intent to take mutually supportive actions to further the management and maximize the sound economic and biological utilization of the crab resource when appropriately requested by the Director of one of the other three cooperating state agencies.

With regard to the incidence of soft shelled crab at the beginning of the winter season, the Directors endorse the March 1996 recommendations of the Tri-State Dungeness Crab Committee (copy attached) and agree to take whatever measures necessary to implement its provisions beginning with the 1996-97 coastal crab season.

Should any state agency decide that it cannot act within the provisions of this agreement, or is unable to meet its financial obligations under this agreement, the Directors agree to provide at least 30 days advance notice to the remaining parties of the agency's intent.

Date	Jacqueline Schafer, Director California Department of Fish and Game
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Date	Rudolph Rosen, Director Oregon Department of Fish and Wildlife
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Date	Bernard Shanks, Director Washington Department of Fish and Wildlife
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¹ Supersedes the memorandum dated July-September 1993

Appendix A

REVISED TRI-STATE WINTER SOFTSHELL AGREEMENT PROCEDURES March 21, 1996

I. Test Fishery and Season Opening Decision Procedures

- A. WDFW will conduct test fishing for crab condition only (not crab abundance) targeted for completion by October 20. The goal of test fishing is to obtain a reliable estimate of crab condition over the primary range of the crab fishery/stock. The area between Grays Harbor and the Columbia River will be sampled by two test fisheries [CR to Leadbetter Pt. and Leadbetter Pt. to Oyehut] totaling at least sixteen stations. The sampling objective is to obtain a minimum of 100 legal-size crab at each station; this will normally require that 8 pots be set at each station. Pots will be "soaked" for two days. WDFW will provide all test fishing results to ODFW as soon as possible.
- B. No further test fishing will be conducted if the results of the initial test fisheries indicate that less than 50% of the legal-size crab are in Grades II and III (based on an October 20 sampling date) and the possibility of extreme late recruitment molting, as indicated by the absence or low abundance of newly recruited crab and/or the presence of sub-legal sized oldshell crab, is determined not to be of concern. The season opening date will be set as December 1.

C. Additional Test Fishery and Meat Recovery Testing Procedures

1. Catch (number of crab) per pot will not be recorded or disclosed; in addition, any non-agency personnel aboard the test fishing vessel will be requested not to divulge this type of information. Otherwise, industry observers are encouraged to be aboard the vessel.

The state fishery management agencies believe catch per pot information is usually of little or no value in estimating crab abundance. The Committee recognizes that there is a widespread perception within the industry that test fishing results could affect fishing effort distribution and ex-vessel price negotiations and, therefore, wishes to avoid unwarranted controversy.

2. Sub-samples of approximately 500 pounds (live, green weight) from each test fishery will be taken for meat recovery (pick-out) testing. Processing procedure is:
 - a. Grade III crab will be included in the meat pick-out testing.
 - b. Crab will have all legs and be otherwise undamaged.
 - c. Crab will be weighed "green" after draining for at least 2 hours.
 - d. Crab will be cooked in fresh water for 12 minutes.
 - e. Crab will be picked-out and the meat weighed (picked weight). Meat from leg "tips" will be included.

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- f. Crab meat will be brined (90% brine), cleaned, rinsed, and weighed (packed weight).
- g. Packed weight is divided by drained green weight to calculate the meat recovery percentage.

NOTE: This standardized procedure will give an estimated 3 percent higher meat yield than would be obtained by most processors during regular operations.

- D. If additional test fishing is necessary (refer to paragraph B above), ODFW will initiate test fishing as soon as possible to determine if a softshell problem exists in the area between Cascade Head and the Columbia River.
- E. WDFW and ODFW will conduct a second series of test fishing with November 15 as a target date for completion.
- F. The decision to open the season on December 1, or to delay the opening will be made by mutual agreement between ODFW and WDFW following the November 15 test fisheries. The season will open on December 1 if it can be determined with reasonable certainty based on meat recovery testing that each test area will reach 23% by December 1. If the season opening is delayed, the season opening date will be announced as indefinite pending completion of further test fishing.

NOTE: Using the best data available, WDFW and ODFW will mutually agree on a meat recovery improvement rate to be applied when projecting a season opening date; normally this rate will be between 0.5% and 1.0% per week

NOTE: If test fishing targeted for completion by November 15 cannot be completed by November 20 because of adverse weather, WDFW and ODFW will make a mutual decision as to whether or not the season opening will be delayed. This decision will be announced not later than the Tuesday before Thanksgiving.

- G. If the season opening is delayed, test fishing will be conducted with December 1 as the target date for completion. The season opening date will be set by mutual agreement of WDFW and ODFW based on the criteria specified in paragraph F above if the season opening date is projected to fall within about 3 weeks of completion of the December 1 test fishery. If necessary, additional test fishing will be conducted with December 15 as the target date for completion. A final season opening date decision will be made not later than December 20 even if the December 15 test fishery has not been completed. If the season opening is delayed, the delay will be for not less than 15 days nor more than 45 days.

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II. Procedure for Establishing Fishing Zones

- A. If the season opening is delayed, the states will take mutually supportive administrative action to divide the coastal fishery north of Point Arena, CA into two fishing zones-northern and southern.
- B. The boundary between the two zones will take traditional fishing patterns into account so as to minimize disruption. The boundary will be set by mutual agreement of WDFW and ODFW. It is anticipated that the boundary line will usually be placed either at Cascade Head or Cape Falcon.
- C. Fishers may elect to fish in either zone. However, a vessel used for fishing in the southern zone (opens on December 1) may not be used for fishing crab in the northern zone until 30 days after the northern zone has opened. The fisher must declare on the pre-season hold inspection certificate (or by the method specified by state management authority) the zone in which the vessel will fish. During the 30 days following the opening of the northern zone, a fisher who has declared for the southern zone may land or transport crab into the northern zone only after following the notification procedures established by the port of landing state management authority before entering the northern zone. All vessels must comply with the respective state limited entry provisions in the port of landing.
- D. A 64-hour gear-setting period immediately prior to season opening date will be allowed.

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COMPARISON OF STATE DUNGENESS CRAB MANAGEMENT REGULATIONS

(Compiled 11/30/01)

Topic	Washington	Oregon	California
Size/Sex	<p>WAC 220-52-040 (3) Crabs must be male and 6-1/4 inches. It is unlawful for any person acting for commercial purposes to take, possess, deliver, or otherwise control: (a) Any female Dungeness crabs; or (b) Any male Dungeness crabs measuring less than 6-1/4 inches, caliper measurement, across the back immediately in front of the tips.</p> <p>WAC 220-20-025 (3) It is unlawful to possess in the field any crab from which the back shell has been removed.</p>	<p>OAR 635-005-0060 (1) It is unlawful to take or possess for commercial purposes: (a) Female Dungeness crab; (b) Male Dungeness crab less than 6-1/4 inches measured the shortest distance through the body of the crab from edge of shell to edge of shell from directly in front of the tenth anterolateral spine. (2) Any undersized or female Dungeness crab taken from the Pacific Ocean must be released within 15 minutes of capture unharmed into the Pacific Ocean at the point of capture. Any undersized or female Dungeness crab taken from a bay must be released immediately unharmed into the fishing area and not brought to the dock. (3) It is unlawful to possess or transport Dungeness crab that have been mutilated prior to landing so that the size or sex cannot be determined.</p>	<p>Fish and Game Code 8278. Except as otherwise provided, no dungeness crab less than six and one-quarter (6-1/4) inches in breadth, and no female dungeness crab, may be taken, possessed, bought, or sold, except that not more than 1 percent in number of any load or lot of dungeness crabs may be less than six and one-quarter (6-1/4) inches in breadth but not less than five and three-quarters (5-3/4) inches in breadth. Dungeness crab shall be measured by the shortest distance through the body from edge of shell to edge of shell directly from front of points (lateral spines).</p>
Gear Type	<p>WAC 220-52-043 (1) It shall be unlawful to take or fish for crabs for commercial purposes except with shellfish pots and ring nets.</p> <p>WAC 220-52-040 (1) It is unlawful for any vessel geared or equipped with commercial net fishing gear to have aboard any quantity of crab while it is fishing with the net gear or when it has other food fish or shellfish aboard for commercial purposes.</p>	<p>OAR 635-005-0055 It is unlawful to: (1) Take crab for commercial purposes by any means other than crab rings or crab pots (ORS 509.415); a crab ring is any fishing device that allows crab unrestricted entry or exit while fishing.</p>	<p>Fish and Game Code 8284. (a) Subject to this article and Article 1 (commencing with Section 9000) of Chapter 4, crab traps, as described in Section 9011, may be used to take Dungeness crab for commercial purposes. Any fish may be taken incidentally in crab traps being used to take Dungeness crab.</p> <p>Fish and Game Code 9011. (a) (1) Subject to Article 6 (commencing with Section 8275) of Chapter 2, dungeness crab, as defined in Section 8275, may be taken with dungeness crab traps.</p> <p>Fish and Game Code 8834. It is unlawful to take or possess more than 500 pounds of crabs on any boat on which any type of trawl or drag net is carried or operated.</p>

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Topic	Washington	Oregon	California
			<p>Fish and Game Code 8834.5. South of a line extending due west, true, from Point Reyes, it is unlawful for any person on a vessel on which any type of trawl or drag net is carried or operated to take or possess Dungeness crab, as defined in Section 8275, or to transfer Dungeness crab to another vessel.</p>
Escape Rings	<p>WAC 220-52-043 (2)(a) Pot gear must have not less than two escape rings or ports not less than 4-1/4 inches inside diameter. (b) Escape rings or ports described above must be located in the upper half of the trap.</p>	<p>OAR 635-005-0055 It is unlawful to: (2) Use any crab pot which does not include a minimum of two circular escape ports of at least 4-1/4 inches inside diameter located on the top or side of the pot. If escape ports are placed on the side of the pot, they shall be located in the upper half of the pot.</p>	<p>Fish and Game Code 9011. (a) (2) A dungeness crab trap may have any number of openings of any size. However, every dungeness crab trap shall have at least two rigid circular openings of not less than 4-1/4 inches, inside diameter, on the top or side of the trap. If both of the openings are located on the side of the trap, at least one of the openings shall be located so that at least one-half of the opening is in the upper half of the trap.</p>
Destruction Device/Rot Cord	<p>WAC 220-52-035 It is unlawful to fish for or possess crab or shrimp taken for commercial purposes with shellfish pot gear unless the gear allows for escapement using at least one of the following methods: (1) Attachment of pot lid hooks or tiedown straps with a single strand or loop of untreated cotton twine or other natural fiber no larger than thread size 120 for crab pots or 100 for shrimp pots so that the pot lid will open freely if the twine or fiber is broken. (2) An opening in the pot mesh no less than three inches by five inches which is laced or sewn closed with untreated cotton twine or other natural fiber no larger than thread size 120 for crab pots or 100 for shrimp pots. The opening must be located within the top half of the pot and be unimpeded by the entry tunnels, bait boxes, or any other structures or materials.</p>	<p>OAR 635-005-0055 It is unlawful to: (3) Use any crab pot which does not have a release mechanism. Acceptable release mechanisms are: (a) Iron lid strap hooks constructed of iron or "mild" steel rod (not stainless steel) not to exceed 1/4-inch (6mm) in diameter; (b) A single loop of untreated cotton or other natural fiber twine, or other twine approved by the Department not heavier than 120 thread size between pot lid tiedown hooks and the tiedown straps; or (c) Any modification of the wire mesh on the top or side of the pot, secured with a single strand of 120 thread size untreated cotton, natural fiber, or other twine approved by the Department which, when removed, will create an opening of at least five inches in diameter.</p>	<p>Fish and Game Code 9003. Every trap shall have at least one destruction device which meets specifications approved by the department. In order to minimize the adverse effects on living marine resources, the specifications for destruction devices shall provide for a device that destructs rapidly enough to facilitate escape of a substantial proportion of all species confined in the trap from any trap that cannot be raised. Title 14 CCR §180.2 Pursuant to the provisions of Section 9003 of the Fish and Game Code, every trap used to take fin fish, mollusks or crustaceans in waters of the state shall contain at least one of the destruction devices approved by the department and listed in subsection (a) below. (a) Each of the approved destruct devices shall create an escape opening in the top or upper half of the trap of at least 5 inches in diameter when the device attachment material corrodes or fails. Approved destruct attachment materials are limited to the following:</p>

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			<p>(2) cotton twine size No. 21-thread or less, except that traps used to take Dungeness crabs are limited to cotton twine size No. 120 or less;</p> <p>(b) The use of rubber straps attached to metal or plastic hooks may be used to close the trap provided they are attached in such a manner as to aid the destruct process. The use of any rubber strap or noncorrosive material that defeats the purpose of the destruct panel is prohibited.</p>
Marking Gear	<p>WAC 220-20-010 (5) It shall be unlawful for the owner or operator of any commercial food fish or shellfish gear to leave such gear unattended in waters of the state or offshore waters unless said gear is marked. (a) Shellfish pot, bottom fish pot, set line and set net gear must be marked with a buoy to which shall be affixed in a visible and legible manner the department approved and registered buoy brand issued to the license, provided that: (i) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.</p> <p>WAC 220-52-040 (16) It is unlawful for a person to use a shellfish pot in the coastal Dungeness crab fishery unless the pot bears a tag that identifies either the name of the vessel being used to operate the pot or the Dungeness crab fishery license number of the owner of the pot, and the telephone number of a contact person. No person may operate or possess a pot that bears another person's tag, except that a person who is licensed as an alternate operator may operate or possess a pot that bears the tag of the primary license holder. It is unlawful for any person who is not the owner of Dungeness crab pot gear to remove, damage, or otherwise tamper with pot gear tags. (17)(a) It is unlawful for any coastal Dungeness crab fishery license holder to fish for crab unless the license holder has registered the buoy brand and buoy color(s) to be used with the license. A license holder shall be allowed to register with the</p>	<p>OAR 635-005-0055 It is unlawful to: (5) Use commercial crab pots in the Columbia River or Pacific Ocean unless the pots are individually marked with a surface buoy bearing, in a visible and legible manner, the brand of the owner, provided that: (a) The brand is a number registered with and approved by the Department; (b) Authority to use branded gear by other than the hired captain fishing from the owner's boat shall be in writing by the pot owner, with the document to be available for inspection on demand by persons authorized to enforce the commercial fishing laws of this state.</p>	<p>Fish and Game Code 9005. Every trap or string of traps, shall be marked with a buoy.</p> <p>Fish and Game Code 9006. Any buoy used to mark a trap shall be clearly and distinctively marked with a buoy identification number, as follows: (b) The buoy identification number for a trap, which is used under a general trap permit issued pursuant to Section 9001 or a crab trap used to take Dungeness crab under Section 9011 is the commercial fishing license number issued to the operator of the trap pursuant to Section 7852.</p> <p>Title 14 CCR §180.5 Pursuant to the provisions of Section 9005 of the Fish and Game Code, every trap or string of traps placed in waters of the state to take fin fish, mollusks or crustaceans for commercial purposes shall be marked with a buoy. Buoys used to mark any trap or string of traps shall be clearly and distinctly marked with a buoy identification number as required by Section 9006 of the Fish and Game Code. The specified identification number shall be at least one and one-half inches in height and one-quarter inch in width. Each trap marker buoy shall bear the specified number in a color which contrasts with that of the buoy and the number shall be applied so that it is visible and legible.</p>

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	<p>department only one, unique buoy brand and one buoy color scheme per license. Persons holding more than one license state shall register buoy color(s) for each license that are distinctly different. The buoy color(s) shall be shown in a color photograph.</p> <p>(b) It is unlawful for a coastal Dungeness crab fishery license holder to fish for crab using any other buoy brand or color(s) than those registered with and assigned to the license by the department.</p>		
Trap raising intervals	None specified	None specified	Fish and Game Code 9004. Every trap shall be raised, cleaned, serviced, and emptied at intervals, not to exceed 96 hours, weather conditions at sea permitting, and no trap shall be abandoned in the waters of this state.
Longline gear	<p>WAC 220-52-040</p> <p>(6) No crab pot or ring net may be attached or connected to other crab pot or ring net by a common groundline or any other means that connects crab pots together.</p>	<p>OAR 635-005-0055</p> <p>It is unlawful to:</p> <p>(6) Use longline gear for Dungeness crab, except longline gear may be used for Dungeness crab outside 40 fathoms until August 15, 1997.</p> <p>(a) Crab longline gear means commercial crab pots or traps that are attached together with a line;</p> <p>(b) Each terminal end of crab longline gear shall be marked with a surface buoy in the manner outlined in subsections (5)(a) and (b) of this rule. Longline marker buoys shall be equipped with a pole and a flag, light and radar reflector.</p>	<p>Fish and Game Code 9012.</p> <p>(b) In Districts 6, 7, 8, and 9, no trap shall be used to take Dungeness crab if that trap is attached to another trap or other traps by a common line.</p>
Seasons	<p>WAC 220-52-046</p> <p>(5) Coastal, Pacific Ocean, Grays Harbor, Willapa Bay and Columbia River waters are open to commercial crab fishing December 1 through September 15 except that it is lawful to set baited crab gear beginning at 8:00 a.m. November 28. However, the department may delay opening of the coastal crab fishery due to softshell crab conditions, in which case the following provisions will apply:</p> <p>(a) After consultation with the Oregon Department of Fish and Wildlife, the director may, by emergency rule, establish a softshell crab demarcation line.</p> <p>(b) For waters of the Pacific Ocean north of</p>	<p>OAR 635-005-0045</p> <p>(1) In addition to any closures described in Section 3, it is unlawful to take, land or possess Dungeness crab for commercial purposes from the Pacific Ocean or Columbia River from August 15 through November 30.</p> <p>(3) Delay of Season Openings:</p> <p>(a) The Northern Zone is bounded on the north by Gray's Harbor (at Oyehut) and on the south by Cascade Head, Oregon: Upon a determination by the Department that preseason sampling indicates the consistent presence of more than 50 percent Grade II and III (softshell) crab in the samples, the Fish and Wildlife Director, in consultation with the Washington Department of Fish and Wildlife,</p>	<p>Fish and Game Code 8276.</p> <p>Except as provided in Section 8276.2: (a) Dungeness crab may be taken for commercial purposes in Districts 6, 7, 8, and 9 only between December 1 and July 15.</p> <p>(b) Dungeness crab may be taken for commercial purposes in all other districts only between November 15 and June 30.</p> <p>Fish and Game Code 8276.2.</p> <p>(a) The director may order a delay in the opening of the Dungeness crab fishery after December 1 in Districts 6, 7, 8, and 9 in any year. The delay in the opening shall not be later than January 15 of any year.</p>

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	<p>Point Arena, California, it is unlawful for a person to use a vessel to fish in any area for which the season opening has been delayed due to softshell crab for the first thirty days following the opening of such an area if the vessel was employed in the coastal crab fishery during the previous forty-five days.</p> <p>(c) Fishers may not set crab gear in any area where the season opening has been delayed, except that gear may be set as allowed by emergency rule and shall allow setting sixty-four hours in advance of the delayed season opening time.</p> <p>(d) It is unlawful to fish for or possess Dungeness crabs or to set crab gear in waters of the Pacific Ocean adjacent to the states of Oregon or California except during the lawful open seasons, areas and times specified by the individual states.</p>	<p>may adopt a temporary rule delaying the opening date of the commercial crab season in all or part of the Northern Zone area until additional sampling indicates meat recovery is 23 percent or is projected to be 23 percent by the opening date.</p> <p>(b) The Oregon portion of the Northern Zone from the Oregon/Washington border south to Cape Lookout (45°21'15" N. lat.) is closed December 1 through December 14, 2000. The fishery will open on December 15, 2000 at 12:01 a.m.</p> <p>(c) The Southern Zone is bounded on the north by Cascade Head and on the south by Point Arena: Upon a determination by the Department that preseason sampling indicates meat recovery is projected to be less than 25 percent by December 1 in the Oregon portion of the Southern Zone, the Fish and Wildlife Director shall delay the opening date of the commercial crab fishery in all or part of the Oregon portion of the zone for 15 days and re-open December 16.</p> <p>(4) In the event the season in the Northern Zone or Southern Zone is delayed, the following applies:</p> <p>(a) The Director shall adopt rules identifying the boundary between, or within, the Northern and Southern zones. The boundary between or within the zones shall take into account the existence of traditional fishing patterns;</p> <p>(b) If the opening date for a season is delayed for either zone, or part of a zone, fishermen electing to fish in a zone or part of a zone with a December 1 opening date may not fish in an area with the delayed opening date within the first 30 days of the delayed opening date;</p> <p>(c) For the first 30 days of a fishing zone season, vessels electing to fish a zone shall be certified by officials of the State of Oregon, Washington or California to have been free of Dungeness crab on the day immediately prior to the opening day of the selected fishing zone. At the time of vessel inspection, the vessel operator shall certify the vessel has not been used to take crab in the selected fishing zone.</p> <p>(5) Upon a determination by the Department that</p>	<p>(b) On or about November 1 of each year, the director may authorize one or more operators of commercial fishing vessels to take and land a limited number of Dungeness crab for the purpose of quality testing according to a testing program conducted by, or on behalf of, the Pacific States Marine Fisheries Commission or an entity approved by the department. The department shall not approve a testing program unless it is funded by the entity authorized to conduct the testing program. Crab taken pursuant to this section shall not be sold; however, any edible crabmeat recovered from the crabs tested shall not be wasted and may be used for charitable purposes.</p> <p>(c) The director shall order the opening of the Dungeness crab season in Districts 6, 7, 8, and 9 on December 1 if the quality tests authorized in subdivision (b) indicate the Dungeness crabs are not soft-shelled or low quality. The entity authorized to conduct the approved testing program may test, or cause to be tested, crabs taken for quality and soft shells pursuant to the approved testing program. If the tests are conducted on or about November 1 and result in a finding that Dungeness crabs are soft-shelled or low quality, the director shall authorize a second test to be conducted on or about November 15 pursuant to the approved testing program. If the second test results in a finding that Dungeness crabs are soft-shelled or low quality, the director may order the season opening delayed for a period of 15 days and may authorize a third test to be conducted on or about December 1. If the third test results in a finding that Dungeness crabs remain soft-shelled or of low quality, the director may order the season opening delayed for a period of an additional 15 days and authorize a fourth test to be conducted. This procedure may continue to be followed, except that no tests shall be conducted after January 1 for that season, and the season opening shall not be delayed by the director later than January 15.</p> <p>(d) This section shall become inoperative on</p>

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		<p>catch in Oregon's Pacific Ocean Dungeness crab fishery after May 31 is greater than seven percent of the catch in the previous December 1 through May 31 period, the Fish and Wildlife Director shall adopt a temporary rule closing the commercial season until the following December 1.</p> <p>OAR 635-005-0047</p> <p>(1) It is unlawful, from the second Monday in June through August 14, for any permitted ocean Dungeness crab vessel to take, land or possess more than 1200 pounds of Dungeness crab per week from the Pacific Ocean and Columbia River.</p> <p>(2) Commercial fishers must retain copies of fish landing receipts for a minimum of 90 days on board vessels landing Dungeness crab under the cumulative catch limit described in section (1) of this rule. The receipts must be available for inspection by authorized enforcement officials and by employees of Oregon Department of Fish and Wildlife (ODFW). Legal landing receipts are defined in section (3).</p> <p>(3) For purposes of this rule, the following definitions apply;</p> <p>(a) "Landing" and "Land" means to begin transfer of Dungeness crab from a fishing vessel. Once transfer begins, all Dungeness crab aboard the vessel is counted as part of the landing;</p> <p>(b) "Landing receipt" means either an ODFW-issued Fish Receiving Ticket or a fish dealer dock ticket identified with a fish dealer's logo or letterhead and that must include the following:</p> <p>(A) Fish dealer's name and dealer license number;</p> <p>(B) Date of receipt of the Dungeness crab;</p> <p>(C) Name of fisher from whom the Dungeness crab were purchased;</p> <p>(D) Vessel name, vessel license number, and the federal document or State Marine Board Number of the vessel from which catch was</p>	<p>April 1, 2006, and, as of January 1, 2007, is repealed, unless a later enacted statute that is enacted before January 1, 2007, deletes or extends the dates on which it becomes inoperative and is repealed.</p> <p>Fish and Game Code 8276.3.</p> <p>(a) (1) If there is any delay ordered by the director pursuant to Section 8276.2 in the opening of the Dungeness crab fishery in Districts 6, 7, 8, and 9, no vessel shall take or land crab within Districts 6, 7, 8, and 9 during any closure.</p> <p>(b) If there is any delay in the opening of the Dungeness crab season pursuant to Section 8276.2, the opening date in Districts 6, 7, 8, and 9 shall be preceded by a 36-hour gear setting period, as ordered by the director.</p> <p>(c) This section shall become inoperative on April 1, 2006, and, as of January 1, 2007, is repealed, unless a later enacted statute that is enacted before January 1, 2007, deletes or extends the dates on which it becomes inoperative and is repealed.</p> <p>Fish and Game Code 8277.</p> <p>The director may extend the dungeness crab season in any district or part thereof.</p> <p>Before extending the season, the director shall consider written findings of the department regarding the state of the dungeness crab resource in the district, or part thereof, which consider, but are not limited to, population and maturity. The director may extend the season only if the written findings do not conclude that the extension will damage the dungeness crab resource.</p> <p>The director shall not extend the dungeness crab season past August 31 in a district, or part thereof, north of the southern boundary of Mendocino County or past July 31 in a district, or part thereof, south of Mendicino County. The director shall order closure of the season at any time during the extension period if the director determines that further fishing will damage the dungeness crab</p>

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		<p>made;</p> <p>(E) Port of landing;</p> <p>(F) Fishing gear used by the fisher;</p> <p>(G) Gross pounds of Dungeness crab received and price paid per pound; and</p> <p>(H) Signature of both the fisher making the landing and the individual preparing the dock ticket.</p> <p>(c) "Week" means the period beginning 12:01 a.m. local time Monday through 12 midnight Sunday.</p>	<p>resource.</p> <p>Fish and Game Code 8279.1.</p> <p>(a) No person shall take, possess onboard, or land Dungeness crab for commercial purposes from any vessel in ocean waters in District 6, 7, 8, or 9 for 30 days after the opening of the Dungeness crab fishing season in California, if both of the following events have occurred:</p> <p>(1) The opening of the season has been delayed pursuant to state law in California.</p> <p>(2) The person has taken, possessed onboard, or landed Dungeness crab for commercial purposes, from ocean waters outside of District 6, 7, 8, or 9, prior to the opening of the season in those districts.</p> <p>(b) No person shall take, possess onboard, or land Dungeness crab for commercial purposes from any vessel in ocean waters south of the border between Oregon and California for 30 days after the opening of the Dungeness crab fishing season in California, if both of the following events have occurred:</p> <p>(1) The opening of the season has been delayed pursuant to state law in California.</p> <p>(2) The person has taken, possessed onboard, or landed Dungeness crab for commercial purposes in Oregon or Washington prior to the opening of the season in California.</p> <p>(c) No person shall take, possess onboard, or land Dungeness crab for commercial purposes from any vessel in ocean waters north of the border between Oregon and California for 30 days after the opening of the Dungeness crab fishing season in Oregon or Washington, if both of the following events have occurred:</p> <p>(1) The opening of the season has been delayed in Oregon or Washington.</p> <p>(2) The person has taken, possessed onboard, or landed Dungeness crab for commercial purposes in California prior to the opening of the season in ocean waters off Oregon or Washington.</p> <p>(d) No person shall take, possess onboard, or</p>

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Topic	Washington	Oregon	California
			<p>land Dungeness crab for commercial purposes from any vessel in ocean waters off Washington, Oregon, or California for 30 days after the opening of the Dungeness crab fishing season in California, Oregon, or Washington, if both of the following events have occurred:</p> <p>(1) The opening of the season has been delayed in Washington, Oregon, or California.</p> <p>(2) The person has taken, possessed onboard, or landed Dungeness crab for commercial purposes in either of the two other states prior to the delayed opening in the ocean waters off any one of the three states.</p> <p>(e) A violation of this section shall not constitute a misdemeanor. Pursuant to Section 7857, the commission shall revoke the Dungeness crab vessel permit held by any person who violates this section.</p> <p>(f) This section shall become inoperative on April 1, 2006, and, as of January 1, 2007, is repealed, unless a later enacted statute that is enacted before January 1, 2007, deletes or extends the dates on which it becomes inoperative and is repealed.</p>
Soft-Shelled Crab	<p>WAC 220-20-025</p> <p>(2) It is unlawful to possess any soft-shelled crab for any purpose.</p> <p>(3) It is unlawful to possess in the field any crab from which the back shell has been removed.</p>	None specified	None specified
Hold Inspections	<p>WAC 220-52-040</p> <p>(10) It is unlawful for any fisher or wholesale dealer or buyer to land or purchase Dungeness crab taken from Grays Harbor, Willapa Bay, Columbia River, Washington coastal or adjacent waters of the Pacific Ocean during the first thirty days following the opening of a coastal crab season from any vessel which has not been issued a Washington crab vessel inspection certificate. The certificate will be issued to vessels made available for inspection in a Washington coastal port and properly licensed for commercial crab fishing if no Dungeness crabs are aboard. Inspections will be performed by authorized</p>	<p>OAR 635-005-0045</p> <p>(2) It is unlawful prior to January 1 to land or to receive, or to buy, Dungeness crab from a vessel that has not been certified by officials of the State of Oregon, Washington, or California to have been free of Dungeness crab on November 30, except as provided in section (3)(c) of this rule.</p>	None specified

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	department personnel not earlier than twelve hours prior to the opening of the coastal crab season and during the following thirty-day period.		
Pre-Soak	<p>WAC 220-52-046</p> <p>(5) Coastal, Pacific Ocean, Grays Harbor, Willapa Bay and Columbia River waters are open to commercial crab fishing December 1 through September 15 except that it is lawful to set baited crab gear beginning at 8:00 a.m. November 28....</p>	<p>OAR 635-005-0055</p> <p>It is unlawful to:</p> <p>(4) Place, operate, or leave crab rings or pots in the Pacific Ocean and Columbia River or in any bay or estuary during the closed season, except that in only the Pacific Ocean and Columbia River, rings or pots may be placed no more than 64 hours immediately prior to the date the Dungeness crab season opens. In addition, unbaited crab rings or pots with open release mechanisms may be left in the Pacific Ocean (not including the Columbia River) for a period not to exceed 14 days following the closure of the Dungeness crab season.</p>	<p>Fish and Game Code 8283.</p> <p>(a) If requested on or before November 10 of any year, the director shall consult with the Dungeness crab industry and shall specify by public announcement on or before November 20 of that year when crab traps may be set and baited prior to the opening date of the Dungeness crab season in Fish and Game Districts 6, 7, 8, and 9. Crab traps may be set and baited in advance of that opening date in those districts if no other attempt is made to take or possess Dungeness crab in those districts.</p> <p>(b) Except in Fish and Game Districts 6, 7, 8, and 9, crab traps may be set and baited 18 hours in advance of the opening date of the Dungeness crab season, if no other attempt is made to take or possess Dungeness crab.</p>
Gear Storage	<p>WAC 220-52-040</p> <p>(2) Unless otherwise provided, it is unlawful to set, maintain, or operate any baited or unbaited shellfish pots or ring nets for taking crabs for commercial purposes in any area or at any time when the location is not opened for taking crabs for commercial purposes by permanent rule or emergency rule of the department: Provided, That following the close of a commercial crab season, permission may be granted by the director or his or her designee on a case-by-case basis for crab fishers to recover shellfish pots that were irretrievable due to extreme weather conditions at the end of the lawful opening. Crab fishers must notify and apply to department enforcement for such permission within twenty-four hours prior to the close of season.</p>	<p>OAR 635-005-0055</p> <p>It is unlawful to:</p> <p>(4) Place, operate, or leave crab rings or pots in the Pacific Ocean and Columbia River or in any bay or estuary during the closed season, except that in only the Pacific Ocean and Columbia River, rings or pots may be placed no more than 64 hours immediately prior to the date the Dungeness crab season opens. In addition, unbaited crab rings or pots with open release mechanisms may be left in the Pacific Ocean (not including the Columbia River) for a period not to exceed 14 days following the closure of the Dungeness crab season.</p>	None specified
License	<p>WAC 220-52-043</p> <p>(5) Commercial crab license requirements. In addition to, and separate from, all requirements in this chapter that govern the time, area, gear, and method for crab fishing, landing, possession, or</p>	<p>ORS 508.926</p> <p>(1) Notwithstanding any other provision of the commercial fishing laws, it is unlawful for an individual to operate a vessel in the ocean Dungeness crab fishery without first obtaining a</p>	<p>Fish and Game Code 8280.1.</p> <p>(a) No person shall use a vessel to take, possess, or land Dungeness crab for commercial purposes using Dungeness crab traps authorized pursuant to Section 9011, unless the owner of that vessel has a</p>

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	<p>delivery of crabs, no commercial crab fishing is allowed except when properly licensed. A person may take, fish for, land, or deliver crabs for commercial purposes in Washington or coastal waters only when the person has the license required by statute, or when the person is a properly designated alternative operator to a valid license. For Puget Sound, a person must have a "Dungeness crab - Puget Sound" fishery license provided by RCW 77.65.130. For coastal waters, such person must have a "Dungeness crab – Coastal" fishery license provided by RCW 77.65.130. To use ring nets instead of or in addition to pots, then the licensee must also have the "Crab ring net - Puget Sound" or "Crab ring net - non-Puget Sound" license in RCW 77.65.130. Qualifications for the limited entry licenses, requirements for designating vessels, and use of alternate operators is provided by and controlled by chapters 77.65 and 77.70 RCW.</p>	<p>vessel permit issued pursuant to ORS 508.931 or 508.941. (2) Notwithstanding any other provision of the commercial fishing laws, it is unlawful for a wholesaler, canner or buyer to buy or receive ocean Dungeness crab taken in the ocean fishery from a vessel for which the permit required by subsection (1) of this section has not been issued. (3) The permit required by subsection (1) of this section is in addition to and not in lieu of the boat license required by ORS 508.260.</p>	<p>Dungeness crab vessel permit for that vessel that has not been suspended or revoked. This section does not apply to a commercially registered fishing vessel when it is being used solely to assist a permitted vessel transport or set traps.</p>
Bycatch	<p>WAC 220-52-043 (7) It is unlawful to retain salmon, food fish, or any shellfish other than octopus that is taken incidental to any crab fishing.</p>	None specified	<p>Fish and Game Code 8284. (a) Subject to this article and Article 1 (commencing with Section 9000) of Chapter 4, crab traps, as described in Section 9011, may be used to take Dungeness crab for commercial purposes. Any fish may be taken incidentally in crab traps being used to take Dungeness crab.</p>
Maximum Pot Size	<p>WAC 220-52-043 (6) The maximum volume of a crab pot used to fish for or take Dungeness crab from the waters provided for in WAC 220-52-040(12) is thirteen cubic feet.</p>	None specified	None specified
Pot Limits	<p>WAC 220-52-040 (11) Grays Harbor pot limit of 200. It is unlawful for any person to take or fish for crab for commercial purposes in Grays Harbor (catch area 60B) with more than 200 shellfish pots in the aggregate. It shall be unlawful for any group of persons using the same vessel to take or fish for crab for commercial purposes in Grays Harbor with more than 200 shellfish pots. (12) Coastal crab pot limit. (a) It is unlawful for a person to take or fish for</p>	None specified	None specified

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	<p>Dungeness crab for commercial purposes in Grays Harbor, Willapa Bay, the Columbia River, or waters of the Pacific Ocean adjacent to the state of Washington unless a shellfish pot limit has been assigned to the Dungeness crab-coastal fishery license held by the person, or to the equivalent Oregon or California Dungeness crab fishery license held by the person.</p> <p>(b) It is unlawful for a person to deploy or fish more shellfish pots than the number of shellfish pots assigned to the license held by that person, and it is unlawful to use any vessel other than the vessel designated on a license to operate or possess shellfish pots assigned to that license.</p> <p>(c) It is unlawful for a person to take or fish for Dungeness crab or to deploy shellfish pots unless the person is in possession of valid documentation issued by the department that specifies the shellfish pot limit assigned to the license.</p> <p>(13) Determination of coastal crab pot limits.</p> <p>(b) The following criteria shall be used to determine and assign a shellfish pot limit to a Dungeness crab-coastal fishery license, or to an equivalent Oregon or California Dungeness crab fishery license:</p> <p>(i) The three "qualifying coastal Dungeness crab seasons" are from December 1, 1996, through September 15, 1997, from December 1, 1997, through September 15, 1998, and from December 1, 1998, through September 15, 1999. Of the three qualifying seasons, the one with the most poundage of Dungeness crab landed on a license shall determine the crab pot limit for that license. A crab pot limit of 300 shall be assigned to a license with landings that total from zero to 35,999 pounds and a crab pot limit of 500 shall be assigned to a license with landings that total 36,000 pounds or more.</p>		

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COMPARISON OF STATE DUNGENESS CRAB LIMITED ENTRY PROGRAMS

(Compiled 11/30/01)

Category	Washington	Oregon	California
Effective Date	1/1/95	12/1/95	4/1/95
Eligibility Criteria	<p>Vessel made a minimum of 8 landings totaling a minimum of 5,000 pounds in at least 2 of the 4 qualifying seasons (1988-89, 1989-90, 1990-91, 1991-92), and held at least one license for coastal crab, salmon, fish trawl, or shrimp trawl each year, 1990-1994</p> <p style="text-align: center;">OR</p> <p>Vessel made a minimum of 4 landings totaling 2,000 pounds during 12/1/91 to 3/20/92, and 8 landings totaling 5,000 pounds in each season 1991-92, 1992-93, 1993-94.</p> <p style="text-align: center;">OR</p> <p>Vessel made any number of coastal crab landings totaling 20,000 pounds in at least 2 of the 4 qualifying seasons (1988-89, 1989-90, 1990-91, 1991-92), and held at least one license for coastal crab, salmon, fish trawl, or shrimp trawl each year, 1990-1994</p> <p style="text-align: center;">OR</p> <p>Vessel was under construction between 12/1/88 and 9/15/92, made at least 5,000 pounds in landings by 9/15/93 and was licensed for crab in 1994</p> <p>Temporary “Class B” License (expires 12/31/99) Vessel does not qualify for coastal license Designated on a qualifying license after 12/31/93 Vessel made a minimum of 4 landings totaling 2,000 pounds during at least one of the 4 qualifying seasons (1988-89, 1989-90, 1990-91, 1991-92)</p> <p>Offshore Delivery: Number not limited. Allows delivery of crab taken 3+ miles offshore of Washington between December 1 and February 15 by Oregon- and California-licensed fishers who do not have a Washington limited entry license.</p>	<p>Vessel was licensed continuously from 1991-1994, and was used to land in ocean crab fishery in Oregon at least 500 pounds in each of 2 seasons between 12/1/88-12/31/94</p> <p style="text-align: center;">OR</p> <p>Vessel was under construction between 12/1/88-8/14/19 and landed at least 500 pounds of ocean crab in each of 2 seasons between 12/1/98-12/31/94, and licensed in Oregon since completion</p> <p style="text-align: center;">OR</p> <p>Vessel was used to land at least 500 pounds of ocean crab in each of 2 seasons between 12/1/91-12/31/94 and is owned by a person who prior to 12/31/94 sold a vessel that had been used to land at least 500 pounds in each of 2 seasons between 12/1/98-12/31/94 and retained the vessel’s commercial fishing rights</p> <p style="text-align: center;">OR</p> <p>Vessel was continuously licensed 1991-1994, was used to land at least 10,000 pounds in at least one season between 12/1/88-12/31/94, and demonstrates possession of one or more vessel licenses in each of ten separate years between 12/1/80-12/31/94</p> <p style="text-align: center;">OR</p> <p>Vessel is less than 26 feet in length and was used to land at least 100 pounds in at least one seasons between 12/1/88-12/31/94</p>	<p>A person who has a commercial fishing license, who is the owner of a commercial fishing vessel registered in each of the 1991-92, 1992-93, and 1993-94 permit years and has at least four landings in each of three crab seasons between 11/1/84 to 4/1/94</p> <p style="text-align: center;">OR</p> <p>A person who has a commercial fishing license, who is the owner of a commercial fishing vessel that has been registered in each of the 1991-92, 1992-93, and 1993-94 permit years, with at least 4 landings in one of the seasons between 11/1/84 to 4/1/94, who was unable due to illness or injury or other hardship to make at least 4 landings in each of two of the previous three Dungeness crab seasons, and who, in good faith, intended to participate in the crab fishery in those seasons.</p> <p style="text-align: center;">OR</p> <p>A person, who has a commercial fishing license, who is the owner of a commercial fishing vessel that has been registered in each of the 1991-92, 1992-93, and 1993-94 permit years, that is not equipped for trawling with a net, and who made 4 landings in any season before April 1994. No person shall be issued a permit under this paragraph if that person has been issued a permit under any other provision of this section for another vessel. Permits issued pursuant to this paragraph are nontransferable and shall become immediately null and void upon the death of the permittee.</p> <p style="text-align: center;">OR</p> <p>A person who has a commercial fishing license who held a Dungeness crab permit and participated in the Dungeness crab fishery between 11/1/84 and 4/1/94, and is the owner of a vessel that has been registered with the department in each of the 1991-92, 1992-93, and 1993-94</p>

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			<p>permit years but whose records do not show the minimum landings because of a partnership or other working arrangement where the person was working aboard another vessel engaged in the crab fishery in California.</p> <p>OR</p> <p>A person who has a commercial fishing license who held a Dungeness crab permit, and is the owner of a vessel that has been registered with the department in each of the 1991-92, 1992-93, and 1993-94 permit years, and from which at least 4 landings using traps were made in at least one crab season in the period between 11/1/84 and 4/1/94, and from which either 4 landings were made using traps or more than 10,000 pounds were landed using traps in each of two other crab seasons in that same period</p> <p>OR</p> <p>The person who held a Dungeness crab vessel permit and began construction or reconstruction of a vessel on or before 1/1/92, for the purpose of engaging in the Dungeness crab fishery, including the purchase of equipment and gear to engage in that fishery in California.</p> <p>OR</p> <p>A person who has a commercial fishing license, who held a Dungeness crab permit who made at least 4 landings of Dungeness crab taken by traps in each of 3 Dungeness crab seasons between 11/1/84 and 4/1/94, who between 4/1/91 and 1/1/95 purchased, contracted to purchase, or constructed a vessel, not otherwise qualifying, who has continuously owned that vessel since its purchase or construction, and who either has used that vessel for the taking of Dungeness crab in CA on or before 3/31/95, or intended in good faith to enter that vessel in the CA crab fishery not later than 12/1/95. Not more than one such permit may be issued to any person.</p> <p>OR</p> <p>A person who held a Dungeness crab permit, who made at least 4 landings using traps in CA in each of three crab seasons between 11/1/84 and 4/1/94,</p>

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			<p>who currently does not own a vessel in his or her name, and who has not sold or transferred a vessel otherwise qualifying for a permit under this section. A permit may be issued for a vessel not greater in size than the vessel from which the previous landings were made (and in no case more than 60 feet in overall length) and placed on a vessel that the person purchases or contracts for construction on or before 4/1/96. Such permits shall be nontransferable and shall not be used for a vessel not owned by that person, and shall be revoked if the person fails to renew the permit or annually renew his or her commercial fishing license or becomes the owner of another vessel permitted to operate in the crab fishery</p>
Transferable	<p>Permanent "A" Yes Temporary "B" No Offshore Delivery N/A</p>	Yes	<p>Usually (see categories above)</p> <p>Applications for renewal must be mailed by 4/30 each year. No minimum landings are required to annually be eligible for renewal</p>
Transfer Restrictions	<p>May not transfer license to vessel of hull length that exceeds present hull length by 10 feet.</p> <p>Hull length may not exceed 99 feet</p> <p>If the proposed change exceeds current hull length by less than one foot, the designation may not be changed more than once in any two consecutive seasons, unless the current vessel is lost or in disrepair.</p> <p>If the proposed change exceeds the current hull length by between one to ten feet, the designation may not be changed more than once in five consecutive seasons, unless license holder applies for an emergency change</p>	<p>Permits may be transferred to another vessel or to the purchaser of the vessel when the vessel is sold</p> <p>Permit may not be transferred to: A vessel that is more than 10 feet longer. A vessel more than 99 feet in length.</p> <p>A vessel licensed under 1(e) shall be transferred only to a vessel that is less than 26 feet in length</p> <p>Shall not be transferred more than once in any 60-month period.</p>	<p>Permits transfer upon vessel sale; new owner may not transfer to another replacement vessel in the same year.</p> <p>Owner may transfer permit to a replacement vessel of equivalent capacity. Transfer to a vessel larger in size may occur only one time.</p> <p>Vessel length may not be increased by more than 10 feet to a vessel purchased before 11/15/95, or more than 5 feet to a vessel purchased after 11/15/95 (CDFG may allow transfers to vessels more than 5 feet greater in length under specified conditions.)</p> <p>Temporary transfers are allowed for up to 6 months if the permitted vessel is lost, destroyed, seriously damaged or suffers serious mechanical breakdown.</p> <p>With written approval from CDFG, crab permits</p>

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			may be retained by the seller of a qualified crab vessel for transfer to another vessel purchased within one year of the original sale.
Reciprocation	<p>Oregon residents who can show historical and continuous participation in the Washington state coastal crab fishery by having held a nonresident non-Puget Sound crab license from 1990-1994, and who have delivered a minimum of 8 landings totaling 5,000 pounds of crab into Oregon in at least 2 of the 4 qualifying seasons (1988-89, 1989-90, 1990-91, 1991-92), shall be issued a nonresident license valid for fishing in Washington state waters to 46°30' N. This section becomes effective contingent upon reciprocal statutory authority in the state of Oregon for equal access for Washington crabbers to 45°58' N.</p> <p>It is unlawful for Dungeness Crab coastal fishery license holders to take crab in the waters of the EEZ or off Oregon and California and land those crab in Washington unless the licensee also holds the licenses, permits, or endorsements required by Oregon and California. This section becomes effective only upon reciprocal legislation of Oregon and California.</p>	A vessel that holds a valid Washington or California permit shall be eligible to participate provided there is reciprocal statutory authority in Washington and California that provides for equal access to Washington and California waters.	None specified
New Licenses	<p>No new licenses after 12/31/95.</p> <p>If fewer than 175 persons are eligible, the director may accept applications for new licenses. Additional licenses issued may maintain a maximum of 175 licenses.</p>		
License Fee	Resident \$295; Nonresident \$520 Offshore Delivery \$250	\$75	Resident \$200; Nonresident \$400
Transfer Fee	<p>\$500</p> <p>If transferred from a resident to a nonresident, there is an additional fee equal to the difference between the resident and nonresident license fees at the time of transfer.</p>	None	\$200
Number of Vessels Qualified	Permanent "A" 232	464	Resident 611; Nonresident 72 (approximate)