



State of Washington
Department of Fish and Wildlife

Mailing Address: 600 Capitol Way N, Olympia WA 98501-1091, (360) 902-2200, TDD (360) 902-2207
Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia WA

December 23, 2008

Dear Coastal Dungeness Crab Fisher:

The purpose of this letter is to provide you with the final details for the 2008-2009 coastal Dungeness crab fishery in the area north of Klipsan Beach, WA.

At the time of our last letter, the Washington Department of Fish and Wildlife (Department) had not finalized our management agreements with either the Makah Tribe or the Quinault Indian Nation (QIN). Since then, we have been successful at reaching agreements on management measures for the 2008-09-crab season with both the Makah Tribe and QIN.

The State - Makah Management Agreement for 2008-2009 is similar to what was in place last season in terms of the boundary for the special management area (SMA) and the timing of the SMA closure. The only change for this year is the implementation of a 200-pot limit in the SMA for the first 30-days that the SMA is open to the state fleet. The details of the Makah management measures are outlined later in this letter.

After an extensive negotiation process with QIN, we have agreed to the management provisions that will be in place from Pt. Chehalis to Destruction Island for this season. In order to provide QIN fishers with the opportunity to increase their share of the harvest, the opening of the state fishery from Pt. Chehalis to Destruction Island will be delayed until January 15, 2009. The SMA structure that was in place last year will also be in place for the 2008-09 season. State fishers that participate in the fishery north of Pt. Chehalis will not be subject to a reduced pot limit. Complete details of the QIN management measures are outlined below.

OPENING DATES AND FAIR START PROVISIONS:

Klipsan Beach to WA/OR Border including Willapa Bay:

The coastal Dungeness crab fishery opened to state fishers from Klipsan Beach (46°28.00) to the WA/OR border (46°15.00), including Willapa Bay on **December 1, 2008**.

- Temporary pot limits for fishers participating in the fishery south of Klipsan Beach or in Willapa Bay will be lifted at 12:01 AM January 15, 2009. Unused buoy tags must be on board vessels engaged in fishing in these areas through the opening of the fishery in the area from Klipsan Beach to Destruction Island.



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- The boundary between the Willapa Bay and the ocean waters is distinguished by a strait line connecting the following coordinates:

*Cape Shoalwater: 46°44.76 N - 124°05.76 W

Leadbetter Point: 46°38.93 N - 124°04.33 W

- Vessels that fish in the area between Point Arena, CA and Klipsan Beach and/or in Willapa Bay before the ocean area north of Klipsan Beach opens are subject to the fair start provisions described below.

Klipsan Beach to Destruction Island:

The state commercial fishery from Klipsan Beach to Destruction Island will open at **12:01 AM, January 15, 2009**. A 64-hour gear pre-set starting at 8:00 AM, January 12, 2009 will precede the opening. Vessel hold inspections will be conducted at noon on January 14, 2009.

Destruction Island to U.S.-Canadian Border:

The state commercial fishery from Destruction Island to the U.S. Canadian border will not open before on **12:01 AM, January 15, 2009**. The opening in this area may be delayed past January 15 as necessary to provide 20 fishable days between December 1, 2008 and January 15, 2009. There have been 17 fishable days recorded from December 1 through December 23, 2008 and although we can't say for sure, it is likely that we will have reached 20 fishable days in time to open this area on January 15. There will **not** be a 64-hour pre-set period before the opening in this area. Vessel hold inspections will be conducted at noon on January 14, 2009.

Fair Start Provisions:

- **Klipsan Beach (46°28.00) to Oysterville (46°33.00):** Vessels that fish between Point Arena, CA and Klipsan Beach, WA, including Willapa Bay, before the area north of Klipsan Beach opens will be allowed to fish in the area between Klipsan Beach and Oysterville at **8:00 AM on January 22, 2009**.
- **Oysterville (46°33.00) to Destruction Island:** Vessels that participate in the fishery between Point Arena, CA and Klipsan Beach, WA, including Willapa Bay, before the area north of Oysterville will be allowed to fish in the area between Oysterville and Destruction Island at **8:00 AM on February 16, 2009**.
- **Destruction Island to U.S.- Canadian Border:** Vessels that participate in the fishery between Point Arena, CA and Klipsan Beach, WA, including Willapa Bay,



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before the area north of Destruction Island opens will be allowed to fish in the area between Destruction Island and the U.S. Canadian border at **8:00 AM February 1, 2009.**

SPECIAL MANAGEMENT AREAS:

Quinault:

The Quinault **primary SMA** will be closed to state fishers beginning at 8:00 AM January 12, 2009. The **primary SMA** is scheduled to remain closed to state fishers through February 28, 2009; however, is subject to change based on actual state and tribal catches observed inseason.

The Quinault **primary SMA** is described as the coastal waters shoreward of a line approximating the 27-fathom depth curve between Raft River (47°28.00) and Copalis River (47°08.00) according to the following coordinates:

- Northeast Corner: 47°28.00N. – 124° 20.70
- Northwest Corner: 47°28.00N. – 124°34.00
- Southwest Corner: 47°08.00N. – 124°24.75
- Southeast Corner: 47°08.00N. – 124° 11.20

There will be a 100-pot limit in the areas opened to the state fishery shoreward of 27 fathoms from Raft River to Copalis River through April 30, 2009. Fishers must pre-register with the Department prior to deploying gear in this area. Specific details regarding SMA openings and pot limits will be made available prior to opening.

A Quinault **secondary SMA (SSMA)** will be established to include the area shoreward of a line approximating the 27-fathom depth curve between the mouth of the Copalis River and Point Grenville according to the following coordinates:

- Northeast Corner: 47°18.35N. - 124°16.00
- Northwest Corner: 47°18.35N. – 124°29.55
- Southwest Corner: 47°08.00N. – 124°24.75
- Southeast Corner: 47°08.00N. – 124°11.20

This area will be closed to the state fishery from the time the primary SMA closure ends until such time that QIN and the Department of Fish and Wildlife determine that QIN will harvest 50% of the annual catch projection within the 60A-1 catch reporting area.



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A second Quinault SSMA will be established to include the area shoreward of a line approximating the 27-fathom depth curve from Point Grenville to Split Rock according to the following coordinates:

- Northeast Corner: 47°24.50N. - 124°20.00
- Northwest Corner: 47°24.50N. - 124°32.40
- Southwest Corner: 47°18.35N. - 124°29.55
- Southeast Corner: 47°18.35N. - 124°16.00

This area will be closed to the state fishery from the time the PSMA closure ends until such time that QIN and state policy representatives determine that QIN will harvest 50% of the annual catch projection within the 59A-2 catch reporting area.

Quileute:

The Quileute SMA will be closed to state fishers beginning immediately upon the opening of the state fishery in the area from Destruction Island to U.S. Canadian border. The Quileute SMA will open to state fishers beginning at 8:00 AM, May 1, 2009. The Quileute SMA is described as the area from Cape Johnson to Destruction Island shoreward of a line approximating 30 fathoms according to the following points:

- Northeast Corner; Cape Johnson 47°58.00 - 124°40.40
- Northwest Corner; 47°58.00 N. - 124°49.00W.
- Southwest Corner; 47°40.50 N. - 124°40.00' W.
- Southeast Corner; Destruction Island 47°40.50 - 124° 24.43

There will be a 100-pot limit in the SMA from May 1, 2009, through May 31, 2009. Fishers must pre-register with the Department prior to deploying gear in this area.

Makah SMA:

The Makah SMA will be closed to state fishers immediately upon the opening of the state fishery in the area between Destruction Island and U.S. Canadian border and will remain closed for 30-days.

There will be a 200-pot limit in the SMA for the first 30-days following the opening of the SMA to state fishers. Fishers must pre-register with the Department prior to deploying gear in this area.



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The Makah SMA is described as the coastal waters between 48°02.15N. to 48°19.50N. east of a line connecting those points approximating the 25-fathom line according to the following coordinates:

- Northeast Corner; Tatoosh Island
- Northwest Corner; 48°19.50 N. – 124°50.45 W.
- Southwest Corner; 48°02.15 N. – 124°50.45 W.
- Southeast Corner, 48°02.15 N. – 124°41.00 W.

Other Requirements:

- a. Vessels not designated on a coastal Dungeness crab fishery license are permitted to transport or deploy up to 250 pots during the pre-soak period. The primary operator of the vessel associated with the pots being transported must be aboard the vessel while they are being deployed.
- b. Vessel **hold inspections will be conducted at noon on January 14, 2009** for all vessels that have not fished in the area from Klipsan Beach to Point Arena, CA prior to the opening of the fishery north of Oysterville.
- c. All license holders will be required to carry, complete, and submit logbooks to the Department. This information will greatly assist us in managing our fishery in the future.
- d. Notification to Department Enforcement is required when transiting crab through closed areas. Notification is to be made 24-hours prior to entering the area north of 47°00.00 N. Latitude by calling 360-581-3337, and reporting the vessel name, operator name, estimated amount of crab to be delivered in pounds, and the estimated date, time, and location of delivery. The following situations will require notification.
 - a. Vessels transiting north of Grays Harbor with crab caught south of Klipsan beach (46°28.00) or Willapa Bay prior to the area north of Klipsan beach opening.
 - b. Vessels transiting north of Grays Harbor with crab caught south of Destruction Island (47°40.50) prior to the area north of Destruction Island opening.
- e. A hold inspection certificate number is required on all fish tickets through January 31, 2009.



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- f. WDFW staff and industry have been working to clarify the current language describing the requirement to register buoy colors. To gather additional information, staff will be surveying the fleet during hold inspections. We will also have cameras available during hold inspections if you would like to update your buoy photo.
- g. Make sure that your escape mechanism meets the requirements of WAC 220-52-035; this regulation is intended to allow crab to escape when a crab pot becomes lost or abandoned. You will have through the end of March to change your escape mechanism so that it meets this requirement.
- h. The Department would like your help, please call the coastal crab hotline (360-249-4628, extension 260) if you witness or have information regarding enforcement violations including fishing in closed areas, starting early, pots without buoy tags, etc.

This information and future updates will also be available on the Department web page:
<http://wdfw.wa.gov/fish/shelfish/crabreg/comcrab/coast/>

We appreciate your patience and input throughout this year's pre-season process. If you have any questions regarding the information in this letter please call me at 360-249-4628 (ext. 202) or Brandon Bryant at (ext. 209).

Sincerely,

A handwritten signature in cursive script that reads "Heather Reed".

Heather Reed
Coastal Marine Resources Policy Coordinator
WDFW

cc: Phil Anderson
Michele Culver
Kirt Hughes
Dan Ayres
Brandon Bryant



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WAC 220-52-035

**COMMERCIAL SHELLFISH POT GEAR — ESCAPE MECHANISM
REQUIRED.**

It is unlawful to fish for or possess crab, shrimp, or crawfish 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 tie down straps with a single strand or loop of untreated cotton twine or other natural fiber no larger than thread size 120 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. 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.

[Statutory Authority: RCW 77.12.047. 06-07-044 (Order 06-38), § 220-52-035, filed 3/9/06, effective 4/9/06; 03-16-097 (Order 03-180), § 220-52-035, filed 8/6/03, effective 9/6/03. Statutory Authority: RCW 75.08.080. 87-23-006 (Order 87-187), § 220-52-035, filed 11/6/87.]