



State of Washington  
Department of Fish and Wildlife

48 Devonshire Road, Montesano, Washington 98563-9618 (360) 249-4628 FAX (360) 249-1229

March 2, 2011

Dear Dungeness Crab License Owner:

The purpose of this letter is to inform you of proposed regulation changes affecting the way biodegradable cotton is used in coastal Dungeness crab pots.

During meetings held with the Coastal Crab Advisory Board and during the annual Coastal Crab Industry Meeting held May 3, 2010, Washington Department of Fish and Wildlife (WDFW) staff discussed the need to clarify the language in WAC 220-52-035.

The primary intent of this rule is to provide an escape mechanism that allows crab to escape if a pot becomes lost or detached from its buoy. The rule continues to require the use of untreated cotton twine no larger than 120 thread count to either: 1) fasten the pot lid hook to the tie down strap so that the pot lid opens when the cotton breaks or, 2) lace the pot mesh shut such that when the cotton breaks it results in an opening of **no less than three by five inches**.

While the intent of the rule remains unchanged, the proposed changes clarify that fishers may only use a single strand of biodegradable cotton to lace or sew closed the required three inch by five inch opening in the mesh of each crab pot and further clarifies that the single strand of cotton may not be wrapped multiple times or doubled in any way. However, the proposed changes clarifies that it is permissible to use a single strand of biodegradable cotton tied together at the ends so that it can be looped between the tie down straps and the lid hook to connect them together.

The proposed clarified language for WAC 220-52-035 appears on the reverse side of this letter.

WDFW staff will brief the Fish and Wildlife Commission on this language change at their April 15, 2011 conference call beginning at 8:30 a.m. Public testimony will also be taken at that time. Anyone wishing to testify must appear in person at the Natural Resources Building, 5<sup>th</sup> Floor Director's Conference Room at 1111 Washington Street SE, Olympia, WA 98504.

WDFW will accept written comments on this proposed rule change through March 31, 2011 by U.S. mail to Lori Pruess, Rules Coordinator, 600 Capitol Way N. Olympia, WA 98501-1091, by email to [Lori.Pruess@dfw.wa.gov](mailto:Lori.Pruess@dfw.wa.gov), or by FAX at 360-902-2155.

Sincerely,

  
Dan Ayles  
Coastal Shellfish Lead Biologist

cc: Heather Reed  
Deputy Chief Mike Cenci

**Directions and Access to the Natural Resources Building:** From I-5, take State Capitol exit (105). The exit puts you on 14th Avenue. Go through the tunnel and turn right onto Capitol Way. Turn right onto 11th Avenue. Turn right onto Washington and into the visitor parking lot. Parking costs 50 cents per hour, payable at the meters.

AMENDATORY SECTION (Amending Order 06-38, filed 3/9/06, effective 4/9/06)

**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 tiedown 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. It is permissible to use a single strand of cotton twine or other natural fiber tied together at the ends so that it can be looped between the tie down straps and the lid hook to connect them together.

(2) Providing an opening in the pot mesh no less than three inches by five inches (~~which is~~) and laced or sewn closed with one single strand of untreated cotton twine or other natural fiber no larger than thread size 120. The single strand of cotton may not be wrapped multiple times or doubled in any way when lacing or sewing the wire mesh closed. 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.