

January 11, 2010

The Honorable Brian Sonntag  
State Auditor  
P.O. Box 40021  
Olympia, WA 98504-0021

Dear Auditor Sonntag:

Thank you for the opportunity to respond to the performance audit of the Washington Department of Fish and Wildlife's (Department) Puget Sound Dungeness Crab Fishing Program. The Department strongly supports the use of performance audits as an important tool to improve state government, which is why we have worked so closely with the Auditor's staff on this and past performance audits.

We agree, in most part, with both issues stated in the report. The one exception is found in the first issue where it calls for fishers to report their catch before the season is finally closed. The first issue confirms that harvest estimates present a challenge in assessing populations and meeting the requirements under the Rafeedie Decision. However, allowing reports before the season closes will invalidate the statistical methods used to estimate recreational harvest and create more challenges at this time than it will solve. The second issue recognizes the challenges the Department is confronted with when implementing the Commission policy, and that the Department will continue its efforts to monitor all relevant factors that have an impact on the resource.

We appreciate the Auditor's commendation on the activities the Department has engaged in to protect and manage the Dungeness crab fishery and the successful efforts to begin assessing a \$10 penalty on recreational fishers who do not self-report their harvest. We believe this penalty will further improve the collection of data needed to manage the resource.

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Enclosed is the Department's response to the audit. We will track and report our progress on completing these tasks to the Governor.

Sincerely,

Philip Anderson  
Director

Enclosure

cc: Kimberly Dutton Cregeur  
Office of the Governor, Accountability and Performance Office

**Official Response to the Performance Audit of the Department of Fish and Wildlife  
Puget Sound Dungeness Crab Fishing  
From the Department of Fish and Wildlife  
Jan 8, 2010**

**Issue 1: Harvest estimation challenges make it difficult for the Department to assess how well it is managing the fishery and meeting Rafeedie Decision requirements.**

AGENCY RESPONSE:

The Department of Fish and Wildlife concurs that estimating harvest is challenging, however, we have taken numerous steps in the last 3 years to improve harvest estimates and plan to do the following actions:

**Action Steps and Timeframe:**

- Extend on-line reporting 15 day for a total reporting period of 30 days (previously 15 days) after both summer and winter recreational fisheries close. On-line reporting will be available September 1-30, 2010, for reporting catch from the summer fishery, and again from January 1-31, 2011, for reporting fall and winter catch. In-season reporting will continue to be available to any angler who wishes to send in their Catch Record Card (CRC) when they are finished fishing. The Department has concerns regarding the recommendation to allow recreational fishers to report in-season before they are finished fishing. That action would invalidate the statistical method used to estimate recreational harvest which is based on confirmed completed catch record card information.
- Add a courtesy post card for the winter season that alerts fishers to report their crab information. That postcard will be sent the week of December 27, 2010. The Department will continue to send anglers a courtesy post card the week of August 23, 2010 reminding them to report summer crab information.
- Apply the ten dollar penalty for failure to return a crab CRC or report on-line to both summer and winter CRCs. Final modifications to the Washington Integrated Licensing Database to track anglers who fail to report crab information and issue subsequent penalties are scheduled to be completed in February 2010.
- Reduced reliance on telephone survey data in the harvest estimation process. The phone survey will be eliminated when return rates of CRC's are adequate to ensure accurate harvest estimates. The department will need to identify an expansion factor for cards not returned and will need agreement from tribes to the revised catch accounting method. Timeline March 2011.
- Prioritize the processing and data entry of commercial crab fish tickets by December 2010.
- Expand and promote the web-based reporting system that was initiated in 2009 for daily in-season commercial crab reporting by October 2010.

**Issue 2: The Department follows best practices and fulfills the intent of Commission policy for crab fishery management but conducts limited monitoring of other factors that can threaten the resource.**

**AGENCY RESPONSE:**

The Department of Fish and Wildlife concurs with Issue 2 as presented and plans to expand and continue biological monitoring efforts in Hood Canal, including fertilization success rate surveys, and implementation of additional fishery conservation measures cooperatively with the treaty tribes. The department will continually work cooperatively with treaty tribes to co-manage fisheries to comply with Federal mandates and conduct orderly fisheries to reduce conflicts between treaty and non-treaty fishers. Also, the Department will continue to promote resource conservation outreach efforts through sport fishing organizations, WDFW enforcement contacts, public meetings and the department web site. The department will keep Monitoring population parameters through test fishing to collect population information to include.

- Pre-season shell condition
- Ratio of males/females
- Size frequency distribution
- Relative abundance

**Action Steps and Timeframe:**

- Protect the resource using the current fishery management strategy that restricts fishing by season, sex and size (known as 3S strategy) and will continue to incorporate into annual state and tribal harvest management agreements. Timeline April 2010.
- Review and evaluate additional monitoring methods that could improve our relative abundance assessment capabilities. Assessing population size is not a likely outcome of additional monitoring by December 2010.