



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
Marine Resources Program
2040 SE Marine Science Drive
Newport, OR 97365
(541) 867-4741
FAX (541) 867-0311
www.dfw.state.or.us/mrp/



September 19, 2019

Oregon Ocean Commercial Dungeness Crab Permit Holders, Commercial Bay Crab Harvesters, Processors, Buyers, and Interested Persons:

The Oregon Department of Fish and Wildlife (ODFW) is sending you this notice to provide you with information on the following items:

- I. Regulatory changes adopted by the Oregon Fish and Wildlife Commission, Sept. 2019
- II. Whale entanglement risk reduction – October Crab Industry Meetings
- III. What you need to do, to get this season started:
 - a. Instructions for registering buoy brand colors – Required for the 2019-20 crab season.
 - b. Instructions for setting up an account to submit electronic fish tickets – required for the 2019-20 crab season.
 - c. **Application to order your 2019-20 crab buoy tags** (last page of mailer for permit holders).

I. REGULATORY CHANGES ADOPTED

The Oregon Fish and Wildlife Commission (OFWC) adopted a number of regulatory changes to address whale entanglements, crab biotoxin management and season opening protocols at their September 13th, 2019 meeting in Gold Beach. All of the materials from this meeting, including the background, rationale, and rule language are located here:

<https://www.dfw.state.or.us/agency/commission/minutes/>. The primary adopted changes, include the following:

a. Whale entanglement mitigation measures

These measures focus primarily on enhancing surface gear marking requirements in Oregon's fixed-gear fisheries to learn more about what fisheries are involved in any future whale entanglements. Specifically, new regulations require the following:

1. Commercial crab gear buoy color pattern registration, effective season start.

This requires all commercial ocean and Columbia River Dungeness crab permit holders that are planning to harvest crab off Oregon to register their buoy color pattern(s) with the Department by the start of the 2019-20 crab season. Vessels must use at least one buoy with the registered buoy color pattern on each piece of Oregon Dungeness crab gear. See details below on how to register buoy colors (Section III).

2. Recreational crab surface buoy gear identification, effective 1/1/2020.

This requires all (bay and ocean) recreational crab gear buoys to be marked with a name or business name and at least one of the following: permanent address, phone number, angler ID, or boat registration number. This requirement will go into effect on January 1, 2020.

3. Remaining fixed-gear commercial surface buoy identification, effective 1/1/2020.

This requires identifying information (boat name, federal documentation number, state registration number, or commercial fishing license number) on buoys utilized in all commercial fixed gear fisheries where it is not already required, including the commercial bay crab fishery. This requirement will go into effect on January 1, 2020.

4. Control date established as of August 14, 2018 for a potential commercial crab “late season” limited entry system.

This limits landings that will be considered in qualifying criteria during development of any future permit limits in the late portion of the crabbing season to those made prior to Aug 14, 2018. No new restrictions were placed on participation from adopting the control date itself. Future discussions are needed to determine whether or not to pursue late season permit limitation as an entanglement risk minimization measure, as well as the details of how participation would be limited. This topic will be discussed at the scheduled public meetings this October (see meeting details below in Section II).

b. Crab biotoxin management – Electronic Fish Ticket Requirement, effective 12/1/2019

Electronic submission of all commercial crab (bay and ocean) fish tickets will be required starting Dec 1, 2019, and will be required to be submitted by the end of the next business day after a crab landing is made. This measure will improve efficiency and effectiveness of, and compliance with, recalls, embargoes, closures, and/or evisceration orders implemented due to biotoxin events by making near real-time data on harvest location for each fishing vessel and fish dealer available in a centralized Department database. Additionally, near-real time harvest location information will be a useful tool to help inform whale entanglement mitigation measures moving forward. Instructions for setting up an account to submit electronic fish tickets are in section III of this notice.

c. Season opening flexibility – Revised Tri-State Protocol

The OFWC adopted the revised Tri-State Protocol, which included two significant management measures to allow more flexibility in where and when the season opens within the Tri-State area, based on meat quality. As adopted, the protocol now allows:

- 1. More than two areas with different opening dates** to be established within the Tri-State region based on meat quality, and;
- 2. Moving the latest season opening date to February 1**, only if meat quality is still less than 23% and there are no other concerns from managers or industry about delaying until Feb 1, such as elevated risk of whale entanglements or biotoxin events.

Oregon and Washington intend to implement both changes for the 2019-20 season. However, implementation of the measures will take longer for California because legislation is required.

Meat quality criteria will remain at 25% from Cascade Head south during the 2019-2020 season opening process. At this year's Tri-State meeting, all three states also agreed to *consider* a decrease in meat quality criterion from 25% to 24%, below Cascade Head. Although there was significant support for making this change within the Oregon fleet, California requested additional time to consult with industry so this change was not included in the revised protocol at this time and will not be in place for this year's season opening process.

II. WHALE ENTANGLEMENT RISK REDUCTION PHASE II – OCTOBER 2019 CRAB INDUSTRY MEETINGS

The focus of **Phase II whale entanglement management measures** is to help reduce risk of whale entanglements in crab gear by reducing the number of vertical lines in the water. To prepare for Phase II recommendations to the OFWC, the ODFW is hosting four regional **Dungeness crab public industry meetings** to solicit targeted input. In this series of meetings we want to discuss draft recommendations (outlined below), and particularly how and when to reduce vertical lines in the water. Please join us at one of these coastal meetings:

- Coos Bay – Thursday, Oct. 17, 1-4PM – North Bend Library
- Brookings – Friday, Oct. 18, 9-12PM – Harbor Water District Building
- Astoria – Tuesday, Oct. 22, 1-4PM – Holiday Inn
- Newport – Wednesday, Oct. 23, 1-4PM – Shilo Inn (or join us remotely from your electronic devices here <https://global.gotomeeting.com/join/674224637>. For phone audio call 1-408-650-3123 and access code 674-224-637.)

ODFW Phase II draft recommendations at this time include **all** of the following measures:

1. “Late season” pot limit reduction and separate seasonal buoy tag (NOTE: we intend this to be limits across all pot tiers and permits, not by changing limited entry qualifications). Options to consider:
 - a. April 1 reduce all pot limits by 30%.
 - b. May 1 reduce all pot limits by 30%.
 - c. Either April 1 or May 1, reduce all pot limits by a different % reduction.
2. Initiation of a “late season” derelict gear removal program (will require legislative changes), incentivized by allowing ownership of retrieved pots.
3. Permanent elimination of the two-week gear clean-up period after the season ends.

In addition to these draft recommendations, we would like to discuss additional measures that would accompany the main risk reduction measures above. These will include potential gear modifications, line markings, elimination of replacement tags, and any others you would like us to consider. Suggestions from the fleet that might be considered as **substituting** for the above approach include:

1. Close the season as of April 1, May 1 or June 1.
2. Close the season as of April 1, then re-open May 1 with a late season buoy tag.

Following the October public meetings, ODFW's final recommendations for Phase II will be presented to OFWC in late winter/early spring (targeting Feb 2020). Some of the measures we plan to recommend implementing as early as spring 2020. We intend the regulatory package to include measures for the "late season" (the timing of which is yet to be defined), when there is an increase in whale feeding aggregations off Oregon, and when entanglements are thought more likely to occur.

III. WHAT YOU NEED TO DO, TO GET THIS SEASON STARTED

a. REGISTER BUOY COLOR PATTERNS – REQUIRED FOR THE 2019-20 CRAB SEASON

To register your buoy color pattern for this upcoming crab season please submit an electronic or printed photo of the buoy color pattern with your vessel's name and crab permit number. Electronic registrations can be made by emailing or texting ODFW.BuoyRegistration@state.or.us. Printed photos can be mailed to the Marine Resources Program, Commercial Crab Program, 2040 Marine Science Drive, Newport OR, 97365. Re-registration is only required if you change your vessel's buoy color pattern.

b. SUBMITTING ELECTRONIC FISH TICKETS – REQUIRED FOR ALL COMMERCIAL DUNGENESS CRAB TICKETS BEGINNING DEC 1, 2019

The Department's web interface system for submitting electronic fish tickets was created and is maintained by the Pacific States Marine Fish Commission (PSMFC). To set up an account to submit electronic fish tickets go to PSMFC's E-Tix portal website at <https://etix.psmfc.org/Account/Login> and click on 'Request an Account'. Complete the information requested in the fillable form and press 'Save'. Once PSMFC receives, enters and verifies your information you will get an e-mail with a link to set up a password for your account. You will also be contacted by PSMFC to schedule an optional web demonstration of the electronic fish ticket submission process that takes approximately one hour. If you have questions about how to set up an account or submit electronic fish tickets you can select 'Etix Question' on the E-tix Portal website and submit your questions directly to PSMFC or call them at 503-595-3100.

c. BUOY TAG ORDER FORM

For ocean commercial crab permit holders the last page of this mailing is the 2019-20 buoy tag order form. Please complete all of the information requested and mail or fax to ODFW Licensing Services (number and address listed on the top of the form). Once you submit your buoy tag order please allow up to 3 days to receive them via Fed X or UPS.

In closing, we look forward to updating and discussing many of these issues with you soon at a crab industry meeting near you. Please let us know if you have any questions, comments or concerns about the management of the commercial Oregon Dungeness crab fishery at any time.

Caren Braby
Program Manager
541-867-0300 ext. 226

Troy Buell
State Fishery Manager
541-867-0300 ext. 225

Kelly Corbett
Commercial Crab Project Leader
541-867-0300 ext. 244