



# Oregon

Kate Brown, Governor

## Marine Resources Program

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March 1, 2022

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

The Oregon Department of Fish and Wildlife (ODFW) is sending this industry notice as a reminder of the whale entanglement mitigation measures that will be in place again this year beginning May 1. The Oregon Fish and Wildlife Commission (OFWC) adopted this set of regulations to address whale entanglements in September 2020 and it will be the second season of their implementation. These regulations are detailed below.

### **Whale Entanglement Mitigation Measures Effective May 1:**

- 1. Reduced pot limits by 20%** - The amount of Dungeness crab gear allocated to each Dungeness crab permit is reduced by 20%. This means a 500 pot permitted vessel can have up to 400 pots, a 300 pot permitted vessel can have up to 240 pots and a 200 pot permitted vessel can have up to 160 pots in the water beginning May 1.
- 2. Required late-season buoy tag in addition to primary season tag** - All Dungeness crab gear in the water must have a secondary tag attached to it in addition to the primary tag beginning May 1. Late-season tags are available for purchase from the Department at cost (\$1.15 per tag) but cannot be attached to gear in the water before **April 10, 2022**. New for this season, the **tag attachment window begins one week earlier** than last season due to industry concerns that the original two-week window was too short. Rules were also clarified to prohibit all landings of crab after May 1 unless late-season tags are attached.

**\*\*Please Note** - Permit holders are not required to purchase their full allotment of late-season tags and may just purchase the number of tags they intend to fish. The late-season buoy tag order form is included as a separate attachment in this notice. **ODFW offices remain closed to the public due to the on-going Covid-19 pandemic and late-season tags will not be available for in-person pickup.** Buoy tags will not be shipped to an ODFW office. If ordering late-season tags, you will need to allow plenty of time for shipping to a physical address. Buoy tags must be signed for and cannot be sent to PO boxes or unattended addresses.

- 3. 40-fathom depth restriction** - No Dungeness crab gear is allowed outside the 40-fathom regulatory line beginning May 1. Coordinates for the 40-fathom line can be found at Title 50 Code of Federal Regulations Part 660 Section 71 or downloaded here <https://www.fisheries.noaa.gov/resource/data/depth-based-boundary-lines-west-coast>. Also, a map of the plotted 40-fathom regulatory line coordinates can be found at [https://www.dfw.state.or.us/MRP/shellfish/commercial/crab/docs/2021/40fm\\_HarvestAreas\\_ALL.pdf](https://www.dfw.state.or.us/MRP/shellfish/commercial/crab/docs/2021/40fm_HarvestAreas_ALL.pdf).

4. **Derelict gear retrieval** - Any gear in the ocean after May 1 without a late-season buoy tag or outside 40 fathoms can be retrieved under in-season derelict gear provisions.

**\*\*Please Note** - Beginning May 1, retention of crab is not allowed, from any derelict gear outside of 40 fathoms or that does not have a valid late-season tag attached.

5. **The set of provisions above will sunset after next crab season (2022-23) without further OFWC regulatory action** - ODFW will be evaluating the effectiveness of these measures and providing recommendations to continue or adjust them from 2023 onward. Prior to the expiration date, the OFWC will have to adopt new rules in order to continue pot limit reduction, depth restriction, and late-season tags as entanglement risk reduction measures without regulatory interruption.

6. **Eliminated two-week post-season gear clean-up period** - All Dungeness crab gear is required to be out of the water by 11:59 PM on August 14.

a. **One-time retrieval waivers for another crab permitted vessel to assist in removing gear from August 1 through August 14 are allowed.** Vessels can request a one-time retrieval waiver to have another vessel help retrieve their gear out of the water during the last two weeks of the season. Please contact ODFW License Services at 503-947-6101 if you are interested in applying for a waiver.

b. **The amount of derelict gear that may be retrieved from August 15 through August 29 has been increased from 50 pots to an unlimited amount.** From August 15 through October 31, an unlimited amount of derelict gear may be retrieved by any commercially licensed vessel. Any gear recovered under this provision must be returned to the original owner by law. This gear retrieval period is separate and different from the post-season derelict gear recovery program. The post-season program requires a separate permit to participate, and by statute allows permitted vessels to keep or sell recovered gear beginning no sooner than 15 days after the season ends.

Additional details on all ODFW efforts to mitigate the risk of whale entanglement in collaboration with commercial crab industry, including a Best Fishing Practices Directive, can be found at [https://www.dfw.state.or.us/MRP/shellfish/commercial/crab/whale\\_entanglement.asp](https://www.dfw.state.or.us/MRP/shellfish/commercial/crab/whale_entanglement.asp).

Thank you for reviewing all this information and please contact us if you have any questions.

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