



Oregon

Kate Brown, Governor

Marine Resources Program

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September 25, 2020

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

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

- I. **Recent regulatory changes adopted by the Oregon Fish and Wildlife Commission (OFWC), September 2020.**
- II. **Upcoming October crab industry public meetings (Oct 8 & 22, virtual)**
- III. **Adjustments to preseason testing protocols due to COVID-19**

I. REGULATORY CHANGES ADOPTED (September 11, 2020)

The Oregon Fish and Wildlife Commission (OFWC) adopted a number of regulatory changes to address whale entanglements and crab biotoxin management at their September 11, 2020 virtual meeting. 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 adopted changes to reduce the risk of whale entanglements with Oregon commercial Dungeness crab gear ***effective for the upcoming 2020-21 crab season*** are listed below. For biotoxin management in the crab fishery, the OFWC aligned buffer area management and effective date of management measures to be consistent with the Oregon Department of Agriculture's crab biotoxin rules.

The whale entanglement risk reduction measures adopted include:

1. **Reduced pot limits by 20% combined with a 40 fathom depth restriction, effective May 1.** This means beginning May 1, the amount of Dungeness crab gear allocated to each Dungeness crab permit is reduced by 20% and no gear will be allowed outside 40 fa. Any gear outside of 40 fa after May 1 can be retrieved under in-season derelict gear provisions.
 - a. **Required late-season buoy tag in addition to primary season tag.** This means beginning May 1 all Dungeness crab gear in the water must have a secondary tag attached to it in addition to the primary tag. Any gear without a late-season buoy tag after May 1 can be retrieved under in-season derelict gear provisions. Late-season tags will be available for purchase from the Department at cost (\$1.15 per tag) beginning in mid-March, but cannot be attached to gear in the water before April 18, 2020.

II. OCTOBER CRAB INDUSTRY PUBLIC MEETINGS (Oct 8th & 22nd)

This coming winter, ODFW will be submitting Oregon's Habitat Conservation Plan (CP) draft to NOAA/NMFS, who will consider issuing an Incidental Take Permit (ITP) to Oregon for entanglements of species listed under the Endangered Species Act (ESA), particularly humpback and blue whales, and leatherback sea turtles. The CP must be approved before issuance of the ITP. The foundation of the CP will be the regulations we have already put in place (phase I accountability measures, adopted Sept 2019; phase II risk reduction measures, adopted Sept 2020) to reduce the risk of whale entanglements in Oregon Dungeness crab gear. In addition to the core regulations, the CP must also describe 1) adaptation measures that will be taken, if the core regulations are not successful, and 2) monitoring plans designed to evaluate whether the core regulations are successful.

To continue our conversations with you about these planning efforts and solicit input from you on adaptive management approaches that are a required component of this plan, we are hosting two virtual public meetings on Oct. 8th, 1-4PM and on Oct. 22nd, 1-4PM. We will also be providing information about our recently drafted Dungeness crab Fishery Management Plan (FMP) and describe upcoming opportunities to provide public comment on it. A more detailed agenda for both of these virtual meetings can be found on pg.4 of this mailer. We hope you will be able to participate in BOTH of these meetings (they will be unique and will build on each other), but we will record and post the presentation portions of both meetings and will take input via phone or email as well.

III. ADJUSTMENTS TO PRESEASON TESTING DUE TO COVID-19

There is little need to say that this year is unlike any other in our experience; this year's pre-season testing will be different, as well. Due to safety concerns about the potential risk of transmission of COVID-19 to preseason testing volunteer captains, crews and ODFW staff, we do not anticipate having observers on-board any preseason test trips this fall. We are currently still investigating alternatives to help ensure testing protocols are followed and provide assurance for the integrity of the test results. This year we will be relying heavily on the Oregon Dungeness Crab Advisory Committee members from each port to recommend vessels willing to volunteer to conduct the tests following all of the requirements within the preseason testing protocol. Additionally, at a minimum we will be requiring all voluntary testing vessels to have a vessel monitoring system (VMS, AIS or other) on throughout the duration of testing trips, all captains and crew members on testing trips will be required to sign an affidavit attesting that they followed all testing procedures, and all test crab landing will be observed by dockside samplers prior to processing.

We fully understand this pre-season testing approach is not ideal, however, the health of all individuals involved with preseason testing must be the top priority.

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

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We Want to Hear From You!

2020 Oregon Dungeness Crab Industry Virtual Meetings

Virtual Meeting 1 - Thursday October 8th, 1-4PM

- Introductions, technology and agenda overview
- Recent whale entanglement mitigation regulatory changes
 - Accountability and risk reduction measures
 - 3-yr evaluation
- Conservation Plan and Incidental Take Permit application
 - Overview and timelines
 - Adaptive measures
 - Monitoring plans

Please click this URL to join:

<https://pdx.zoom.us/j/97399469567?pwd=NTErU0l1Tk1SHJyNXlFbFcyYXVxQT09>

Passcode: 832591

Or join by phone: 1-971-247-1195, Webinar ID: 973 9946 9567, Passcode: 832591

Virtual Meeting 2 - Thursday October 22nd, 1-4PM

- Introductions, technology, agenda and meeting 1 overview
- Conservation Plan adaptive management follow-ups
 - Adaptive measures
 - Next steps
- Oregon Dungeness crab Fishery Management Plan

Please click this URL to join:

<https://pdx.zoom.us/j/94727292811?pwd=SzBMS1dj0tsZ1pJb01iOEISWjdHQT09>

Passcode: 207856

Or join by phone: 1-971-247-1195, Webinar ID: 947 2729 2811, Passcode: 207856

PLEASE JOIN US FOR BOTH IF YOU CAN! **Having Trouble Joining?**
Call or text 541-270-5083