



Oregon

Kate Brown, Governor

Marine Resources Program

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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 May 1, 2021**. These changes are detailed below.

The Oregon Fish and Wildlife Commission (OFWC) adopted regulatory changes to address whale entanglements 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 first notice of these changes was mailed to all permit holders and crab buyers on September 25, 2020 and is posted on our website here https://www.dfw.state.or.us/MRP/shellfish/commercial/crab/whale_entanglement.asp.

Whale Entanglement Mitigation Measures Effective May 1:

1. **Reduced pot limits by 20% combined with a 40 fathom depth restriction.**

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 the 40 fathom regulatory line. 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>. Any gear outside of the 40 fathom line 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 in the ocean after May 1 without a late-season buoy tag can be retrieved under in-season derelict gear provisions. 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 18, 2021. Permit holders are not required to purchase their full allotment of late-season tags and may just purchase up to the amount of tags they intend to fish. The late-season buoy tag order form is included as page 3 of this notice. **Please note, ODFW offices still 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.

- b. This set of provisions will sunset after three seasons (2020-21, 2021-22 and 2022-23) without further OFWC regulatory action.** This means ODFW will evaluate the effectiveness of these measures and provide recommendations to continue or adjust them from 2023 onward. In order to continue pot limit reduction, depth restriction, and late-season tags as entanglement risk reduction measures in rule, the OFWC will have to adopt measures prior to the expiration date.
- 2. Eliminated two-week post-season gear clean-up period.** This means that all Dungeness crab gear is required to be out of the water by 11:59PM 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.** This means that any vessel 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.** This means 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 is separate from the post-season derelict gear recovery program, which allows permitted vessels to keep or sell recovered gear, but cannot start until 15 days after the season ends by statute.

Also, as a reminder several new measures for whale entanglement mitigation were effective at the start of the 2020-21 crab season (December 1, 2020) and are still in place, including:

- 3. Required taut lines best practice.**
- 4. Eliminated standard 10% replacement tags.**
- 5. Prohibited use of line marking that is required in any other West Coast federal or state fishery.**
- 6. Adopted revised Tri-State Preseason Testing Protocol.**

Details on each of these measures can be found in the industry notice dated September 25, 2021 located here

https://www.dfw.state.or.us/MRP/shellfish/commercial/crab/whale_entanglement.asp.

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

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