



DIVISION 039

Marine Zone Fish, Shellfish and Marine Invertebrates Sport Regulations

635-039-0090

Inclusions and Modifications

(1) The **2021 Oregon Sport Fishing Regulations** provide requirements for sport fisheries for marine fish, shellfish, and marine invertebrates in the Pacific Ocean, coastal bays, and beaches, commonly referred to as the Marine Zone. However, additional regulations may be adopted in this rule division from time to time and to the extent of any inconsistency, they supersede the **2021 Oregon Sport Fishing Regulations**.

(2) For the purposes of this rule, a "sport harvest guideline" is defined as a specified numerical harvest objective that is not a quota. Attainment of a harvest guideline does not automatically close a fishery. Upon attainment of a sport harvest guideline, the Department shall initiate consultation to determine if additional regulatory actions are necessary to achieve management objectives. The following sport harvest guidelines include the combined landings and other fishery related mortality by the Oregon sport fishery in a single calendar year:

- (a) Black rockfish, 389.1 metric tons;
- (b) Blue rockfish and deacon rockfish combined: 73.7 metric tons;
- (c) Other Nearshore Rockfish combined: 10.8 metric tons;
- (d) Cabezon, 19.4 metric tons; and
- (e) Greenling, 35.8 metric tons.

(3) For the purposes of this rule, "Other nearshore rockfish" means the following rockfish species: black and yellow (*Sebastes chrysomelas*); brown (*S. auriculatus*); calico (*S. dalli*); China (*S. nebulosus*); copper (*S. caurinus*); gopher (*S. carnatus*); grass (*S. rastrelliger*); kelp (*S. atrovirens*); olive (*S. serranoides*); quillback (*S. maliger*); and treefish (*S. sericeus*).

(4) In addition to the regulations for Marine Fish in the **2021 Oregon Sport Fishing Regulations**, the following apply for the sport fishery in the Marine Zone:

- (a) Lingcod (including green colored lingcod): 2 fish daily bag limit.
- (b) All rockfish ("sea bass" "snapper"), greenling ("sea trout"), cabezon, skates, and other marine fish species not listed in the **2021 Oregon Sport Fishing Regulations** in the Marine Zone, located under the category of Finfish Species, General Marine Species: 6 fish daily bag limit in aggregate (total sum or number), of which no more than one may be a China rockfish, copper



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33 rockfish or quillback rockfish in aggregate, and no more than one may be a cabezon, when
34 retention of cabezon is allowed. Retention of the following species is prohibited:

35 (A) Yelloweye rockfish; and

36 (B) Cabezon from January 1 through June 30.

37 (c) Flatfish (flounder, sole, sanddabs, turbot, and all halibut species except Pacific halibut): 25
38 fish daily bag limit in aggregate (total sum or number).

39 (d) Except as specified in subsection (4)(d)(A), retention of all marine fish listed under the
40 category of Finfish Species, General Marine Species, except Pacific cod, sablefish, flatfish,
41 herring, anchovy, smelt, sardine, striped bass, hybrid bass, and offshore pelagic species
42 (excluding leopard shark and soupfin shark), is prohibited when Pacific halibut is retained on the
43 vessel during open days for the all-depth sport fishery for Pacific halibut when the sport fishery
44 for general marine species (other than flatfish species) is closed outside of the 40 fathom curve as
45 specified in subsection (4)(f).

46 (A) Persons must also consult all publications referenced in OAR 635-039-0080 to
47 determine all rules applicable to the taking of Pacific halibut.

48 (B) When the all-depth sport fishery for Pacific halibut is open and the sport fishery for
49 general marine species (other than flatfish species) is closed outside of the 40-fathom curve
50 as specified in subsection (4)(f), fishing with long-leader gear is allowed on the same trip
51 as all-depth halibut fishing as follows:

52 (i) When rockfish are onboard the vessel, anglers are only allowed to retain the
53 species listed under subsection (4)(h)(A) and must use longleader gear as defined in
54 subsection (4)(e)(F);

55 (ii) Pacific cod, sablefish, flatfish, herring, anchovy, smelt, sardine, striped bass,
56 hybrid bass, and offshore pelagic species (excluding leopard shark and soupfin
57 shark) may be retained while all-depth halibut fishing, prior to retaining any
58 rockfish species; (iii) It is not required to separate all-depth halibut fishing from
59 long-leader fishing by returning to the dock and offloading fish. A long-leader
60 fishing trip must be separated from any other fishing trip where groundfish are
61 retained by returning to the dock and offloading fish; and

62 (iv) All other requirements and prohibitions contained within subsection (4)(h)
63 apply.



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- 64 (e) Harvest methods and other specifications for marine fish in subsections (4)(a), (4)(b) and
65 (4)(c) including the following:
- 66 (A) Minimum length for lingcod, 22 inches.
 - 67 (B) Minimum length for cabezon, 16 inches.
 - 68 (C) May be taken by angling, hand, bow and arrow, spear, gaff hook, snag hook and
69 herring jigs.
 - 70 (D) Mutilating the fish so the size or species cannot be determined prior to landing or
71 transporting mutilated fish across state waters is prohibited.
 - 72 (E) When angling for groundfish or Pacific halibut in the Pacific Ocean or when in
73 possession of groundfish or Pacific halibut, all watercraft shall have a functional
74 descending device on board and shall use a descending device when releasing any rockfish
75 outside of the 30-fathom curve (defined by latitude and longitude) as shown in **Title 50**
76 **Code of Federal Regulations Part 660 Section 71**. Upon request, a descending device
77 shall be presented for inspection by any person authorized to enforce the wildlife laws or a
78 representative of the Department. In this subsection, “descending device” means a device
79 capable of returning a rockfish back to a depth of at least 100 feet to assist the fish in
80 recompression and to improve the fish’s chance of survival.
 - 81 (F) Long-leader gear means fishing gear with the following: one fishing line, deployed
82 with a sinker and no more than three hooks, with a minimum of 30 feet (9.14 meters)
83 between the sinker and the lowest hook, and a non-compressible float attached to the line
84 above the hooks. The hooks can only be equipped with artificial lures or molded soft
85 plastic or rubber imitations of worms, eggs, insects, bait fish, crayfish, etc. 5 inches or less
86 in length and/or artificial flies. Natural bait may not be used.
- 87 (f) Sport fisheries for species in subsections (4)(a), (4)(b) and (4)(c) and including leopard shark
88 and soupfin shark are open January 1 through December 31, twenty-four hours per day, except as
89 provided in subsections 4(b) and (4)(d). Ocean waters are closed for these species, with the
90 exception of flatfish species, during June 1 through August 31, outside of the 40-fathom curve
91 (defined by latitude and longitude) as shown in **Title 50 Code of Federal Regulations Part 660**
92 **Section 71**, except as provided in subsection 4(d) or when fishing with long-leader gear during
93 such times and in such areas as allowed in federal rule. A 20-fathom, 25-fathom, or 30-fathom
94 curve, as shown in **Title 50 Code of Federal Regulations Part 660 Section 71** may be



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95 implemented as the management line as inseason modifications necessitate. In addition, the
96 following management lines may be used to set area-specific regulations for inseason action
97 only:

98 (A) Cape Lookout (45°20'30" N latitude); and

99 (B) Cape Blanco (42°50'20" N latitude).

100 (g) The Stonewall Bank Yelloweye Rockfish Conservation Area (YRCA) is defined by
101 coordinates specified in **Title 50 Code of Federal Regulations Part 660 Section 70** (October 1,
102 2018 ed.). Within the YRCA, it is unlawful to fish for, take, or retain species listed in subsections
103 (4)(a), (4)(b) and (4)(c) of this rule, leopard shark, soupfin shark, and Pacific halibut using
104 recreational fishing gear. A vessel engaged in recreational fishing within the YRCA is prohibited
105 from possessing any species listed in subsections (4)(a), (4)(b) and (4)(c) of this rule, leopard
106 shark, soupfin shark, and Pacific halibut. Recreational fishing vessels in possession of species
107 listed in subsections (4)(a), (4)(b) and (4)(c) and including leopard shark, soupfin shark, and
108 Pacific halibut may transit the YRCA without fishing gear in the water.

109 (h) On any fishing trip where fishing with long-leader gear (as defined in subsection (4)(e)(F))
110 occurs seaward of the 40-fathom curve (defined by latitude and longitude) as shown in **Title 50**
111 **Code of Federal Regulations Part 660 Section 71**, the following apply:

112 (A) It is unlawful to retain any species in the Groundfish Group other than yellowtail
113 rockfish (*Sebastes flavidus*), widow rockfish (*S. entomelas*), canary rockfish (*S. pinniger*),
114 deacon rockfish (*S. diaconus*), blue rockfish (*S. mystinus*), redstripe rockfish (*S. proriger*),
115 greenstriped rockfish (*S. elongatus*), chilipepper rockfish (*S. goodei*), bocaccio rockfish (*S.*
116 *paucispinis*), or silvergray rockfish (*S. brevispinis*);

117 (B) The daily bag limit is 10 fish in aggregate for the species listed in section (4)(h)(A);

118 (C) A long-leader fishing trip must be separated from any other fishing trip where
119 groundfish are retained by returning to the dock and offloading fish, except as specified in
120 subsection (4)(d)(B)(iii);

121 (D) It is unlawful for an angler who retained fish on a long-leader fishing trip to retain
122 more than 10 fish in aggregate of the species listed in subsection (4)(b) in the same day;

123 (E) It is unlawful to fish for any species in the Groundfish Group, including those listed in
124 subsection (4)(h)(A), inside of the 40-fathom curve or with gear that is not long-leader gear
125 as defined in subsection (4)(e)(F); and



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126 (F) Federal rules governing the long-leader fishery will supersede these rules to the extent
127 of any inconsistency, including the definition of long-leader gear.
128 (5) Take of abalone prohibited, twenty-four hours per day, in all Oregon waters until March 17, 2024~~1~~[1].
129 [Publications: Publications referenced are available from the agency.]
130 Stat. Auth.: ORS 496.138, 496.146, 497.121, 506.119
131 Stats. Implemented: ORS 496.004, 496.009, 496.162, 506.129