Exhibit (H)

Supplemental Public Correspondence received as of December 6, 2022

Testimony

Sport fishing for ground fish, harvest guidelines and regulation setting for 2023

I've participated in the public meetings and given my input about the following aspects of the way sport ground fish are regulated. This seems to fall for the most part on a deaf ear from the ODFW staff. I'm supplying this testimony in hopes of influencing their management practices.

Current management practice is that the sport fishery is driven by black rockfish harvest, and this species is certainly a main target of fishermen. Daily bag limits are driven by the need to keep harvest within "guidelines" for this species, without consideration of other factors. I REALLY object to this methodology, because it promotes practices which are inherently wasteful to our ground fish resources. Deacon rockfish (and to a lesser extent for most of our coastline, blue rockfish) are a common component of the fishes ***landed*** by sports fishermen, both on private boats and charters. They tend to be smaller than black rockfish, and it's a common practice to cull landings in favor of larger black rockfish. Herein lies the wasteful aspect of ODFW's policy. Blue/Deacon rockfish are extremely susceptible to barotrauma, with mortality estimates for released fish approaching 80%, basically a released fish hauled to the surface from any significant depth is a dead fish. Black rockfish on the other hand fall under the physostomous (open swim bladder) group like Yellowtail rockfish .[1] Mortality for them is much lower, especially if descended using a descending device. I propose that any deacon/blue rockfish landed MUST be retained, and the practice of culling them in favor for larger black rockfish is wasteful, as well as putting more pressure on the target guidelines for black rockfish. This is not a unique concept, razor clams for instance must all be retained once dug, releases are not allowed, and the regulations cite high mortality of released clams as the reason.

I propose a sublimit on black rockfish of 4 fish with a total bag limit of 7 fish. I also propose that once a sublimit of black rockfish is retained, the angler has reached their daily limit for groundfish, but could continue to fish for lingcod until that limit is reached. It is possible to specifically target blue/deacon rockfish using robust "herring jigs"[2] and using such devices would reduce pressure on Black rockfish while harvesting (and retaining) from the also common blue/deacon schools.[3] The inducement to use such techniques would be the increased (7 fish) limits. Continuing to fish for lingcod generally entails using techniques which are less attractive to rockfish (i.e. whole fish baits…herring, greenling) or larger lures/jigs which, though they occasionally do land rockfish are much less attractive than the typical "shrimp fly" rigs. Harvest guidelines for blue/deacon rockfish are much lower than black rockfish, HOWEVER there is considerable evidence that methodology for determining status for this fish is fundamentally flawed for the following reasons. First of all, dockside census only counts those fish that make it to the dock, i.e. fish discarded as to small at sea are not counted. Secondly, there is considerable evidence that current sport fishing techniques don't effectively target these fish (they have small mouths, too small for larger lures and hooks). Finally, at certain times of the year, especially the summer months, they feed somewhat exclusively on gelatinous marine organisms which aren't well mimicked by conventional lures. This phenomenon has led some to believe that they migrate offshore during the summer when in fact studies have shown that that is not the case and that their status needs to be established using additional techniques to dockside harvest estimates .[4] Regardless of the accuracy of their status, guidelines for this species are never exceeded, and in fact hovers at around 40% of harvest guidelines for the last three years.

ODFW personnel dislike this proposal, citing difficulties in distinguishing between black rockfish and blue/deacon rockfish by sport anglers. However this is somewhat an artifact of changes in markings of dead fish with time, which might (but should not) be problematic for LEO or dockside harvest monitors. Live fish upon landing are readily distinguished by the presence of stripes on the head and operculum of blue/deacon rockfish, which are never present on black rockfish, the two are more easily distinguished by this difference than the somewhat more subtle differences between Chinook and Coho salmon that every angler is expected to recognize. Fishermen should keep track of their landings based on their observations of live fish.

Deacon rockfish are very common, their status is likely vastly underestimated, and additionally, they are far more widely distributed than black rockfish, being a common component of videos taken by ODFW 15 miles offshore on stonewall banks (black rockfish are absent in these videos). They have been demonstrated photographically as being present on Cobb seamount 270 miles off the coast of Washington state. From the November 30 recreation report: *Fishing in **Newport** last week was slow for rockfish, but most anglers came back with their general marine bag limit, along with limits of lingcod. There were **mostly deacon and blue rockfishes** along with a few black, yellowtail and vermilion rockfishes retained.*

Blue/Deacon rockfish should be a more important factor in the management of our nearshore management strategy.

[1] Personal communication via email with **Leif K. Rasmuson, PhD** | ODFW Marine Fishery Research Project Leader

[2] Personal communication via email with **Leif K. Rasmuson, PhD** | ODFW Marine Fishery Research Project Leader & HMSC Research Seminar January 23, 2020 presented by Dr. Rasmuson et al

[3] Personal communication via email with **Leif K. Rasmuson, PhD** | ODFW Marine Fishery Research Project Leader & HMSC Research Seminar January 23, 2020 presented by Dr. Rasmuson et al

[4] Hatfield Marine Science Center Research Seminar January 23, 2020 Presented by **Leif K. Rasmuson, PhD** | ODFW Marine Fishery Research Project Leader. et al

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