

## OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON INSEASON CHANGES

### **Oregon Research Set-Aside for Yelloweye Rockfish**

The Oregon Department of Fish and Wildlife (ODFW) has projected estimated total impacts on yelloweye rockfish from ODFW research projects through the end of the year at less than 0.1 mt. There is 0.4 metric ton of yelloweye rockfish set aside for ODFW research. The 0.3 mt of this yelloweye rockfish set-aside projected to be unused can be returned to the scorecard.

### **Recreational Fishery Status**

The Oregon black rockfish allowable harvest is approximately 10 percent lower in 2016 compared to 2016, and is now a state-specific annual catch limit (ACL). Due to this reduction, and expected higher than average effort due to anticipated poor 2017 salmon seasons, ODFW established a more conservative bag limit for black rockfish, which in combination with other state management measures (all more conservative than federal regulations), were expected to keep impacts under Oregon's recreational harvest guidelines:

- 7 fish bag (10 in federal regulations)
  - 6 black rockfish (new this year)
  - 4 blue, deacon, copper, China, quillback
  - 1 cabezon (open only July 1-December 31)
- 2 lingcod bag (3 in federal regulations)
- 30 fathoms restriction (April-Sept; 40 fathoms in federal regulations)
- Mandatory descending devices (new this year)
- Ability to modify sport halibut inseason based on yelloweye rockfish impacts (new this year)

The Oregon Department of Fish and Wildlife (ODFW) monitors and manages the Oregon recreational bottomfish (groundfish) fishery inseason via data from the Oregon [Ocean Recreational Boater Survey](#) (ORBS) program. Effort, catch, and discard data is available monthly, with a one-month lag; however, preliminary data may be available as soon as 7-10 days after the end of the statistical month.

Based on preliminary data through September 2, 2017, along with final data through July, impacts (including estimated discard mortality) to black rockfish were estimated to be approaching the state-set harvest guideline; and impacts to the nearshore rockfish complex, cabezon, and yelloweye had exceeded the respective harvest guidelines (Table 1).

**Table 1. Estimated impacts (catches plus discard mortality; in mt) through August from the Oregon recreational bottomfish fishery.**

<b>Species</b>	<b>Harvest Guideline</b>	<b>Estimated Actual Impacts through August</b>	<b>Projected Annual Impacts, data through July</b>	<b>Projected Annual Impacts, data through Aug</b>
Black rockfish	400.1	388.1	409.3	439.1
Cabezon	16.8	18.6	14.8	24.1
Nearshore Rockfish Complex	33.1	36.7	38.3	43.1
Yelloweye Rockfish	3.0	3.15	3.1	3.6

Projections based on data through June and July indicated the quota was sufficient to stay open all year, even though our effort was very high. For black rockfish specifically, we projected that our quota would allow us to maintain the bag limit at 7 fish (6 fish sub-bag for black rockfish) through Labor Day weekend (which industry has stressed is the most important time-point to reach in season), and that we would likely need to reduce the bag limit after Labor Day. Specifically, models showed that a reduction to 4 fish in mid-August or a reduction to 3 fish after the Labor Day weekend would both achieve the same result. ODFW determined that delaying a potentially disruptive inseason change until after the Labor Day holiday weekend was the better option.

### **Record August Effort and Landings**

However, when data through August became available, it showed that recreational bottomfish effort levels for the month of August were at a record high, with 4,000 more angler-trips than in the next-highest August (2013). August 2017 had the highest bottomfish effort of any month in the period 2012-2017. June and July were also in top five of all months in 2012-2017. The cumulative number of angler trips through 2017 is also at a record high, as is the number of black rockfish encountered this year. Relatively poor salmon fishing, consistently favorable weather much of the year, and unusually slow tuna fishing likely added to the poor salmon seasons and led to this exceptionally high bottomfish effort. The record number of bottomfish angler trips (135 percent of the recent 10 year average) were not anticipated, nor were the landings of black rockfish (73 mt expected vs. 99 mt actual).

### **State Inseason Action**

ODFW consulted with the California Department of Fish and Wildlife and the Washington Department of Fish and Wildlife to inform them of the status of our minor nearshore rockfish catch. Responses indicated that their estimates and projections suggested that they did not expect to exceed the nearshore rockfish complex harvest guidelines for California (north of 40° 10' N lat.) and Washington.

ODFW met with our Sportfishing Advisory Committee to discuss effort, catches, and options for the bottomfish fishery. Following that meeting, ODFW announced on September 12 that the

Oregon recreational bottomfish fishery would close for all species, except flatfish, effective at 11:59 p.m. on September 17, 2017<sup>1</sup>. This closure is necessary to prevent harvest guidelines from being further exceeded. ODFW is not requesting conforming federal actions, as using state regulations allows for more timely modifications to regulations inseason.

### End of the Year Projections

The ODFW inseason tracking model estimates total impacts through the end of the year. Table 2 shows what the projected year-end impacts would have been if no action had been taken; with the closure in place for the remainder of the year, and several options ODFW is considering for providing some opportunity outside of 40 fathoms October-December.

**Table 2. Estimated impacts (catches plus discard mortality; in mt) projected through the end of the year from the Oregon recreational bottomfish fishery.**

Option	Regulations	Projected end of year total impacts (mt)			
		Yelloweye	Black	NSRF	Cabazon
Pre-Season Models	Open inside of 30 fm April-Sept; open all depth Oct-Mar	2.8	408.4	33.4	15.9
Original Season Structure, Data through Sept. 2	Open inside of 30 fm April-Sept; open all depth Oct-Mar	3.6	439.1	43.1	24.1
Current Regulations	Closed Sept 17-Dec 31	3.3	413.3	39.2	20.6
Option 1 (Least Restrictive)	Open outside of 40 fm Oct-Dec for all bottomfish; cabazon and black rockfish prohibited	3.8	414.8	39.4	20.6
Option 2	Open outside of 40 fm Oct-Dec; cabazon, black rockfish, <b>and nearshore rockfish</b> prohibited	3.8	414.8	39.2	20.6
Option 3	Open outside of 40 fm Oct-Dec; cabazon, black rockfish, nearshore rockfish, <b>and lingcod</b> prohibited	3.7	414.8	39.2	20.6
<b>Harvest Guideline</b>		<b>3.0</b>	<b>400.1</b>	<b>33.1</b>	<b>16.8</b>

### Potential Limited Reopening

The closure of sport bottomfishing in Oregon will have significant economic impacts on our fishing communities. Many anglers eagerly anticipate the “deep reef” opportunity, primarily targeting lingcod, after the seasonal depth restriction ends on September 30<sup>th</sup>. Charter operators are reporting cancelling hundreds of trips, and other businesses associated with recreational fishing are also affected. ODFW has received a large number of phone calls and emails since announcing the closure testifying to the economic and social impacts of the closure on businesses and

<sup>1</sup> [http://www.dfw.state.or.us/news/2017/09\\_sep/091217b.asp](http://www.dfw.state.or.us/news/2017/09_sep/091217b.asp)

individuals. Economic impacts in terms of the number of angler trips, job equivalents, and income lost (foregone) due to the closure, estimated using the IOPAC model, are shown in Table 3.

**Table 3. Estimated Impacts of Oregon Bottomfish Closure, 9/18-12/31, 2017 (from IOPAC model)**

Loss of:	Angler trips	Jobs	Income
Charter	560	3	\$148,229
Private	2,500	4	\$209,609
Total	3,060	7	\$357,838

ODFW is evaluating options for providing some effort beginning October 1 through the end of the year, while minimizing additional impacts over the harvest guidelines and the risk of exceeding any ACL's. A limited reopening would mitigate some of the anticipated economic impacts.

Options are shown in Table 2. All options shown include prohibiting retention of cabezon and black rockfish in order to reduce risk of exceeding the Oregon annual catch limit (ACL) for those stocks. The options also include opening only outside 40 fathoms in order to minimize encounters with black rockfish, which are less frequent outside 40 fathoms. Option 1 would allow all other groundfish. Anglers are very interested in the “deep-reef” opportunity in the fall after the seasonal depth restriction ends, with lingcod as the primary target. Option 2 would prohibit nearshore rockfish species (blue/deacon, China, copper, quillback rockfishes) in order to minimize further accumulation of impacts to the Oregon share of this complex. The projected impacts of the reopening options assume all trips that were projected to occur under normal regulations would still occur even under a deep-water-only opening; which almost certainly results in a conservatively high impact estimate, as some trips would likely not occur if the only option is to fish outside of 40 fathoms.

ODFW will consider the amount of yelloweye rockfish projected to remain available in the scorecard at the end of 2017 based on information obtained at this Council meeting, the options described in Table 2 as well as alternative options that may be developed, and any other relevant information. We will review ORBS data through September 17 (the last day before the closure begins) as soon as it is available, which is anticipated sometime the last week of September. At that time, we will make a determination on a potential reopening in October via state rulemaking. Any reopening would be accompanied by additional outreach on the requirement to use descending devices when releasing rockfish, in order to improve post-release survival of yelloweye rockfish in particular.

ODFW recognizes that there are potential safety concerns related to allowing bottomfish fishing only in deeper waters. Opening only outside the 40 fathom line would be necessary to ensure that encounters with black rockfish are minimized. If fishing were allowed inside 40 fathoms, even with retention of black rockfish prohibited, there would be additional impacts up to ~16 mt due to mortality of released fish. Because Oregon's commercial nearshore fishery, which shares the Oregon ACL for black rockfish, is projected to use most of its harvest guideline (~113 out of 126 mt), additional impacts due to the sport fishery could increase the risk of exceeding the ACL (527 mt).

There is no risk of approaching the Oregon black rockfish OFL (577 mt). The Oregon black rockfish stock is healthy (58 percent depletion), and total mortality in recent years has been 43-77 percent of the OFL for the black rockfish management unit (per WCGOP annual total mortality reports). There appears to be no significant conservation risk from exceeding the ACL.

### **Future action**

ODFW will be developing state management measures for 2018 for consideration by the Oregon Fish and Wildlife Commission in December, 2017. Information on how the 2017 season has gone will factor into our development of alternatives, and we anticipate recommending more conservative state management measures with less risk of exceeding harvest guidelines for next year in order to better ensure a stable fishery over a full 12-month season.

In addition, ODFW has been working with the recreational and charter fishermen for many years to make the “longleader” midwater fishery legal outside of 40 fathoms during the seasonal depth restriction (April through October). This fishery is named for long-leader gear which is selective for midwater rockfish such as canary, yellowtail, and widow rockfish, and reduces the likelihood of encountering and impacting the constraining yelloweye rockfish. There have been many delays in getting the regulation through the federal system and has not been available for angler use during 2017, as initially expected and projected. Had it been available in 2017, it could have relieved some pressure on nearshore stocks (including black rockfish), and perhaps allowed implementation of a bag limit reduction rather than complete closure in order to avoid risk of exceeding the black rockfish ACL. NMFS anticipates final federal implementation by the end of 2017, which would allow this fishery to occur in 2018, potentially slowing black and nearshore rockfish catches by a small amount, and providing a welcome alternative to nearshore fishing.

PFMC  
09/18/17