

## OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON RECOVERING DERELICT CRAB GEAR DURING GROUND FISH TRIPS

The Oregon Department of Fish and Wildlife (ODFW) supports retaining, for consideration of further analysis, Item 70 in the Omnibus Package ([Agenda Item F.9.a, Supplemental Attachment 1, June 2014](#)). This item was titled “Retrieval of Derelict ~~Trawl~~ [Dungeness Crab] Gear in Rockfish Conservation Areas (RCAs)” by trawl and non-trawl commercial groundfish vessels during normal fishing trips. We note that the text provided for Item 70 in [Supplemental Attachment 1](#) is inaccurate as written (i.e., “Provide for Retrieval of Derelict Trawl Gear in RCAs (GAP – #6)”). The Groundfish Advisory Subpanel (GAP) recommendation was meant for retrieval of Dungeness crab gear ([Agenda Item F.3.b, Supplemental GAP Report, June 2014](#))

Due to uncontrollable circumstances, such as rough weather, strong currents, and floating kelp, fishing gear may be lost. Lost gear (i.e., derelict fishing gear) can pose significant environmental, biological, economic and safety concerns for marine organisms, fishers, and other ocean users. Derelict fishing gear may clutter the ocean bottom, become entangled with marine mammals and other marine organisms, continue capturing and killing various fishes and invertebrates for months or years after being lost (i.e., “ghost fishing”), and may be snagged or accidentally caught by other active fishermen or ocean users. Economic and/or biological impacts include (a) the loss of the gear itself, (b) the loss of commercially important species and other organisms through ghost fishing, and (c) economic losses to fishermen or other mariners that have to spend time and money to deal with derelict gear that has been caught or snagged and repair damage to their vessels or fishing gear. These economic losses may also represent safety issues ([Agenda Item F.3.b, Supplemental GAP Report, June 2014](#)). Efforts to remove derelict gear helps reduce gear conflicts and navigation hazards, facilitate good relations with other fisheries and ocean users, reduce chances of marine mammal entanglements, and reduce ghost fishing.

Current Vessel Monitoring System (VMS) regulations prohibit trawl and fixed gear groundfish vessels from stopping inside of their respective RCAs to opportunistically recover derelict crab gear while on a declared groundfish trip. The VMS declaration regulations (e.g., §660.13(d)(1), (d)(2), (d)(3), and (d)(5)(iv)) would need to be altered to facilitate effective removal of derelict crab gear from the RCA. Additional regulations may also require modification for groundfish vessels to retrieve their own derelict crab gear in all waters, including those in the RCA (e.g., §660.112(a)(1), (a)(5), (c)(1); §660.130(e)(4)(i), (e)(4)(ii); §660.230(d)(ii); §660.312(b)(1), (c)(1), (c)(2); §660.330(d)(12)(i), (d)(12)(ii)).

Oregon’s state regulations make allowances for commercial vessels to retrieve derelict crab gear throughout the year (Table 1). ODFW has consulted with Washington Department of Fish and Wildlife and California Department of Fish and Wildlife regarding similar regulations in their respective states. It is our understanding that with the exception of Washington’s post-season gear retrieval permit program, Washington does not have similar allowances in state regulation, while California allows Dungeness crab permitted vessels to retrieve up to six derelict pots

belonging to another vessel per fishing trip during the season and an unlimited amount from July 16 (close of season) through October 31.

As asserted above, ODFW supports consideration of an allowance to retrieve derelict crab gear (and potentially other gear types) in the RCAs on declared groundfish trips. This would accelerate and expand the removal of derelict gear from the RCA, providing considerable ecological, economic, and safety benefits to the resources and ocean users. Analysis would be most efficient if this issue were packaged with the Council’s Omnibus Item 39: Increase VMS Ping Rates ([Agenda Item F.9.a, Supplemental Attachment 1, June 2014](#)).

**Table 1.** Oregon derelict Dungeness crab gear allowances (Oregon Administrative Rule 635-005-0490).

<b>Time period</b>	<b>Number of derelict pots allowed per trip</b>
Dungeness crab season opening – day before the 2 <sup>nd</sup> Monday in June	25
2 <sup>nd</sup> Monday in June – August 28 <sup>th</sup>	50
August 29 <sup>th</sup> - October 31 <sup>st</sup>	Unlimited
November 1 <sup>st</sup> – day before Dungeness crab season opening	None