

# MEMORANDUM

## OREGON DEPARTMENT OF FISH AND WILDLIFE

**DATE:** January 24, 2001  
**TO:** Dave Hansen, PSMFC  
**FROM:** Bob Hannah  
**SUBJ:** Defining Language For Excluders

Enclosed is a document with the language I favor for defining approved excluder designs. It relies somewhat on the figures, which may be a weak point from a legal standpoint. I don't really know how to get around it though. If other states need to include a detailed legal definition within their rule language, they may need to take a different approach. At any rate, I believe this will provide a good starting point for all.

The strategy that ODFW staff have developed (so far) for implementing excluder regulations is as follows.

1. Approach the Oregon Fish and Wildlife Commission with a proposed regulation delegating authority to the Director to require bycatch reduction devices (BRD's) via temporary rule, whenever staff project that a PFMC groundfish allocation to the shrimp fishery will be exceeded. We're targeting the May Commission meeting.
2. Have ready draft language for a temporary rule requiring excluder use and specifying the conditions under which excluders may be disabled (only for gear testing, as documented in their logbook).
3. Have ready a document detailing approved BRD's to allow it to be referenced in the temporary rule. The first draft of this document is enclosed.
4. Have ready a draft procedure for issuing Experimental Gear Permits to shrimpers wanting to experiment with a non-approved excluder design. The permits will detail the duration and data reporting requirements for using a non-approved BRD.

On a parallel track, we have ordered more of our new logbooks so that we will be able to generate inseason data on BRD use. I have also asked Mark Saelens to push for a full retention program for canary rockfish for the 2001 shrimp fishery, to complement the BRD program.

Please feel free to distribute this memo and attachment to the committee members as you see fit.

## **ODFW - Approved Bycatch Reduction Devices (BRDS)**

### **Fisheye BRD**

This device functions as a simple forward facing escape hatch that is maintained by a rigid frame (Figures 1 and 2). Although a variety of designs can be used to create a forward facing opening, an approved fisheye must meet the following criteria.

1. The escape hole must be forward facing, meaning that a fish must swim towards the mouth of the net to exit through the fisheye.
2. The device must be placed on the top of the codend, no further forward than 84 codend meshes, counted from the pursing rings.
3. The escape hole must meet the following dimensions (inside measure): height (A) no less than 6 inches and width (B) no less than 10 inches.

### **Soft Panel BRD**

This device uses a mesh panel to guide fish out of an escape hole (Figure 3). Although the excluder panels can be installed in a variety of orientations and can be made of a variety of materials, an approved soft-panel BRD must satisfy the following criteria.

#### **Mesh panel**

1. The panel meshes must be constructed of net material with individual meshes no larger than 10 inch (stretch measure).
2. The panel must completely cover some portion of the net in diagonal cross-section (Figure 3). Partial panels are not allowed at this time.

#### **The Escape Hole**

1. The escape hole must, when spread open using hand pressure, expose a hole at least 100 square inches in surface area. This is equivalent to cutting about 10-12 meshes in a straight line.
2. The escape hole must begin within 4 meshes of where the mesh panel connects to the main net at its farthest back point (Figure 3).

### **Nordmore Grate**

The Nordmore grate uses a rigid or semi-rigid, vertical bar separating grate to guide fish out of an escape hole, generally in the top of the net (Figure 4). It generally also includes a funnel that is used to concentrate catch near the bottom of the grid for efficient sorting.

Funnels are not a required component of a Nordmore grate at this time in the Oregon shrimp fishery. Nordmore grates fish best if installed to fish at a 45° angle. An approved Nordmore grate must meet the following criteria.

#### The Rigid or Semi-rigid Panel

1. The rigid or semi-rigid panel must completely cover some portion of the net in diagonal cross-section (Figure 4).
2. None of the openings between the vertical bars in a Nordmore grate may exceed 3 inches.

#### The Escape Hole

3. The escape hole must, when spread open using hand pressure, expose a hole at least 100 square inches in surface area. This is equivalent to cutting, about 10-12 meshes in a straight line.
4. The escape hole must begin within 4 meshes of the point at which the rigid or semi-rigid panel connects to the main net at its farthest back point.





