



Oregon

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May 29, 2001

Dr. D. O. McIsaac, Executive Director
Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201



Dear Dr. McIsaac,

Thank you for your letter regarding canary rockfish bycatch in the regional pink shrimp fishery. I share many of your concerns about limiting canary rockfish catch in this fishery and would like to describe some of the steps that the Oregon Department of Fish and Wildlife has taken to address this issue.

ODFW staff has been working with the shrimp industry since 1994 to develop and test bycatch reduction devices (BRDs) for this fishery. In January 2001, ODFW staff met with representatives of the states of California and Washington to develop a strategy for dealing with implementation of BRDs. The Tri-state strategy detailed a two pronged approach, including supporting industry efforts to increase voluntary use of BRDs, as well as implementing rule changes needed at the state level to require mandatory use of BRDs as needed to stay within the 5.5 ton canary rockfish allocation.

In February 2001, staff of ODFW and Oregon State University Sea Grant developed a publication entitled "Fish excluders for West Coast shrimp trawl fisheries" that was distributed to all shrimp permit holders and other interested parties. This publication detailed the "canary rockfish problem" and described all of the commonly used BRDs, where to get them, their performance, how to tune them for peak efficiency and the operational difficulties that can be encountered in using the devices. Later that month, ODFW staff assisted with a series of BRD technical workshops sponsored by OSU Sea Grant and the Coos Bay Trawlers Association that featured fishermen and netmakers from other regions where BRDs are required. ODFW staff has also been working directly with some fishermen and net shops to help develop some new BRD designs that are easier to use on double-rigged shrimp vessels.

In addition to assisting industry with the voluntary BRD program that is now developing, we are also moving forward on the regulatory front. On April 20, 2001 the Oregon Fish and Wildlife Commission voted to delegate authority to me to implement temporary rules for mandatory BRD use, as needed, to limit groundfish catches in the shrimp fishery. While staff of the California Department of Fish and Game and the Washington Department of Fish and Wildlife have expressed their intent to implement rules mandating BRDs, possibly via permanent rather than temporary rules, I feel I must point out that ODFW is the only state agency that has successfully implemented the needed rule changes to require BRDs. Staff are presently monitoring canary rockfish landings and also BRD use by the fleet via a special logbook. Consequently, I am confident that we now have the needed tools to help keep the regional fishery within its 5.5 metric ton canary rockfish allocation.

That being said, I still feel the need to point out that in-season management to reach this goal is rendered somewhat less certain by the absence of a federal observer program to estimate discard. However, I understand that canary rockfish are a relatively minor part of the shrimp bycatch, and with BRD use growing, deployment of observers in this fishery may not be the best use of the limited resources available. I also understand that this is likely a relatively small problem when compared to estimating total canary rockfish take in many of our other regional fisheries.

While it seems clear that BRDs are needed in this fishery to reduce rockfish bycatch in the short term, the question of how to utilize BRDs in the shrimp fishery as canary rockfish stocks rebuild remains un-addressed. It's clear that the shrimp fleet largely created the open access fishery allocation for rockfish via their historical catch. Accordingly, many shrimpers feel that their traditional use of these stocks is being ignored in the process of implementing BRDs, and that at a minimum, they should have a representative on the Groundfish Advisory Panel. If it is the Council's intention that BRD use become permanent in this fishery and that the shrimp fishery's historical share be permanently allocated to other resource users, perhaps it would be most fair to develop this issue as a Framework Plan Amendment. In such a process, perhaps a means could be developed to reduce allocations to reflect permanent use of BRDs, but also fairly recognize the historical take of groundfish by the shrimp fishery.

I hope this letter clarifies the actions we have taken to help manage bycatch in the Oregon shrimp trawl fishery. If you have further questions, especially those of a technical nature please do not hesitate to contact Marine Resources Program staff directly.

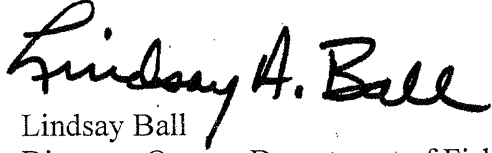
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Please direct those inquiries to Mr. Jim Golden, stationed at our Newport field office.

Sincerely,

A handwritten signature in black ink that reads "Lindsay A. Ball". The signature is written in a cursive style with a large initial "L" and "B".

Lindsay Ball

Director, Oregon Department of Fish and Wildlife

