

OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT SUMMARIZING  
PUBLIC COMMENT RECEIVED REGARDING 2011-12 COMMERCIAL AND  
RECREATIONAL GROUND FISH MANAGEMENT MEASURES

The Oregon Department of Fish and Wildlife held a series of public meetings to gather public input on the range of management measures adopted by the Pacific Fishery Management Council (Council) for each of the 2011-12 groundfish fisheries (commercial and recreational). Meetings were scheduled in five ports; Astoria, Newport, North Bend, Port Orford, and Brookings, between May 17 and 20, 2010. The meetings consisted of a joint session to discuss regulation setting processes and harvest levels, and break-out sessions to separately discuss the harvest levels and management measures specific to the recreational and commercial fisheries.

A total of 77 members of the public attended these meetings. Sectors represented included recreational (charter and private), commercial fixed and troll gear (nearshore and slope fixed gear fisheries), and limited entry bottom trawl (whiting and non-whiting). Other community members who are affected by fishery-management decisions were also in attendance.

The primary purpose of these meetings was to obtain input on potential management measures for the 2011-12 groundfish fisheries. General discussions pertaining to other fishery issues were also discussed at each public meeting. This document will summarize public input received that dealt with potential 2011-12 management measures as well as comments regarding other topics (e.g., trawl rationalization, survey design, and need for more selective gears in the fixed-gear fisheries). The comments and views expressed in this document are those of the meeting participants.

Recreational

Figures 1 and 2 show the season structure options under consideration given the Council's preliminary preferred yelloweye rockfish ACL and the Stonewall Bank Yelloweye Rockfish Conservation Area (YRCA). Table 1 is a summary of the majority opinions from each meeting as well as a listing of other comments regarding proposed recreational management measures for the 2011-12 groundfish fisheries.

Maintaining a year round season with status quo marine bag limit and similar seasonal depth restrictions was a common theme. Based on the Council's preliminary preferred alternative of a 20 metric ton (mt) yelloweye rockfish Annual Catch Limit (ACL), an increase from status quo; liberalizing the 40-fathom depth restriction or allowing groundfish retention during the central Oregon all-depth halibut days should be explored. To meet the recreational portion of the Oregon cabezon ACL, a partial year sub-bag limit

was supported, preferably corresponding to the timing of the depth restrictions, for simplicity of regulations. A minority of anglers suggested increasing the lingcod bag limit to three fish. The majority of anglers expressed interest in allowing limited canary rockfish retention (a 1 or 2 fish sub-bag limit), since they are being encountered in large numbers. There is concern that as the species rebuilds, the recreational fishery will not show similar increased levels of usage as other sectors, which could lead to a reduced share of the rebuilt ACL. Additionally, information gained by allowing limited retention may benefit the stock assessment. Given the Council's preliminary preferred yelloweye rockfish ACL of 20 mt, no YRCA additions or modifications were recommended at the meetings, unless as a last resort to prevent a complete closure of the fishery.

## Commercial

### **Nearshore Commercial Fisheries**

Representatives for the nearshore commercial fisheries were present at all ports visited. Most with ties to this fishery were present at the Brookings and Port Orford meetings, where the majority of the Oregon nearshore fisheries takes place.

In response to yelloweye constraining the nearshore fisheries, several fishermen thought there were more yelloweye than the stock assessment indicated. They identified the source of this discrepancy as flawed surveys, and indicated that yelloweye are not in the areas that surveys are conducted. They stressed the need for improving survey design, such as using visual techniques (i.e., camera or other imaging methods) to supplement current survey methods.

Participants were concerned about potential decreased fishing opportunities due to the current court decision regarding yelloweye rockfish. Participants voiced their concern that they are already managed at such low landing caps that any further reductions in landing caps to protect overfished species will be dire. Hence, it was a common theme among ports that this fishery cannot tolerate further reductions in landing-cap limits. This and other concerns follow.

#### *Area Management and Depth Restrictions*

Most nearshore fishermen felt that depth management should be the first management measure used to limit fishing impacts to yelloweye rockfish. Some participants from the south coast feel that the 20-fm depth restriction currently in effect to 43° N latitude should be extended to the Washington border if yelloweye impacts by this fishery need to be reduced further. Some noted that they would like the opportunity to fish out to 30 fm again if the opportunity arose, because the 20-fm strip is too narrow and limits fishing opportunities. Finally, there was some discussion regarding the localized nature of yelloweye rockfish; and that localized, reef, or smaller area closures may be more appropriate than depth restrictions or trip limit reductions.

#### *Trip limit and Season Reductions*

Participants stressed that further trip limit reductions would be devastating to the fishery and the livelihood of nearshore fishermen and the communities. Many stated that further reductions in landing limits would put many out of business; the value of the allowable landed fish would not be enough to cover associated expenses.

Participants supported restructuring trip limits that emphasize catch/landings of target species that are associated with lower catch rates for overfished species. For example, limits could be increased for black rockfish and decreased for other nearshore rockfish. The result would be higher total landings of nearshore species with no change in impacts to overfished species.

We asked participants that if lower catches were required to reduce yelloweye rockfish impacts, whether reducing trip limits or the season length would be preferred. Fishermen in Brookings would not provide a preference, because reducing catch any further was considered intolerable. Fishermen in Port Orford provided mixed answers but stressed that any further reductions would be a last resort and would run many out of the fishery. If reductions were required, then some preferred to see a shorter season (i.e., shut the fishery down in or near the winter season once the total landing cap is reached) whereas others wanted to maintain a year around fishery. The latter stated that they had no other fishing opportunities if the nearshore fishery was shut down, and a total closure would result in an economic hardship (i.e., paying bills).

#### *Gear Restrictions*

Some participants expressed concern over yelloweye rockfish impacts by longline gear. These individuals feel that bycatch rates of yelloweye rockfish are higher for longline gear than other gears used in the nearshore fishery, and banning longline gear in this fishery would reduce yelloweye impacts and provide the opportunity for higher landed catches of nearshore species. Other participants, however, stated that it would not be economically feasible to fish with any gear but longline. They also noted that longline gear was used to start this fishery and should not be eliminated. Some pointed out that it was not the longline gear that was the problem, but rather how the gear was rigged and fished. More restrictive and clear specifications (and education) regarding longline gear and rigging could significantly reduce yelloweye bycatch rates (i.e., gangion length, weighted line, longline length, etc.). Finally, some suggested that pots be allowed in this fishery (currently only one fisherman is allowed to use pots). Participants stated that pots are selective for cabezon and catch very little rockfish. If longlines were banned, it was suggested that those affected should be allowed to fish pots.

#### *Assumed Discard Survival Rates*

Participants expressed their concern that current mortality rates applied to the discarded catch of overfished species by nearshore species are too high. These rates were developed through a research project aimed at recreational fisheries without venting prior to release. Participants suggested that data exist to develop more updated and realistic discard survival rates (e.g., live fishery landings). They also stressed that tagging studies should be conducted through exempted fishing permits to obtain better estimates. One

participant felt that obtaining exempted fishing permits is difficult and the process should be amended.

### **Slope Fixed Gear Fisheries**

Fixed gear representatives were primarily from the sablefish fishery. Some targeted lingcod seaward of the RCA. Some also fished halibut.

Much of the discussion pertained to the inability of the limited entry “daily trip limit” fishery to catch their harvest guideline because bimonthly trip limits are too restrictive. Participants are frustrated because other fisheries are consistently modeled and managed to reach their harvest guidelines. It was asked why this fishery was ignored and mismanaged. Participants were encouraged that a new model developed by the Groundfish Management Team might allow them to reach the harvest guideline. However, they would like more transparency (e.g., the model) and they feel that catches should be tracked closer. This would allow for better inseason management. Participants expressed their concern that inseason changes take too much time to be implemented following Council’s recommendations. Finally, participants felt that inseason mechanisms should be allowed to provide inseason decisions during times outside of Council meetings.

One participant suggested that this fishery begin using proper release and handling methods, as is done in Alaska for halibut fisheries. Increasing survival of released sablefish will benefit this fishery with more and larger fish in the future. More discussion of this suggestion can be found in the general section below.

#### *Structure of Bimonthly and Weekly Limits*

Most participants felt that bimonthly limits for the “daily trip limit” sablefish fisheries should be structured with highest landings allowed during periods 2, 3, 4, and 5. Weather is typically poor during December, so planning on higher bimonthly limits during this period to finish catching the harvest guideline may be ineffective. Many participate in other fisheries during the winter months (e.g., crab).

Weekly trip limits should be structure to enable fishermen to reach the bimonthly limit in two or three trips per period. If the weekly trip limits are too low, poor weather, break downs, or other events may lead to their inability to catch the bimonthly limit.

#### *Depth Restrictions*

Few comments were received regarding depth restrictions. However, some participants stated much of their productive fishing grounds are between 100 and 125 fathoms. Moving the Rockfish Conservation Area (RCA) boundary to 125 fathoms has negative impacts for this fishery.

## **Non-whiting Trawl and Whiting Trawl Fisheries**

There was little discussion regarding management measures for the trawl fisheries. This may be because it is assumed that trawl rationalization will be implemented on January 1, 2011. There was significant discussion regarding trawl rationalization and the potential negative impact to the fishery and Oregon coastal communities. This and other trawl general trawl topics are discussed at the end of this report.

### *Petrals Cutouts*

One participant stressed that if petrale cutouts are removed, that encounters with darkblotched rockfish will increase. This will force fishermen to fish petrale sole in areas where darkblotched interactions are higher. Fishing within petrale cutouts will not increase discarding of petrale sole because fishermen will adjust their towing duration appropriately.

## **Comments on Other Issues**

### *Salmon Fishermen and Lingcod Limits for Open Access*

Numerous fishermen were concerned about the regulation limiting lingcod retention to the ratio of 15 salmon: 1 lingcod applying if fishing did not occur in the RCA. Salmon trollers were under the assumption that, as was the case in the past, if the entire trip was conducted outside of the RCA, up to 400 pounds of lingcod could be landed (cumulative monthly limit) on a trip regardless of the number of salmon in possession. They would like to see the regulations written to allow this option. Participants stressed that there is a large resource of lingcod but it is inaccessible. These participants also noted that a dinglebar fishery still exists where people target lingcod both shoreward and seaward of the RCA with little yelloweye rockfish bycatch.

### *Trawl Rationalization*

Some participants are planning on trawl rationalization being implemented on January 1, 2011 and feel that it will improve the west coast groundfish fishery. Others are concerned about potential negative impacts of trawl rationalization. These fishermen cited recent articles and stories from the East Coast, where catch sharing was recently implemented. Some of these concerns include:

- Shares of overfished species are so low that numerous boats will not be able to fish. These individuals will either sell their permits and get out of fishing completely or enter open access fisheries to make up the difference (e.g., crab and shrimp).
  - o Less groundfish will be landed, therefore impacting coastal communities and tax revenue.
  - o Infrastructure for crab and shrimp fisheries will not be able to absorb a large influx of participants.

Participants noted that the vessel buy back program was devastating to our coastal communities. The result was loss of infrastructure. Trawl rationalization will be equally or more devastating to our communities.

Fishermen who were concerned about potential negative impacts of trawl rationalization suggest that implementation should be delayed until the problems can be fixed. One individual who owns a boat yard is delaying plans for expansion because of concerns that trawl rationalization will reduce the number of boats in Oregon.

#### *Survey Design and Stock assessments*

A common concern was that stock assessments are based on bad science and survey designs need to be improved to provide better biomass estimates. Participants feel that the biomass of species such as canary rockfish and yelloweye rockfish are much higher than assessments estimate. Participants stated that they are catching more of these two species, which may represent a spill over from their preferred habitat (i.e., rocky areas inside the RCA) into less suitable habitat (i.e., flat bottom areas), due to increased population size.

Participants noted that petrale sole commercial catch per unit effort (CPUEs) are higher now than they have observed for years. There is frustration that these CPUEs are not used in assessments. Participants stressed that commercial CPUEs should be incorporated to provide biomass and trend estimates to the stock assessment.

Participants suggested that trawl surveys should utilize visual or other survey methods to sample areas that are inaccessible by trawl vessels/gear. These other methods would not replace trawl surveys, but rather be used to supplement trawl surveys for those inaccessible areas. Trawl gear used by surveys should be redesigned to more effectively sample rockfish species. The current trawl gear used by surveys is ineffective for sampling rockfishes. It was also suggested that additional trawl and fixed gear survey designs include some non-random survey stations selected by fishermen that would be sampled every survey season.

#### *Selective gears in fixed gear fishery*

Participants expressed their concern that annual catch limits for many target species are not reached because we are managing for the weakest species (e.g., yelloweye). Under this management scenario, there is a need for more selective fishing gears. More work on gear research is needed. Species such as canary and yelloweye rockfish may react differently to different gears. Bait size, hook size, and other potential gear modifications are needed to selectively catch under-harvested species such as lingcod. More research should be funded and encouraged. Exempted fishing permits should be issued to develop better selective fishing methods. If selective fishing methods for lingcod could be developed and/or shown, then the high lingcod biomass could be accessed, perhaps even within the RCA.

Participants stressed that we should concentrate on how to catch lingcod without impacting yelloweye rockfish. Lingcod are abundant, we are grossly under-harvesting

the resource relative to the Annual Catch Limit, and lingcod are a major predator that eats rockfish, including yelloweye rockfish. Management is currently letting this predator go unchecked.

Some participants noted that pots are selective for cabezon and do not catch rockfish. Others noted that longline catch rates of yelloweye rockfish can be reduced if rigged properly.

#### *Logbooks*

Participants felt that current logbooks are uninformative. Questions should be revised that may provide information that can be used to evaluate selectivity among gears and within gears. For example, logbooks only provide a space for number of hooks. There are no questions regarding hooks size, spacing, etc. A lot could be learned from logbooks if the right questions were included.

Participants expressed the importance of logbooks for management. They stressed that fishermen should carefully and truthfully complete logbooks.

#### *“Select Grade Harvest” Techniques*

One participant expressed his concern over survival of small or juvenile sablefish that are discarded by sablefish fixed gear fisheries. Handling and fishing methods should be regulated and/or publicized that will maximize discard survival of sablefish. This includes the elimination of crucifers, educating fishermen regarding the benefit of increased survival to the fishery, and eliminate the use of gaff hooks in this fishery. Juvenile sablefish should be released by hand to improve their survival. Fishing no deeper than 200 fathoms may also increase the survival for discarded sablefish. The result of these methods will be better survival, less waste, and eventually more large sablefish

#### *Yellowtail Rockfish limit for open access fisheries*

Open access fishermen (including salmon trollers) request an increased landing limit for yellowtail rockfish. The landing limit for yellowtail rockfish is so low that landings do not cover the cost of the vessel monitoring system (VMS).

#### *Multiple Gears during Single Trips*

Participants requested that multiple gears be allowed during single trips. Requests were made for the following:

- Fish salmon during shrimp trips
- Fish tuna during shrimp trips
- Fish for salmon and tuna during fixed gear sablefish trips
- Fish for salmon and tuna inside of the RCA.

Figures and Tables

Option	J	F	M	A	M	J	J	A	S	O	N	D	Est. Yelloweye Impacts (mt)		Est. Canary Impacts (mt)	
	Status quo			GF in halibut			Status quo			GF in halibut						
<b>1</b>	Open all depths			Open < 40 fm			Open all depths			2.1	2.5	2.4	2.8			
<b>2</b>	Open all depths			Open < 40 fm			Open all depths			2.3	2.6	2.5	3.0			
<b>3</b>	Open all depths			Open < 40 fm			Open all depths			2.5	2.8	2.7	3.1			
<b>4</b>	Open all depths			Open < 40 fm			Open all depths			2.9	3.21*	2.9	3.4			

\* exceeds the projected 3.0 mt yelloweye allocation, under the Preliminary Preferred Alternative (20 mt ACL)

**Figure 1.** Season structure along with expected yelloweye and canary rockfish impacts for 2011-2012 Oregon recreational fishery options, including retention of groundfish during all-depth Pacific halibut days, under the Council’s preliminary preferred yelloweye ACL.

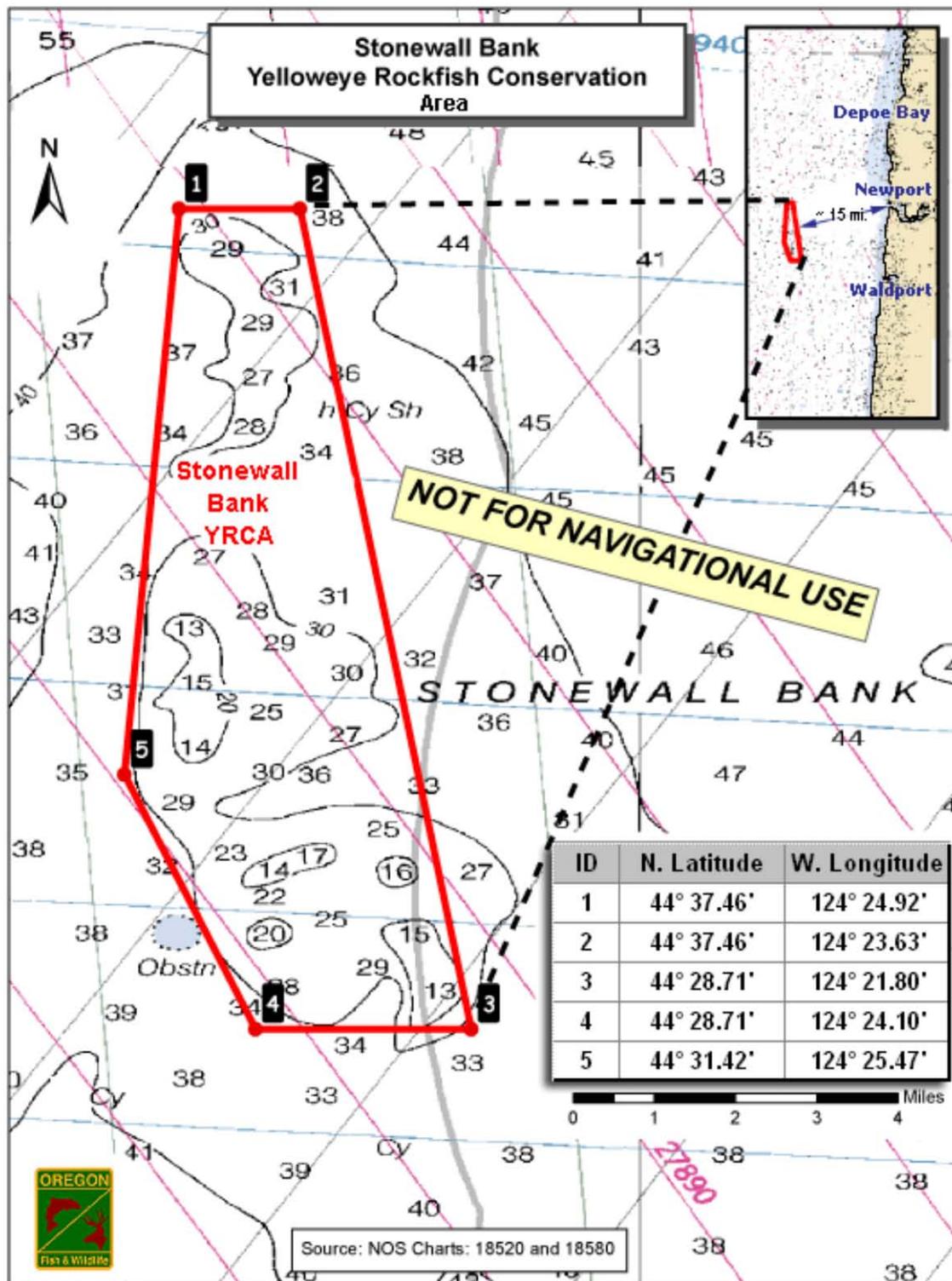


Figure 2. Stonewall Bank YRCA (located approximately 15 miles out of Newport).

**Table 1.** Major recreational issues discussed during public meetings reviewing the 2011-2012 management measures.

<b>Issue</b>	<b>Astoria</b>	<b>Newport</b>	<b>North Bend</b>	<b>Brookings</b>	<b>Port Orford</b>
<b>year-round ocean boat fishery</b>	N/A	support	support	support	support
<b>bag limits</b>	N/A	Marine fish--7; lingcod--2	Marine fish--7; lingcod--2	Marine fish-- 7-10; lingcod--2	Marine fish--7; lingcod--2 or 3
<b>if YE ACT (HG) is increased, how to "spend" the additional impacts allowed</b>	N/A	no consensus; if additional all-depth months, add April , there are other fishing opportunities in Sept. (salmon and tuna)	allow groundfish retention during the all-depth halibut days	liberalize the inside 40 fathom depth restriction (more all-depth months; particulary September)	allow groundfish retention during the all-depth halibut days
<b>increase YRCA or add new YRCAs</b>	N/A	not in favor, since YE ACL may be increasing, use if necessary to prevent reaching YE ACT (HG)	not in favor, since YE ACL may be increasing, use if necessary to prevent reaching YE ACT (HG)	not in favor, since YE ACL may be increasing	not in favor, since YE ACL may be increasing
<b>cabezon management measures</b>	N/A	1 fish seasonal sub-bag limit, coincide with 40-fathom regulations, or closed during the spawning season, institute a slot limit	1 fish sub-bag limit, coincide with 40-fathom regulations, make regulations as simple as possible	1 fish sub-bag limit, coincide with 40-fathom regulations, make regulations as simple as possible	1 fish sub-bag limit, coincide with 40-fathom regulations, make regulations as simple as possible; increase size limit
<b>other issues</b>		worries about spawning rockfish in April, lots of very ripe females	need more education on fish ID and release techniques	need a better red rockfish guide, one that is bigger and waterproof; more education on release devices	allow a sub-bag limit of 1 or 2 canary
			allow retention of 1 or 2 canary, there are many out there, hard to avoid, will reduce catch of other nearshore rockfish	need a proper rockfish assessment, take into account the amount of feed available in the ocean	expanded lingcod opportunity; marine fish bag limit trade-off or depth restrictions to ease YE impacts
			some sort of substitution scenarios (eg. 1 yelloweye equals 1 lingcod) in the bag limits	sperate management lines for groundfish, similar to salmon, don't like being lumped in with the entire coast	explore what other Council's have done in regards to releasing/venting fish
				allow retention of canary	