



## Meeting Summary

# Commercial Nearshore Advisory Panel

June 5, 2024, 5:00 pm-7:00 pm

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The Oregon Department of Fish and Wildlife (ODFW) convened the second meeting of the Commercial Nearshore Advisory Panel (CNAP) on June 5, 2024. Nine of 10 CNAP members attended, along with ODFW staff and a member of the public. The meeting was held to continue discussions on the upcoming reductions in Harvest Guidelines (HGs) for Black Rockfish in 2025-2026. Additional agenda items included potential Blue and Deacon Rockfish in-season adjustments and a member request to consider changing the Black and Blue Rockfish non-endorsed permit lottery threshold. ODFW staff presented results from analyses of potential bimonthly vessel limit options proposed at the last CNAP meeting to address the upcoming reductions and sought the panel's input on these options. ODFW staff reviewed 2024 Blue and Deacon Rockfish landings to date, discussed the need to make in-season adjustments if catch projections continue to exceed the HG, and sought input from CNAP as to what is driving the historically high landings. Staff also reviewed the commercial nearshore permit history for further discussion about the Black and Blue permit lottery threshold.

### **Black Rockfish Harvest Guideline Reductions**

CNAP members unanimously agreed that they were against having different trip limits for different permit types, which was an alternative suggested at the last meeting as Black and Blue non-endorsed permit holders have fewer opportunities to land other species and would be most impacted by HG reductions. Panel members, including Black and Blue permit holders, thought reductions should be applied fairly and equitably across the fleet. Panel members agreed that there is still a good market for black rockfish in the winter months, so steeper reductions in limits during this time would be a mistake. In addition, other fisheries (e.g., crab) are often delayed and it is helpful to be able to fish nearshore species during this time. Several members stated that they would rather have a lower reduction (33%) of limits and risk early closure or in-season adjustments than have a steeper reduction (45%) at the outset. Members cited that poor weather early and late in the season could limit their ability to fish and leave fish on the table. No alternative management measures were proposed, or further analyses requested, so staff acknowledged that this would likely be the primary management strategy brought forward to public meetings in September. Staff noted that there were opportunities for further input at the public meetings and at the Oregon Fish and Wildlife Commission (Commission) meeting in December.

One member asked if staff had considered size restrictions for black or blue rockfish and expressed concern that fish were being harvested before having a chance to spawn. Staff noted that while there may be a biological advantage, overall, size limits do little to change the total catch. Panel members stated that buyers won't accept real small fish and they are already returning those under 12 inches. Barotrauma was mentioned as a concern.

## **Blue and Deacon Rockfish In-season Adjustments**

After providing a review of Blue and Deacon Rockfish landings, staff stated that steep vessel limit reductions would be needed to stay under the commercial HG. Landings in 2024 have exceeded both the historical average and previous historical maximum, and while the catch rate had recently slowed, it was likely not enough to make up for high catch rates early on. Staff noted that with the slow down and with projections being well under the Annual Catch Limit (ACL) due to low HG attainment in the recreational fishery, in-season adjustments were not immediately needed, but that they would continue to monitor the harvest and make adjustments when necessary. Panel members seemed to be on board with the 'wait and see' approach.

The panel was not sure why Blue and Deacon Rockfish landings were so high, as there is not a huge demand for them from buyers. Panel members asked whether staff had looked at numbers by port or market, and if so, if anything stood out. Staff said that in general, most of the permits and therefore, most of the landings were from the south coast, but that no real trends were apparent. Numbers were up across the board from 2023, with little difference between the live and fresh markets, aside from more even prices between the two in 2024 compared to a higher price for live fish in 2023. A few panel members said that they had some good fishing on blues recently, including bigger fish, and that this could have contributed to the higher numbers. Some panel members stated that when they come across a bunch of small fish, they usually move fishing areas. Staff said that that many fishers catching good numbers of fish could be driving landings up. Potential buybacks could also be a contributing factor, although one member said that it shouldn't make a difference, as once a fish is caught, it doesn't matter what happens to it. The point was made that Black Rockfish HG reductions in 2025 will likely impact the fishery and market for Blue and Deacon Rockfish.

## **Black and Blue Rockfish Non-endorsed Permit Threshold**

A member requested that the panel recommend that ODFW consider changing OAR 635-004-0325 and recommend to the Commission to accept a new permit lottery threshold limit of 40 non-endorsed permits. He stated that ODFW is not following the law and holding a permit lottery as required, since the number of non-endorsed permits has fallen below 80. He stated that his requests to hold a lottery have been dismissed and that ODFW has admitted outright that their intention is to reduce the number of permits. In addition, he noted that the process to get a permit reinstated is extremely difficult and stated that by statute, appeals should be reviewed by the Commercial Fishery Review Board without requiring a judicial process first. His goal was to bring this matter to the panel's attention because he fears that commercial fishermen will no longer have a voice if the permit numbers continue to decline and that recreational fisheries interests will dominate instead. Staff recognized that there is a long-standing disagreement over interpretation of the lottery statutes and rules, and asked the panel to focus on whether they would like to see a change, and what an appropriate threshold may be. Most other panel members were thankful that they were made aware of this issue and asked staff to work to ensure that the permit numbers do not fall below current levels, and that wording about holding a lottery to add permits be changed in OAR from "may" to "shall". One member was concerned that increasing permit numbers could lead to lower vessel limits, especially with upcoming Black Rockfish harvest reductions.

## **New, emerging, or other issues identified by the panel**

Finally, a panel member asked how to get a topic added as an agenda item to a CNAP meeting. Staff noted that there is opportunity at the end of each meeting to discuss new, emerging, or other issues. He asked whether there was a way to stack permits on one boat. The member cited it being extremely wasteful to throw back fish on a trip when he had the permits to catch them. Staff noted that, while the Commission can change administrative rules, those in statute need to go through the legislative process and that people need to reach out to their legislators to get a change like this implemented.

## **Public Comment**

No public comment was given and the meeting wrapped up.