

August 8, 2014



## ODFW NOTICE TO COMMERCIAL FISHING INDUSTRY PARTICIPANTS



### NEW POST-SEASON DERELICT GEAR PROGRAM

EFFECTIVE SEPTEMBER 2014

- ◆ **The commercial Dungeness crab fishery in the ocean and Columbia River closes August 14th**
- ◆ **All crab gear must be out of the water by August 28th**
- ◆ **The permitted Post-Season Derelict Gear Recovery Program begins early September and allows participants to keep or sell recovered gear**



#### **Post-Season Derelict Gear Program Background**

In order to further incentivize removal of lost and abandoned crab gear from the ocean, the Oregon Dungeness Crab Commission supported [House Bill 3262](#), which exempts crab pots recovered in a permitted recovery program 15 days after the end of season from Oregon's personal property law. This ultimately allows the permitted gear retrievers to decide what to do with any retrieved gear (i.e. keep, sell, etc.). Under the authority of HB 3262 the Oregon Fish and Wildlife Commission adopted regulations to allow the Oregon Department of Fish and Wildlife to issue Post-Season Derelict Gear Recovery Permits to commercially licensed vessels to retrieve derelict or abandoned gear post-season.

#### **When does the program start?**

Permits will be issued to applicants around September 1<sup>st</sup> and be valid for approximately four weeks. If there is strong justification to extend the program further, ODFW will consider extending the program into October, as resources allow.

#### **When can you apply for a permit?**

Owners or operators of commercially licensed vessels can apply for a Post-Season Derelict Gear Recovery Permit at any time throughout the season, but the permits will not be issued until after Aug. 29<sup>th</sup> each year. To apply for a permit call Kelly Corbett at 541.867.0300 ext. 244.

#### **What does a Post-Season Derelict Gear Recovery Permit allow you to do with retrieved gear?**

Dungeness crab gear retrieved under the authority of a Post-Season Derelict Gear Recovery Permit may be disposed of at the permit holder's discretion after documenting retrieval of the gear in accordance with permit conditions.

## What are the conditions of a Post-Season Derelict Recovery Permit?

Failure of the vessel operator or crew to abide by the terms of the permit will result in termination of the permit and ability to participate in the program. The permit provisions and criteria for participation in the post-season derelict gear recovery program may change in future years, as ODFW and the commercial fishing industry gain experience implementing this program. The conditions of the permits this year will include:

- **Permit** – The permit must be onboard the fishing vessel during all recovery operations and is not transferable to any other vessel.
- **Notification** – The vessel operator must notify ODFW at least 24-hours prior to the vessel leaving the dock to retrieve gear. Notifications must be given during regular business hours, Monday – Friday between the hours of 8AM – 5PM. The vessel operator must also notify ODFW at least 2 hours prior to returning to the dock following a gear recovery operation even if no gear was recovered during the trip. Notifications can be made by calling 541.867.0300 ext. 244.
- **Area** – Recovery operations are restricted to Oregon state waters and the Pacific Ocean in federal waters south of an east-west line extending westward at 46° 15' 00" North Latitude (Oregon/Washington border) and north of an east-west line at 42° 00' 00" North Latitude (Oregon/California border).
- **Logbook** – The vessel operator is responsible for maintaining a logbook in an accurate and truthful manner and in accordance with the instructions contained therein. Complete, legible and accurate data records must be collected and provided to ODFW approved staff upon returning with recovered gear. Additional log pages may be obtained from ODFW offices in Astoria, Newport, Charleston and Brookings or by making photocopies of a blank log page.
- **Gear Registration** – All gear recovered during permitted gear recovery must remain on the vessel and remain in the condition it was recovered until the gear is registered and tagged by ODFW approved staff. Tampering with recovered gear, including removing pot tags, buoys or other markings prior to registering the gear will result in termination of the permit. All completed post-recovery registration forms will be scanned in and posted on ODFW's website to allow any previous gear owners interested in negotiating for their previously owned pots to contact retrieving vessels. Giving first right of refusal to the previous gear owner is strongly encouraged through this program to continue to foster good relations within the commercial fishing community.
- **Harvest prohibited** - All crab and non-crab species taken with the retrieved gear must be immediately returned to the ocean.

## What if you are unable to get your Dungeness crab gear out of the water before Aug 29<sup>th</sup>?

ODFW may grant crab permit holders emergency exemptions from the gear recovery program for Dungeness crab gear that was unable to be removed from the ocean as a result of undue hardship such as the vessel was destroyed, death or permanent disability. Requests for exemptions must be submitted to the Marine Resources Program in Newport by August 29<sup>th</sup> of each year. To apply for a gear exemption please call Kelly Corbett at 541.867.0300 ext.244.

## Where can you find information on derelict gear that was retrieved through the program?

All of the completed post-recovery registration forms will be posted on ODFW's website to allow any previous gear owners interested in negotiating for their retrieved pots to contact retrieving vessels themselves.

[http:// www.dfw.state.or.us/MRP/shellfish/commercial/crab/](http://www.dfw.state.or.us/MRP/shellfish/commercial/crab/)



## What if you have more questions about the program?

Please call Kelly Corbett at 541.867.0300 ext. 244.