



ODCAC Conference Call February 5, 2020

Attendance: Caren Braby, Kelly Corbett, Troy Buell, Brittany Harrington, John Corbin, Gary Motsinger, Bob Eder, Pogy Lapham, Justin Yager, Clint Funderburg, Cody Chase, Scott Hartzell, Stuart Schuttpelz, Rex Leach, Rick Lilienthal, Tyler Long, Crystal Adams, Joe Speir, Bernie Lindley, Bill Manning, Brian Nolte, Tim Novotny, Hugh Link, Susan Chambers, Ryan Howell

Summary

- The meeting opened with attendance and an overview of the agenda, including an introduction of the documents that were sent out in advance: (1) whale entanglement FAQ document, (2) entanglement summary that was first provided at December meeting, (3) draft staff recommendation with draft regulation language, and (4) risk reduction analysis for each management measure.
- Kelly Corbett provided an overview of the risk reduction analyses for each proposed management measure using a pot-days metric to attempt to compare across measures. These analyses were in response to requests at the last ODCAC meeting.
 - All analyses show a 5-season average (2014-15 through 2018-19) broken into two-week period to get more refined estimates.
 - Pot estimates were based on permit pot tier and when those vessels were active (i.e., making landings) during each period.
 - From this, pot reduction was estimated during each period based on a 10%, 20%, 30%, and flat 200 reduction. This was then converted to pot-days by multiplying the estimated number of pots reduced by the number of days in each period.
 - For each percent reduction and implementation date, the relative conservation benefit was determined relative to the most conservative measure (i.e., a flat 200 pot limit on April 1). This allows for a comparison of the conservation benefit across measures and highlights that the implementation month is the main driver of the conservation benefit.
 - Troy Buell provided analyses, expanded from the last meeting, that show the distribution of fishing effort inside and outside of certain depths by month and over multiple seasons. Data was presented for 20, 30, and 50 fathoms beginning with the 2007-08 season when mandatory logbooks were first implemented.
 - Data from all seasons with logbook data (2018-19 is not yet available) were used to investigate a pattern seen since the 2015-16 season of more pot-pulls in deeper water occurring later in the season than during previous seasons. This pattern was not observed in any earlier seasons back to 2007-08. The average, minimum, and maximum amount of gear inside and outside of 30 fathoms were shown for all seasons, "deep" late seasons, and "shallow" late seasons.
 - Caren Braby provided a summary of observed entanglements in Oregon crab gear, showing that the key timing is from April to November (or through August when considering the crab season).

- There was a brief discussion of a recent NOAA study which examined the relationship between whale entanglements and the marine heat wave (i.e., the blob) in 2016. Changing ocean conditions (including, but not limited to, the blob) are being considered in addressing this issue, but the study in question covered a limited time period. In particular, the study did not include data from 2018 and 2019 when the blob was not present but entanglements were still observed.
- Given the timing of entanglement observations, ODFW is recommending a May 1 implementation date for pot reduction as a compromise between when the whales start appearing and the transition to the summer fishery.
 - There were several comments from ODCAC members about the possibility of implementing the pot reduction on June 1 with triggers (e.g., observed entanglements) that would change the regulations to May 1 in subsequent seasons.
 - ODFW expressed concerns with this approach because of the small relative conservation benefit provided by a June 1 implementation date. Triggers are not being built into the OFWC package because ODFW is confident that they will be able to work with OFWC to adapt these measures in the next three years, if needed. Triggers will be an important piece of the adaptive management strategy in the Conservation Plan so further development of them will be needed in the short term.
- The analyses presented by ODFW are intended to clearly define the management approach. The mean amount of gear outside of 30 fathoms from 2015-2018 ranges from 22% in May through 20% in August. A depth restriction of 30 fathoms, combined with a pot reduction of 20%, is being proposed to avoid gear crowding and creating new issues for other whale species.
 - A comment was made about the 30 fathom line from Tillamook Head to Cascade Head being pretty close in with a larger amount of gear outside of 30 fathoms later into the season than suggested by the average.
- Kelly Corbett presented the risk reduction analysis for the elimination of replacement tags in terms of a pot-day reduction. Elimination of replacement tags is part of the proposal to be implemented at the start of the 2020-21 season.
 - Currently, there are three mechanisms for replacement tags: (1) 10% replacement after the first 30 days of the season, (2) "catastrophic loss" provision if a vessel is destroyed by fire, capsizing, or sinking, and (3) "extraordinary event" provision which is not defined in rule but is intended to apply if some sort of large storm causes pot loss across multiple vessels.
 - ODFW is proposing elimination of the "automatic" 10% replacement, but maintaining the catastrophic loss and extraordinary event provisions (which would require that reasonable efforts be made to retrieve the lost gear and that proper documentation/application be provided).
 - Some ODCAC members voiced concerns over complete elimination of replacement tags, particularly due to pots lost from vandalism. There was a suggestion that the limit be changed from 10% to 5%.

- The comment was also made that there are multiple reasons that gear gets lost and fishers generally don't know what happened to the pots when they find they're gone, so it is hard to describe the extraordinary circumstances.
 - Some ODCAC members expressed that, while vandalism is a problem, the "automatic" 10% needs to be eliminated.
 - The conversation included a discussion of gear loss and the need for replacement tags being bad optics for the crab fleet.
 - An idea was presented of including an end date to the validity of replacement tags (e.g., 5% replacement tags are allowed but not valid after May 1).
 - This idea was met with some agreement, though it doesn't completely address the issue of bad optics.
 - Kelly Corbett presented risk reduction analysis for the elimination of the two-week post season gear clean-up period.
 - The draft OAR language for this measure includes a provision, similar to one-time retrieval waivers, that would allow another crab-permitted vessel to help stack out gear for another vessel at the end of the season.
 - There were no comments on this, but ODCAC was asked to think about the language and provide any feedback.
 - Caren Braby described the staff recommendation for a taut line provision which is intended to keep the scope of the line tight but is not intended to be so proscriptive that it gets in the way of adjusting gear for tides, weather, etc. It does not specifically include minimization of surface gear at this time.
 - There were no comments on this, but ODCAC was asked to think about the language and provide any feedback.
 - The ODFW line marking recommendation has not changed since the last meeting and is aligned with WA at this time. The marks must be visible, 12 inch marks in the specified color within one fathom of the surface buoy and within one fathom of the pot. The rule will not specify how the mark is made.
 - OSP has brought up the issue that some members of the fleet use orange line which would make an orange mark ineffective. Ideas for addressing this issue included allowing for a second color if orange line is used, or requiring that some different colored line be used in that part of the gear so that the orange mark shows up.
 - ODFW is open to colors other than orange. It just has to be visible and distinct from other states.
 - Fluorescent green and black were both proposed, with general agreement about black.
 - There were no objections to requiring a black mark.
- The presented materials focused on the regulatory components of the management approach, but fishermen education and gear innovation are still both of great interest to the agency long-term.
- ODFW asked for general reflections about what needs to be done to keep ODCAC informed or lean on the group between now and the OFWC meeting on April 17th.
 - There were several comments encouraging ODFW to continue considering permit stacking as a possible option for implementation in the future.

- ODCAC members were encouraged to send further thoughts to ODFW in the next few weeks.