



Oregon Entanglement Advisory Committee Charter

June 2022

Background

The Oregon Whale Entanglement Working Group (OWEWG) was first convened by Oregon Sea Grant in May 2017 in response to an increase of large whale entanglements in fixed-gear fisheries gear along the West Coast, including gear that has been definitively linked to Oregon's crab fishery. Concurrently, the Oregon Department of Fish and Wildlife (ODFW) increased efforts to address marine life entanglement and develop a proactive management strategy for Oregon. A foundational piece of that strategy has included the development of a draft Conservation Plan (CP) in support of an incidental take permit (ITP) application under section 10(a)(1)(B) of the federal Endangered Species Act (ESA). ODFW is seeking a 20-year incidental take authorization for Oregon's ocean and Columbia River commercial Dungeness crab fishery ("crab fishery") covering humpback whales, blue whales, and leatherback sea turtles. The CP is currently being finalized and ODFW is planning to submit along with an ITP application to the National Marine Fisheries Service (NMFS) in 2022 for consideration of permit issuance. The consideration period is expected to take several years and will likely include changes to the CP draft prior to a final plan being approved and an ITP being issued.

At the time it was created, the primary goal of OWEWG was to develop short- and long-term options for reducing risk of whale entanglements in Dungeness crab and other fixed gear to ensure thriving and resilient fisheries in Oregon and along the entire West Coast. The group consisted of representatives from Oregon's commercial fixed-gear fishing fleet, a recreational crabber, a whale disentanglement specialist, a fishing gear expert, university-affiliated marine mammal experts, non-governmental organizations, the Oregon Dungeness Crab Commission, and ODFW.

From May 2017 through July 2019, the OWEWG held regular meetings open to the public, which provided an important avenue for ODFW to gather public input regarding the fishery and best practices. In addition to serving as a forum for collaboration, the OWEWG produced a voluntary best fishing practices directive, gathered feedback from the broader fleet through an industry survey, and developed preliminary recommendations focused on improving information about entanglement and management options to reduce risk, which formed the basis of many of the conservation management measures that have been implemented in Oregon to date.

From July 2019 through early 2022, the OWEWG met less frequently to address specific entanglement issues and serve as a hub for communication and idea sharing at strategic points during ODFW regulations development. Starting in 2022, ODFW will be facilitating this group, renamed the Oregon Entanglement Advisory Committee (OEAC), and will resume more regular meetings relative to the objectives in and implementation of Oregon's CP to address marine life entanglement in Oregon's crab fishery.

Purpose

The purpose of the OEAC is to serve as an advisory body to ODFW on efforts to reduce the risk of marine life entanglements in Oregon Dungeness crab gear and support ODFW commitments detailed in the CP. The OEAC is intended to provide ODFW with information and broad perspectives from a range of stakeholders on strategies to support the co-occurrence of economically viable fixed gear fisheries and thriving marine life populations off Oregon.

Objectives

To evaluate strategies to reduce entanglement risk and advise ODFW on achieving CP objectives by:

- Evaluating effectiveness and impacts of existing fishery management measures
- Considering and recommending future fishery management measures and adaptations to Oregon's conservation strategy
- Exploring potential innovative technologies and approaches that could be applied in Oregon
- Identifying research priorities and actions for ODFW, researchers, and other partners to pursue
- Providing a hub for communication and idea sharing

Scope of Work

The primary role of the OEAC will be to serve as a diverse advisory body to ODFW on CP implementation. The OEAC may play a secondary role advising ODFW on broad entanglement-related issues that benefit from diverse stakeholder collaboration, as there is ODFW need and interest among active members. The committee may also choose to invite guest advisors or presenters on a variety of entanglement related issues.

ODFW maintains an industry advisory committee, the Oregon Dungeness Crab Advisory Committee (ODCAC), which will continue to be consulted on issues that require industry-specific feedback, particularly those related to fishery operations. Active members of both the OEAC and ODCAC will be asked to participate in Oregon Entanglement Summits (a specific component of and commitment in the CP), at least every five years, to evaluate and provide recommendations in four distinct subject areas including:

- Gear modifications as they are demonstrated to be feasible for fishery operations and beneficial to covered species conservation off Oregon;
- Adaptations to the overall management strategy (including improvements or alternatives) that are at least as protective of covered species as the existing measures, to further reduce entanglement risk while supporting ODFW's ability to make targeted decisions that minimize impacts to the crab fishery;
- Further gear marking modifications to improve identification of gear involved in entanglement reports; and
- Research priorities to fill critical management information and research gaps for Dungeness crab, CP covered species (humpback whales, blue whales, leatherback sea turtles), fishery gear, and management measures.

Membership & Advisors

ODFW will strive to ensure that OEAC membership is representative of all stakeholder groups and that processes are in place to facilitate an orderly transition of members and maintain continuity over time. ODFW will aim to maintain a committee size of 15 to 20 members, representing the commercial crab industry (including different roles, ports, business plans, etc.), recreational crab industry, conservation organizations, researchers, and other subject matter experts (e.g. enforcement, gear, disentanglement, citizen science). When selecting members, priority will be given to applicants representing Oregon-based industries, businesses, or organizations.

Member names and affiliation will be posted on the ODFW website. Member terms will be for three years, and active members may be reappointed at ODFW's discretion. ODFW may also solicit applications for or appoint new members at any time to address gaps in representation or emerging needs.

In addition to the OEAC members, NMFS staff have a standing invitation to be present as policy advisors at all OEAC meetings. As the incidental take permitting authority, NMFS will not contribute to recommendations made by the group but will provide policy expertise and clarity to inform group discussions. Additionally, ODFW may occasionally invite non-OEAC subject matter experts to share information or participate in specific discussions at OEAC meetings.

Expectations

OEAC members are expected to:

- Represent perspectives of participants who are similarly situated, not limited to their own viewpoint. This means reaching out to contacts in their port, community, or professional network to get broader input on topics under discussion and sharing that with the panel.
- Be courteous, professional, and respectful towards all OEAC meeting attendees.
- Come prepared to meaningfully contribute to meetings and look for common solutions.

Structure & Procedures

OEAC meetings – OEAC meetings will be open to the public and announced on the ODFW website. Priority will be given to discussion with members, with a brief opportunity for public input at the end of each meeting, if time allows. Webinar or conference call options will be available for all meetings, so that in-person attendance is not required. Meetings will not be recorded, but ODFW staff will take minutes.

All discussion that takes place at OEAC meetings will serve to advise ODFW. ODFW will consider and evaluate all opinions and use that information to generate proposed management actions, which could include regulatory and non-regulatory components. As needed, ODFW may refine proposed actions through additional public process (e.g., ODCAC, public meetings). Any proposed management actions that require regulatory changes will be presented by ODFW to the Oregon Fish and Wildlife Commission (OFWC) at a public hearing, which will include the

opportunity for individuals and organizations to provide formal public comment. The OFWC has the authority to adopt, reject or modify proposed regulatory changes.

Time commitment – Active OEAC members will be expected to attend and contribute to the majority of OEAC meetings, convened at least annually throughout CP finalization, refinement, and implementation. The committee may be convened more often, as needed, but is intended to meet not more than once per quarter unless due to extraordinary circumstances. Proactive communication regarding unavoidable absences is expected. The OEAC will be maintained to meet the broad advisory needs of ODFW throughout the ITP duration, which is anticipated to be 20 years. OEAC members will also be invited to participate in Oregon Entanglement Summits, occurring at least every five years throughout the permit duration, as defined in the CP.

Oregon Entanglement Summits – Oregon Entanglement Summits are a commitment in the CP. Summits will include sessions dedicated to each of the four subject areas (see *Scope of Work*). In some cases, other subject matter experts (e.g., marine mammal, fishery, disentanglement, gear), fishery managers from the other West Coast states, and NMFS partners may be asked to participate in OEAC meetings and/or summits to ensure that recommendations are made based on the best available information. Oregon Entanglement Summit discussions will be recorded and used to prepare summary reports (see below).

Reporting – ODFW will post meeting summaries on the commercial crab [entanglement webpage](#) following each OEAC meeting. A summary of ideas or recommendations generated from Oregon Entanglement Summits will be included in progress reports submitted to NMFS every five years and posted on ODFW's webpage, as detailed in the CP.