**STAFF SUMMARY**

# Proposed Closure of the Commercial Bay Clam Dive Fishery in Yaquina Bay

## Background

Yaquina Bay supports many mixed uses including recreational and commercial fishing/shellfishing. Many species of bay clams inhabit the intertidal and subtidal waters of Yaquina Bay, however only three species of bay clams (cockle, gaper, and butter clams) are primary targets for harvest by commercial bay clam fisheries.

The Oregon Department of Fish and Wildlife (department) conducted its first limited subtidal clam survey in 2019 along a section of the northern shoreline of Yaquina Bay. This allowed the department to update subtidal data for the bay in areas where increased subtidal commercial harvest of gaper clams occurred in 2018. Using data from this survey, the department proposed and the Oregon Fish and Wildlife Commission (Commission) adopted an annual 20,000 pound gaper clam landing limit and a subtidal harvest area for the commercial bay clam dive fishery in Yaquina Bay through temporary rules (effective July 2019 through 2021). The Commission adopted these regulations into permanent OAR in April 2022.

As part of the department's 2025-2026 Yaquina Bay full estuary assessment, a new subtidal bay clam survey was conducted in spring 2026. This survey found an 84% decrease in the biomass of gaper clams in the commercial subtidal harvest area compared to the 2019 survey. Due to the significant decline in gaper clams, and low abundances of cockle and butter clams, there are not enough clams in the commercial harvest area for a viable subtidal fishery.

## Public involvement to date

The department filed temporary regulations to close the subtidal commercial fishery in Yaquina Bay in June 2026, based on preliminary data from the subtidal survey indicating low biomass. An industry notice was mailed and emailed to all active commercial dive bay clam permit holders, divers, and dealers regarding the closure. This notice was also posted on the department's website. The department received no written or verbal feedback from anyone regarding this closure.

On August 24, 2026, an industry notice was mailed and emailed to all active commercial dive bay clam permit holders, divers, and dealers to solicit feedback about the proposed permanent closure of the commercial subtidal clam fishery in Yaquina Bay. This notice included information on how to testify at the December Commission meeting and was posted on the department's website. Staff received no written or verbal feedback from anyone regarding this notice.

## Overview of proposed rule changes

Because of the significant decline in bay clams, the Department is proposing two changes to permanent rules:

The first proposed rule amendment would close all commercial subtidal harvest of bay clams in Yaquina Bay. Harvest is currently open under permanent rule in a designated area. Survey results in the designated harvest area revealed a significant decrease in gaper clam biomass between the 2019 and 2026 subtidal clam surveys and the area no longer contains enough clams to sustain a viable fishery. While there has been low effort for subtidal clams in Yaquina Bay since 2018 and no effort since 2022, closing subtidal harvest is necessary to support the recovery of subtidal clams in the bay.

The second proposed rule amendment would remove the annual 20,000 pound gaper clam landing limit for Yaquina Bay, because the proposed closure would make the limit unnecessary.