

Attachment 2

4-22-10

~~4-20-10~~

3 pages

To

Teri Kusera

ODFW

Director's office

503-947-6042

Please resubmit

attached petition

RW

Petition to Adopt a New Rule

Oregon Department of Fish and Wildlife

IN THE MATTER OF THE ADOPTION)	Petition to Adopt New Rule
OF A NEW RULE TO CREATE A)	(Three Year Temporary)
THREE YEAR LIMITED PERMIT)	(Limited permit Inland)
INLAND ANCHOVY BAIT FISHERY)	(Anchovy Fishery)
IN A SELECT COASTAL ESTUARIE)	

1. Petitioner's name is Richard Wood. The petitioner is the owner of Yaquina Bait Company, 138 SE 35th St., South Beach, OR, 97366. Phone number: 541.270.3336.
2. The following people are known to the petitioner to be interested in the adoption of the new rule outlined below: see attached signature sheet.
3. The petitioner asserts that under the amended rules (OAR 635-004-0025 and 635-004-0042) made in August, 2009 by the Oregon Fish and Wildlife Commission, the harvesting of anchovies in select inland waters for bait are very restrictive. The petitioner feels the amendments made limits opportunity for the harvest of live bait in select inland waters by restricting the harvest of inland anchovies to the commercial fishing catching vessels only. The amendments effectively prohibit the commercial harvest of inland anchovies . The petitioner maintains the amendments reduce the opportunity for refilling of live anchovy bait in Oregon to only a fraction of the live bait albacore fishing boats that could potentially benefit. There has been no provisions made for the sportfisher .
4. The petitioner proposes creating a new rule to create a temporary limited permit inland anchovy bait fishery in Yaquina Bay for the purpose of .
 - a. Data gathering
 - b. Resale
5. The new rule the petitioner proposes to create would include the following provisions:

(NEW RULE) Three Year Temporary Limited Permit Inland Anchovy Bait Fishery

- (1) One permit available in Yaquina Bay to harvest and sell anchovies as live bait from May 15 through October 31.
 - a. Permit only issued to a licensed bait company.
 - b. Permit holder must obtain a bait fishing license and a commercial fishing license.
- (2) Harvesting methods for the taking of anchovies include:
 - (a) Lampara net; only
- (3) All species other than anchovies, taken in operation of gear authorized by this rule, must be returned to the water immediately unharmed

(4) Permit holder is responsible for maintaining a logbook and report actual pounds harvested upon sale of anchovies.

(5) Permit holder will report all data gathered (per request odfw)

Dated

4-22-2010

Richard Wood
Petitioner

