



1 NOTE: This is the format for Oregon Administrative Rules (OARs).
2 When adding text (**Bold and Underline**)
3 When deleting text [~~bracket and strikethrough~~]
4

5 **Division 4**
6 **COMMERCIAL FISHERIES OTHER THAN SALMON OR SHELLFISH**

7 **635-004-0275**
8 **Scope, Inclusion, and Modification of Rules**

9 (1) The commercial groundfish fishery in the Pacific Ocean off Oregon is jointly managed by the state of
10 Oregon and the federal government through the Pacific Fishery Management Council process. The Code
11 of Federal Regulations provides federal requirements for this fishery, including but not limited to the time,
12 place, and manner of taking groundfish. However, additional regulations may be promulgated
13 subsequently by publication in the Federal Register, and these supersede, to the extent of any
14 inconsistency, the Code of Federal Regulations. Therefore, the following publications are incorporated
15 into Oregon Administrative Rule by reference:

16 (a) Code of Federal Regulations, Part 660, Subparts C, D, and E (October 1, [~~2023~~**2024** ed.) as
17 amended; **and**

18 (b) Federal Register **[Insert Reference When Available]** [~~Federal Register Vol. 88, no. 228,~~
19 ~~dated November 29, 2023 (88 FR 83354); and~~

20 ~~(c) Federal Register Vol. 88, no. 230, dated December 1, 2023 (88 FR 83830).]~~

21 (2) Persons must consult the federal regulations in addition to Division 004 to determine all applicable
22 groundfish fishing requirements. Where federal regulations refer to the fishery management area, that
23 area is extended from shore to three nautical miles from shore coterminous with the Exclusive Economic
24 Zone.

25 (3) The Commission may adopt additional or modified regulations that are more conservative than
26 federal regulations, in which case Oregon Administrative Rule takes precedence. See OAR 635-004-
27 0205 through 635-004-0235 and 635-004-0280 through 635-004-0365 for additions or modifications to
28 federal groundfish regulations.

29 **Statutory/Other Authority:** ORS 506.119

30 **Statutes/Other Implemented:** ORS 506.109 & ORS 506.129

31

32 **635-004-0350**
33 **Harvest Guidelines and Landing Caps**

34 (1) Upon attainment of a harvest guideline in the Black Rockfish / Blue Rockfish / Nearshore Fishery, the
35 Department shall initiate consultation to determine if additional regulatory actions are necessary to
36 achieve management objectives.

37 (2) The following commercial harvest guidelines include the combined landings and other fishery related
38 mortality by all Oregon commercial fisheries in a single calendar year:

39 (a) Black rockfish: [~~422.9~~**82.4** metric tons;

40 (b) Blue rockfish and deacon rockfish combined: [~~45.2~~**14.8** metric tons;

41 (c) Other Nearshore Rockfish combined: [~~46.4~~**15.4** metric tons;

42 (d) Cabezon: [~~34.6~~**31.0** metric tons; and

43 (e) Greenling: [~~98.4~~**96.6** metric tons.



44 **Statutory/Other Authority:** ORS 506.119
45 **Statutes/Other Implemented:** ORS 506.109 & ORS 506.129

46
47 **635-004-0355**
48 **Trip Limits**

49 (1) The trip limits outlined in this rule are set at the beginning of each calendar year based on commercial
50 harvest caps and projected fishing effort, and are subject to in-season adjustments and closures. Fishers
51 should refer to Nearshore Commercial Fishery Industry Notices on the Marine Resources Program
52 Commercial Fishing Rules and Regulations webpage for the most up-to-date information regarding trip
53 limits and other regulations affecting the Nearshore Commercial Fishery.

54 (2) Vessels with a Black Rockfish / Blue Rockfish / Nearshore Fishery Permit, with or without a
55 Nearshore Endorsement, may land no more than the following bi-monthly cumulative trip limits:

- 56 (a) Black rockfish:
- 57 (A) [~~4800~~]**1200** pounds in period 1;
 - 58 (B) [~~2400~~]**1200** pounds in period 2;
 - 59 (C) [~~2400~~]**1600** pounds in period 3;
 - 60 (D) [~~2400~~]**1600** pounds in period 4;
 - 61 (E) [~~2400~~]**1200** pounds in period 5;
 - 62 (F) [~~4800~~]**1200** pounds in period 6; and

63 (b) 1500 pounds of blue rockfish and deacon rockfish combined in each period.

64 (3) For all other nearshore species with a Black Rockfish/ Blue Rockfish/ Nearshore Fishery Permit with
65 Nearshore Endorsement may land no more than the following bi-monthly cumulative trip limits:

- 66 (a) 450 pounds of other nearshore rockfish combined in each period;
- 67 (b) 1500 pounds of cabezon in each period; and
- 68 (c) 1200 pounds of greenling species in each period.

69 (4) It is unlawful to retain or land quillback rockfish for commercial purposes, except by vessels
70 participating in the federal Pacific coast groundfish limited entry trawl fishery.

71 **Statutory/Other Authority:** ORS 506.119
72 **Statutes/Other Implemented:** ORS 506.109 & ORS 506.129

73
74 **Division 39**
75 **MARINE ZONE FISH, SHELLFISH AND MARINE INVERTEBRATES SPORT REGULATIONS**

76 **635-039-0080**
77 **Purpose and Scope**

78 (1) The purpose of Division 039 is to provide for management of sport fisheries for marine fish, shellfish,
79 and marine invertebrates in the Pacific Ocean, coastal bays, and beaches over which the State has
80 jurisdiction.

81 (2) Division 039 incorporates into Oregon Administrative Rules, by reference:

- 82 (a) The sport fishing regulations of the State, included in the current annual **Oregon Sport**
83 **Fishing Regulations**;



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84 (b) **Title 50 of the Code of Federal Regulations, Part 300, Subpart E** (October 1, [~~2023~~]**2024**
85 ed.), as amended; [~~and~~]

86 (c) **Title 50 of the Code of Federal Regulations, Part 660, Subpart G** (October 1, [~~2023~~]**2024**
87 ed.), as amended; and

88 **(d) [Insert Reference When Available].**

89 (3) Therefore, persons must consult all publications referenced in this rule in addition to Division 011 and
90 Division 039 to determine all applicable sport fishing requirements for marine fish, shellfish and marine
91 invertebrates.

92 **Statutory/Other Authority:** ORS 496.138 & ORS 496.146

93 **Statutes/Other Implemented:** ORS 496.162

94

95 **635-039-0090**

96 **Inclusions and Modifications**

97 (1) The current annual **Oregon Sport Fishing Regulations** provide requirements for sport fisheries for
98 marine fish, shellfish, and marine invertebrates in the Pacific Ocean, coastal bays, and beaches,
99 commonly referred to as the Marine Zone. However, additional regulations may be adopted in this rule
100 division from time to time and to the extent of any inconsistency, they supersede the current
101 annual **Oregon Sport Fishing Regulations**.

102 (2) For the purposes of this rule, a "sport harvest guideline" is defined as a specified numerical harvest
103 objective that is not a quota. Attainment of a harvest guideline does not automatically close a fishery.
104 Upon attainment of a sport harvest guideline, the Department shall initiate consultation to determine if
105 additional regulatory actions are necessary to achieve management objectives. The following sport
106 harvest guidelines include the combined landings and other fishery related mortality by the Oregon sport
107 fishery in a single calendar year:

108 (a) Black rockfish: [~~389.1~~]**261.1** metric tons;

109 (b) Blue rockfish and deacon rockfish combined: [~~66.7~~]**64.9** metric tons;

110 (c) Other Nearshore Rockfish combined: [~~15.2~~]**14.7** metric tons;

111 (d) Cabezon: [~~17.6~~]**17.2** metric tons; and

112 (e) Greenling: [~~32.6~~]**32.0** metric tons.

113 (3) For the purposes of this rule, "Other nearshore rockfish" means the following rockfish species: black
114 and yellow (*Sebastes chrysomelas*); brown (*S. auriculatus*); calico (*S. dalli*); China (*S. nebulosus*);
115 copper (*S. caurinus*); gopher (*S. carnatus*); grass (*S. rastrelliger*); kelp (*S. atrovirens*); olive (*S.*
116 *serranoides*); quillback (*S. maliger*); and treefish (*S. serriceps*).

117 (4) In addition to the regulations for Marine Fish in the current annual **Oregon Sport Fishing**
118 **Regulations**, the following apply for the sport fishery in the Marine Zone:

119 (a) Lingcod (including green colored lingcod): [~~2~~]**two** fish daily bag limit.

120 (b) All rockfish ("sea bass" "snapper"), greenling ("sea trout"), cabezon, skates, and other marine
121 fish species **except sablefish** not listed in the current annual **Oregon Sport Fishing**
122 **Regulations** in the Marine Zone, located under the category of Finfish Species, General Marine
123 Species:

124 **(A) January 1 through June 30: four fish daily bag limit in aggregate (total sum or**
125 **number), of which no more than one may be a canary rockfish.**



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- 126 **(B) July 1 through December 31: five^[5] fish daily bag limit in aggregate (total sum or**
127 **number), of which no more than one may be a canary rockfish, and of which no more**
128 **than one may be a cabezon, when retention of cabezon is allowed.**
- 129 **(C) Retention of the following species is prohibited:**
- 130 ~~[(A)]~~**(i)** Yelloweye rockfish;
- 131 ~~[(B)]~~**(ii)** Cabezon from January 1 through June 30; and
- 132 ~~[(C)]~~**(iii)** Quillback rockfish.
- 133 (c) Flatfish (flounder, sole, sanddabs, turbot, and all halibut species except Pacific halibut): 25 fish
134 daily bag limit in aggregate (total sum or number).
- 135 (d) Except as specified in subsection (4)(d)(A), retention of all marine fish listed under the
136 category of Finfish Species, General Marine Species, except Pacific cod, sablefish, flatfish,
137 herring, anchovy, smelt, sardine, striped bass, hybrid bass, and offshore pelagic species
138 (excluding leopard shark and soupfin shark), is prohibited when Pacific halibut is retained on the
139 vessel during open days for the all-depth sport fishery for Pacific halibut when the sport fishery for
140 general marine species (other than flatfish species) is closed outside of the 40 fathom curve as
141 specified in subsection (4)(f).
- 142 (A) Persons must also consult all publications referenced in OAR 635-039-0080 to
143 determine all rules applicable to the taking of Pacific halibut.
- 144 (B) When the all-depth sport fishery for Pacific halibut is open and the sport fishery for
145 general marine species (other than flatfish species) is closed outside of the 40-fathom
146 curve as specified in subsection (4)(f), fishing with long-leader gear is allowed on the
147 same trip as all-depth halibut fishing as follows:
- 148 (i) When rockfish are onboard the vessel, anglers are only allowed to retain the
149 species listed under subsection (4)(h)(A) and must use long-leader gear as
150 defined in subsection (4)(e)(F);
- 151 (ii) Pacific cod, sablefish, flatfish, herring, anchovy, smelt, sardine, striped bass,
152 hybrid bass, and offshore pelagic species (excluding leopard shark and soupfin
153 shark) may be retained while all-depth halibut fishing, prior to retaining any
154 rockfish species;
- 155 (iii) It is not required to separate all-depth halibut fishing from long-leader fishing by
156 returning to the dock and offloading fish. A long-leader fishing trip must be
157 separated from any other fishing trip where groundfish are retained by returning to
158 the dock and offloading **all** fish; and
- 159 (iv) All other requirements and prohibitions contained within subsection (4)(h)
160 apply.
- 161 (e) Harvest methods and other specifications for marine fish in subsections (4)(a), (4)(b) and
162 (4)(c) including the following:
- 163 (A) Minimum length for lingcod, 22 inches.
- 164 (B) Minimum length for cabezon, 16 inches.
- 165 (C) May be taken by angling, hand, bow and arrow, spear, gaff hook, snag hook and
166 herring jigs.
- 167 (D) Mutilating the fish so the size or species cannot be determined prior to landing or
168 transporting mutilated fish across state waters is prohibited.



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- 169 (E) When angling for groundfish or Pacific halibut in the Pacific Ocean or when in
170 possession of groundfish or Pacific halibut, all watercraft shall have a functional
171 descending device on board and shall use a descending device when releasing any
172 rockfish outside of the 30-fathom curve (defined by latitude and longitude) as shown
173 in **Title 50 Code of Federal Regulations Part 660 Section 71**. Upon request, a
174 descending device shall be presented for inspection by any person authorized to enforce
175 the wildlife laws or a representative of the Department. In this subsection, “descending
176 device” means a device capable of returning a rockfish back to a depth of at least 100 feet
177 to assist the fish in recompression and to improve the fish’s chance of survival.
- 178 (F) Long-leader gear means fishing gear with the following: one fishing line, deployed with
179 a sinker and no more than three hooks, with a minimum of 30 feet (9.14 meters) between
180 the sinker and the lowest hook, and a non-compressible float attached to the line above
181 the hooks. The hooks can only be equipped with artificial lures or molded soft plastic or
182 rubber imitations of worms, eggs, insects, bait fish, crayfish, etc. 5 inches or less in length
183 and/or artificial flies. Natural bait may not be used.
- 184 (f) Sport fisheries for species in subsections (4)(a), (4)(b) and (4)(c) and including leopard shark
185 and soupfin shark are open January 1 through December 31, twenty-four hours per day, except
186 as provided in subsections 4(b) and (4)(d). A 20-fathom, 25-fathom, 30-fathom, or 40-fathom
187 curve, as shown in **Title 50 Code of Federal Regulations Part 660 Section 71** may be
188 implemented as the management line for depth-based inseason modifications as necessary. In
189 addition, the following management lines may be used to set area-specific regulations for
190 inseason action only:
- 191 (A) Cape Lookout (45°20’30” N latitude); and
192 (B) Cape Blanco (42°50’20” N latitude).
- 193 (g) The Stonewall Bank Yelloweye Rockfish Conservation Area (YRCA) is defined by coordinates
194 specified in **Title 50 Code of Federal Regulations Part 660 Section 70** (October 1, 2018 ed.).
195 Within the YRCA, it is unlawful to fish for, take, or retain species listed in subsections (4)(a), (4)(b)
196 and (4)(c) of this rule, leopard shark, soupfin shark, and Pacific halibut using recreational fishing
197 gear. A vessel engaged in recreational fishing within the YRCA is prohibited from possessing any
198 species listed in subsections (4)(a), (4)(b) and (4)(c) of this rule, leopard shark, soupfin shark, and
199 Pacific halibut. Recreational fishing vessels in possession of species listed in subsections (4)(a),
200 (4)(b) and (4)(c) and including leopard shark, soupfin shark, and Pacific halibut may transit the
201 YRCA without fishing gear in the water.
- 202 (h) On any fishing trip where fishing with long-leader gear (as defined in subsection (4)(e)(F))
203 occurs seaward of the 40-fathom curve (defined by latitude and longitude) as shown in **Title 50**
204 **Code of Federal Regulations Part 660 Section 71**, the following apply:
- 205 (A) It is unlawful to retain any species in the Groundfish Group other than yellowtail
206 rockfish (*Sebastes flavidus*), widow rockfish (*S. entomelas*), canary rockfish (*S. pinniger*),
207 deacon rockfish (*S. diaconus*), blue rockfish (*S. mystinus*), redstripe rockfish (*S. proriger*),
208 greenstriped rockfish (*S. elongatus*), chilipepper rockfish (*S. goodei*), bocaccio rockfish (*S.*
209 *paucispinis*), or silvergray rockfish (*S. brevispinis*);
- 210 (B) The daily bag limit is ~~[42]~~**10** fish in aggregate for the species listed in section (4)(h)(A),
211 **of which no more than one may be a canary rockfish**;
- 212 (C) A long-leader fishing trip must be separated from any other fishing trip **for all anglers**
213 **on the vessel** where groundfish are retained by returning to the dock and offloading **all**
214 fish, except as specified in subsection (4)(d)(B)(iii);



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- 215 (D) It is unlawful for an angler who retained fish on a long-leader fishing trip to retain more
216 than 10 fish in aggregate of the species listed in subsection (4)(b) in the same day;
- 217 (E) It is unlawful **for any angler on the vessel** to fish for any species in the Groundfish
218 Group, including those listed in subsection (4)(h)(A), inside of the 40-fathom curve or with
219 gear that is not long-leader gear as defined in subsection (4)(e)(F); and
- 220 (F) Federal rules governing the long-leader fishery will supersede these rules to the extent
221 of any inconsistency, including the definition of long-leader gear.
- 222 (i) ~~Take of abalone is prohibited~~ **Sablefish: 10 fish daily bag limit.**
- 223 (j) It is unlawful to use recreational trap, pot, or ring gear that has on any part of the gear line
224 marks or multi-colored line required for any state or federal fishery operating in the U.S. West
225 Coast EEZ or in the state waters of Washington, Oregon, or California, other than the fishery the
226 gear is being used in.
- 227 **Statutory/Other Authority:** ORS 496.138 & ORS 496.146
228 **Statutes/Other Implemented:** ORS 496.162