

October 15, 2009



**ODFW INDUSTRY NOTICE TO: COMMERCIAL  
DUNGENESS CRAB FISHERS AND OTHER  
COMMERCIAL FISHERS**

**New Rules for Ocean Commercial Dungeness Crab Gear**

On October 2, 2009, the Oregon Fish and Wildlife Commission (OFWC) adopted permanent rules to facilitate a voluntary derelict crab gear retrieval program and to allow crab buoy tags to be exchanged at sea in association with a permit transfer. Regulations for the crab pot limit program prohibit the possession of gear on a vessel unless it has that vessel's buoy tags and markings. Exceptions were adopted for gear retrieval and buoy tag exchanges.

**Voluntary Derelict Commercial Crab Gear Retrieval:**

Any commercial vessel, including crabbers, trawlers, and trollers, may retrieve commercial ocean Dungeness crab gear and make it available to the owner, under the following limitations:

**Numbers of Pots allowed on board without that vessel's buoy tags and markings:**

December 1 until the second Monday in June:	25 pots per trip
Summer Fishery: Second Monday in June through August 28:	50 pots per trip
August 29 through October 31:	Unlimited number
November 1 through 30	None

**Other Limitations:**

Pots must be un-baited and no crab may be retained  
Information about the pots recovered must be noted in your fishery logbook  
Pots must be transported to shore during the same trip that recovery took place

Fishermen who retrieve crab gear are encouraged to work cooperatively with the Ports on orderly and safe gear disposition. Fishermen are also encouraged to make efforts to contact the owner of the retrieved gear in a timely manner. Fishermen are asked to also voluntarily report the derelict fishing gear information to the Crab Commission's toll-free gear reporting hotline: **1-800-707-CRAB (2722)**

**Crab Gear Retrieval Exceptions:**

The permanent rule only applies to retrieval of crab gear used in the commercial Dungeness crab fishery. Gear used for the other commercial crab fisheries, such as for tanner crab, is legally fishing and may only be possessed, operated or retrieved by the permitted vessel. Tanner crab gear is identifiable by buoys marked with "TAN" followed by a number. These numbers are registered with ODFW and OSP.

**Crab Buoy Tag Exchanges At Sea:**

The OFWC also adopted a permanent rule to allow fishermen to obtain a waiver to exchange buoy tags at sea when associated with a permit transfer.

**These new permanent rules are given in Section 9 of OAR 635-005-0055,  
which is printed on the reverse of this page.**

.....

## Dungeness Crab Fishery

**Fishing Gear (OAR 635-005-0055(9)):** It is unlawful for commercial purposes to:

(9) Possess on a vessel, use, control, or operate any crab pot which does not have a pot tag identifying the pot as that vessel's, a surface buoy bearing the Department buoy brand registered to that vessel and a Department buoy tag issued by the Department to that vessel, except:

that vessel's, a surface buoy bearing the Department buoy brand registered to that vessel and a Department buoy tag issued by the Department to that vessel, except:

(a) To set gear as allowed under OAR 635-006-1015; or

(b) To retrieve from the ocean, including the Columbia River, and transport to shore commercial crab pot(s) of another vessel which were lost, forgotten, damaged, abandoned or otherwise derelict; provided that:

(A) No more than twenty-five (25) such pots may be retrieved per trip during December 1 until the second Monday in June of the following year and no more than fifty (50) such pots may be retrieved per trip during the second Monday in June through August 28; and

(B) Upon retrieval from the ocean or Columbia River, the pot(s) must be un-baited; and

(C) Crab from the retrieved pot(s) shall not be retained; and

(D) Immediately upon retrieval of pot(s), the retrieving vessel operator must document in the retrieving vessel's logbook the date and time of pot retrieval, number of retrieved crab pots, location of retrieval, and retrieved pot owner identification information; and

(E) Any retrieved crab pot(s) must be transported to shore during the same fishing trip that retrieval took place; or that:

(F) During August 29 through October 31, an unlimited number of such pots may be retrieved per trip and transported to shore during the same fishing trip; or

(c) Under a waiver granted by the Department to allow one time retrieval of permitted crab gear to shore by another crab permitted vessel provided that:

(A) Vessel is incapacitated due to major mechanical failure or destroyed due to fire, capsizing, or sinking;

(B) Circumstances beyond the control of the permit holder created undue hardship as defined by OAR 635-006-1095(7)(d);

(C) A Request must be in writing and a waiver approved and issued prior to retrieval.

(D) A copy of the waiver must be on board the vessel making the retrieval. (Contact Oregon Department of Fish and Wildlife License Services, Salem for guidelines.)

(d) Under a waiver granted by the Department to allow one time change of buoy tags associated with a Dungeness crab permit transfer under OAR 635-006-1095(7) provided that:

(A) A request must be in writing and a waiver approved and issued prior to change of buoy tags.

(B) A copy of the waiver must be on board the vessel making the change of buoy tags. (Contact Department of Fish and Wildlife License Services, Salem for guidelines.)

.....  
**Please contact the ODFW Marine Resources Program or Oregon State Police if you have questions. Contacts at ODFW are: Mitch Vance or Cyreis Schmitt at (541) 867-4741.**