



Oregon Fish and Wildlife Commission  
October 13, 2000

EXHIBIT B

**SUBJECT** OREGON COMMERCIAL DUNGENESS CRAB FISHERY

**PRINCIPAL STAFF PERSON** ROD KAISER PHONE: (541) 867-4741

**COMMISSION ACTION REQUESTED** The Commission will review the status of the Oregon commercial Dungeness crab fishery, consider amendments to administrative rules, and discuss a pot limitation system.

**DOCUMENTS ATTACHED**

1. Agenda Item Summary
2. Hearing Notice and Fiscal Impact Statement
3. Oregon Commercial Dungeness Crab Fishery Status Report
4. Appendix A - ODFW News Releases -1999-00 Season Opening
5. Appendix B - Washington Pot Limit Implementation Letter and Procedures
6. Oregon Administrative Rules (OAR 635-005-0045) - (sent in supplemental mailing)

**RELATED STATUTES** ORS 506.119, 506.129

**RELATED RULES** N.A.

*Read and  
Approved by:*

Division Director

REDACTED FOR PRIVACY  
REDACTED FOR PRIVACY

Date 9-27-2000

Attorney General

REDACTED FOR PRIVACY  
REDACTED FOR PRIVACY

Date 9/29/2000

Director

REDACTED FOR PRIVACY  
REDACTED FOR PRIVACY

Date 9/29/00

## Agenda Item Summary

### BACKGROUND

This is an annual review of the status of Oregon's ocean commercial crab fishery, a review of preseason crab testing off Oregon south of Cascade Head and discussion of crab pot limitations. Proposed rule amendments would provide for a new area description for the Cascade Head to OR/CA border, establish crab quality criteria, and set a specific season delay of 14 days with a re-open date of December 15 if quality criteria are not met.

### PUBLIC INVOLVEMENT

1. OR Dungeness Crab Commodity Commission meeting September 1 at Newport with Director Greer, staff, and coastal crab fishermen attending to discuss preseason sampling and pot limits for Oregon
2. MRP staff working with industry (processors and fishermen) and ODCC since mid September to develop a crab advisory committee to work on issues.

### ISSUE 1

Establish additional preseason commercial Dungeness crab quality sampling program for a new fishing zone from Cascade Head to OR/CA border and set a later "default" season opening date for the entire area if minimum crab quality criteria are not met.

### ANALYSIS

- Preseason crab quality testing has been an element of determining season opening dates in all west coast states for several years, although not all areas are sampled.
- Preseason sampling for minimum quality requirements, and a season delay if minimum quality is not met, is one way to help ensure a quality product for market. Another method would be a uniform later opening of the season to allow crab, for most years, to "fill out" and meet market needs.
- 1999 at-sea sampling in Cascade to OR/CA border area by ODFW and industry volunteer boats indicated high variability in crab quality within the area in a year of very late summer molting and high abundance.
- September 1 ODCC meeting, with 30 crabbers attending, voting near unanimously (one dissenting vote) for some form of preseason testing this year.
- Past preseason testing and observations indicate crab meat recovery improvement rates can normally be in the range of 0.5 to 1.0 % per week during the October-December period depending on time or area.

### OPTIONS

1. Amend OARs to describe a new area (zone) description for the Cascade Head to OR/CA border area, establish crab quality criteria, and set a specific season delay and re-open date of December 15 if quality criteria are not met.
2. Status quo. No ODFW testing program south of Cascade to OR/CA border. Retain December 1 open date with Director option to delay season as per regulations and Tri-State agreement provisions.

### STAFF RECOMMENDATION

No, 1 above.

### ISSUE 2

Commission guidance to staff to explore a pot limitation system for the Oregon commercial Dungeness crab fishery

**ANALYSIS**

- This issue is presented for discussion and Commission guidance to staff.
- Washington has implemented their final pot limitation system starting with the 2000-01 season. This action affects Oregon's fishermen, especially those actively fishing at the OR/WA Columbia River area.
- There has been active discussion for several months by the Oregon industry as to Oregon's response to this action. Will Oregon also develop a similar pot limit system? They would like an active discussion of this issue by all parties.
- Staff and industry are both concerned over the rapid increase of pot gear in the Oregon fishery-expected to set a record level next season (above 150,000 pots).
- Several external factors such as severely reduced opportunity in Alaska crab and groundfish and West Coast groundfish fisheries off WA/OR/CA will bring added new, and generally larger vessel entrants into the Oregon crab fishery. Crabbers fear shorter "derby type" fisheries where more crab will be caught in shorter time periods. They are also concerned over the economic changes and fishery destabilization in the long term.
- Work is already underway to form a crab fishermen/processor advisory committee to discuss this and other issues.

**OPTIONS**

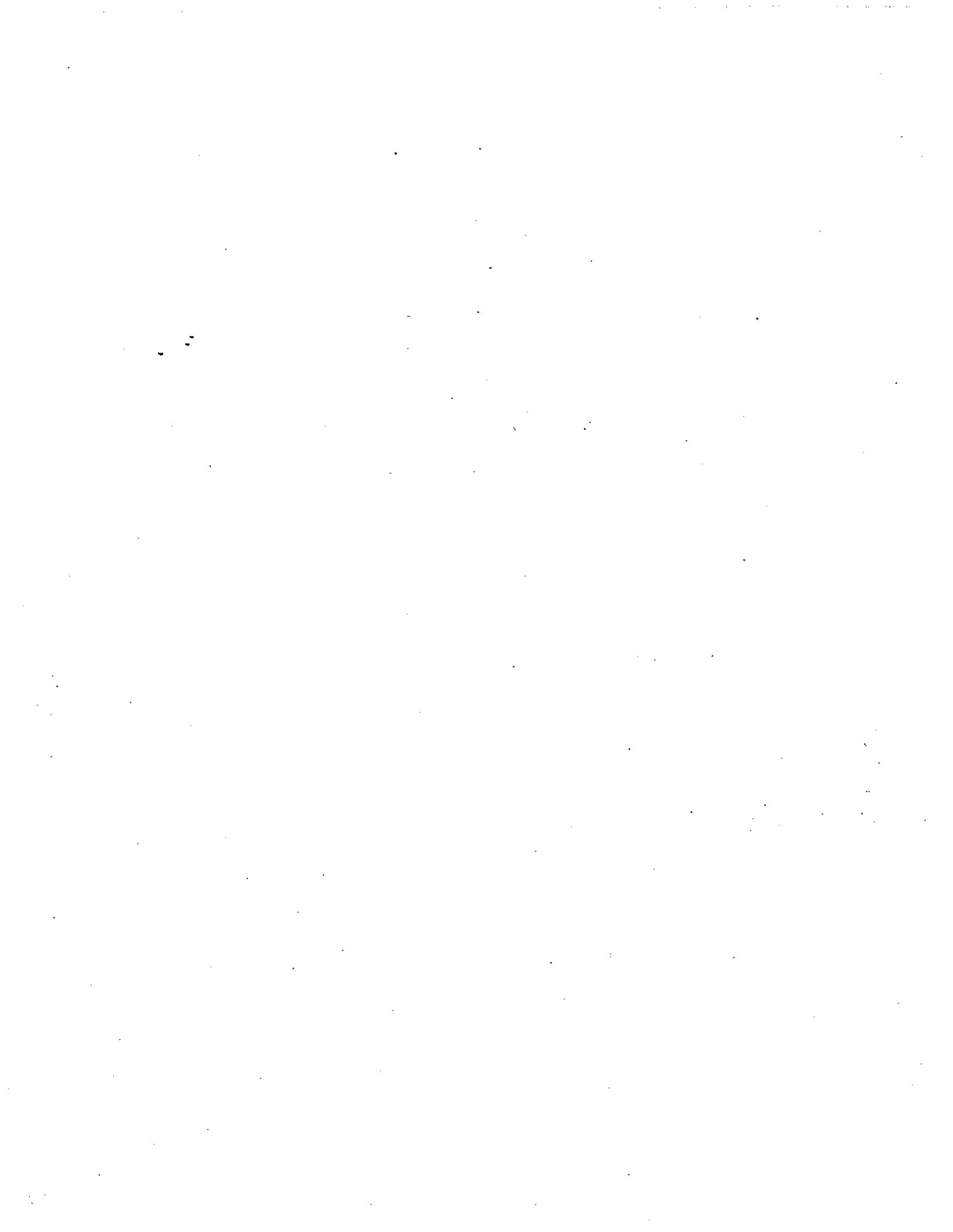
None

**STAFF  
RECOMMENDATION**

Staff preference is to work with industry to evaluate this issue. We are working with ODCC and crab industry to form an advisory group for such discussion. We would, however, like to return to the Commission with an update on these discussions in late spring May-June and seek further guidance as necessary.

<b>DRAFT MOTION</b>	I move to amend OAR 635-005-0045 as proposed by staff to describe a new area (zone) description for the Cascade Head to OR/CA border area, establish crab quality criteria, and set a specific 14 day season delay with a re-opening season date of December 15 if quality criteria are not met.
<b>EFFECTIVE DATE</b>	Upon filing.

*LOF a minimum of 25% must per pot*



Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form.

Oregon Department of Fish and Wildlife (ODFW) - Fish Division

635

Agency and Division  
Jennell Hoehne

Administrative Rules Chapter Number  
(503) 872-5272, Ext. 5447

Rules Coordinator  
2501 SW First Avenue; P. O. Box 59; Portland, OR 97207

Telephone

Address	Time	Location	Hearings Officer
10-13-00	8 a.m.	Embarcadero 1000 SE Bay Blvd.; Newport, OR 97365	Fish and Wildlife Commission

Hearing Date	Time	Location	Hearings Officer
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Hearing Date	Time	Location	Hearings Officer
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Are auxiliary aids for persons with disabilities available upon advance request?      Yes          No

**RULEMAKING ACTION**

**ADOPT:**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**AMEND:**

635-005-0045

**REPEAL:**

**Renumber:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**Amend and Renumber:** Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

Stat. Auth: ORS 506.119

Other Authority

Stats. Implemented: ORS 506.129

**RULE SUMMARY**

Amend rules to provide for an optional later opening date for the ocean commercial crab fishery south of Cascade Head to the Oregon/California border if a set of preseason crab sampling and quality criteria are not met.

10-13-00

Last Day for Public Comment

REDACTED FOR PRIVACY  
REDACTED FOR PRIVACY

Authorized Signer and Date

8/15/00

**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Department of Fish and Wildlife - Fish Division  
Agency and Division

635  
Administrative Rules Chapter Number

In the Matter of amendment of	)	Statutory Authority,
OAR Chapter 635,	)	Statutes Implemented,
Division 005	)	Statement of Need,
	)	Principal Documents Relied Upon,
	)	Statement of Fiscal Impact

Statutory Authority: ORS 506.119

Other Authority:

Statutes Implemented: ORS 506.129

Need for the Rule(s):

The rules are needed to provide for an optional later opening date for the ocean commercial crab fishery south of Cascade Head to the OR/CA border if a set of preseason crab sampling and quality criteria are not met.

Documents Relied Upon:

Memorandum of Understanding Regarding the Pacific Coast Dungeness Crab Fishery dated March 1997 and the Staff Report for the Oregon Fish and Wildlife Commission meeting October 13, 2000.

The above documents are available for public inspection in the Department of Fish and Wildlife, Fish Division, Third Floor, 2501 SW First Avenue, Portland, Oregon, between 8 a.m. and 4:30 p.m., on normal working days, Monday through Friday.

Fiscal and Economic Impact:

See attached.

Administrative Rule Advisory Committee consulted?: Yes. Pacific States Marine Fisheries Commission, the Washington Department of Fish and Wildlife, and the Oregon Dungeness Crab Commission were consulted to discuss interaction of a new zone south of Cascade Head.

If not, why?:

REDACTED FOR PRIVACY  
REDACTED FOR PRIVACY  
REDACTED FOR PRIVACY

8/15/00

Authorized Signer and Date

Economic Impact Statement for the October 13, 2000 Hearing to Consider the Amendment of Rules  
Relating to the Management of the Commercial Dungeness Crab Fisheries

Fiscal and economic impact: The proposed rules will affect state agencies, units of local government and the public, respectively, as discussed below. The proposed amendments may include rules to more specifically regulate the circumstances under which specific types of crab gear may or may not be used.

a. State agencies which could be affected by rules relating to crab management regulations are the Oregon Department of Fish and Wildlife (ODFW) and the Oregon State Police (OSP). No major changes from the current levels of these agencies' operations or expenditures are expected as a result of these particular rules.

b. Units of local government which could be affected by these regulations include port authorities and county governments. Port authorities and county governments may derive revenues and experience costs related to the provision of moorage. However, no significant changes are expected as a result of these rules.

c. The public is affected by these rules. In the recently completed 1999 – 2000 season, over 15.6 million pounds of ocean caught Dungeness Crab were landed in Oregon with an average ex-vessel price of nearly \$2.01 per pound. This price roughly reflects the per unit effect on harvest level revenues which would be associated with increases or decreases in ocean Dungeness Crab harvests. Total revenues at the harvest level for this latest season were about \$31.3 million.

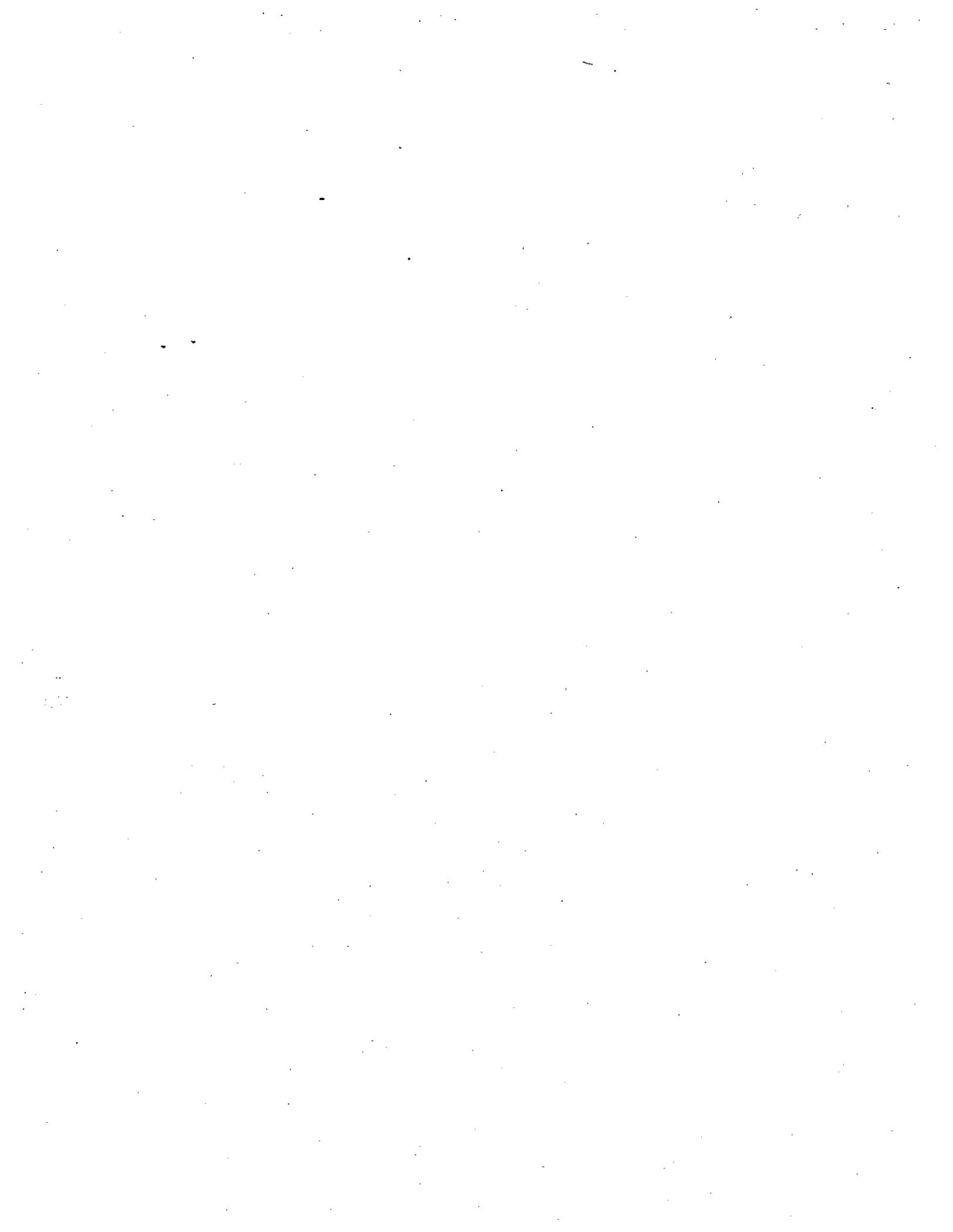
The estimated impact on state level total personal income (direct, indirect and induced) per pound of ocean caught Dungeness Crab harvested and processed in Oregon was about \$3.44 for the 1999 – 2000 season. This estimate represents a reasonable measure of the per unit effect on state level total personal income which would be associated with increases or decreases in ocean Dungeness Crab harvests.

The major issue concerns an amendment that would provide for a delay in the opening of crab season south of Cascade Head when preseason samples of crab don't meet certain standards in terms of grade or percent meat recovery. (Similar rules are in place on the north coast with respect to season opening delays adopted by the State of Washington.) Vessel owners/operators would have to choose between areas south or north of the demarcation line to begin their harvest season. They would not be allowed to participate in more than one opener.

Adoption of an amendment for this section of the coast would probably result in improved quality of early season crab landed on the mid-to-south coast of Oregon compared to the status quo, and this might result in higher prices and aggregate harvest revenues in spite of a delay in the opening date. We do not have sufficient information to predict whether effort shifts might occur geographically, or whether there might be some redistribution of harvest among vessels.

Although these rules relating to commercial crab fisheries management can be viewed as potentially restricting harvesting and processing opportunities in the short run, conservation through the use of fishing seasons and other regulations is intended to maintain the quality and quantity of the product landed in the long run and hence the economic benefits to harvesters and processors of crabs, and the general economy. The proposed regulations are intended to strike a balance which will sustain present and future benefits, while maintaining orderly fisheries and reasonable equity among existing harvesters.

Most businesses affected by these rules are believed to be "small business."



**OREGON COMMERCIAL DUNGENESS CRAB FISHERY  
STATUS REPORT**

**Presented to**

**Oregon Fish and Wildlife Commission**

**Newport, Oregon**

**October 13, 2000**

**Prepared by**

**Oregon Department of Fish and Wildlife  
Fish Division  
Marine Resources Program  
Newport, Oregon**

# Outline of Staff Report

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## Issue 1: Action

Establish preseason crab quality sampling and testing program for Cascade Head to OR/CA border, set crab quality test criteria, and delay season to December 15 if crab do not meet quality criteria for December 1 opening date.

Option 1.1 (preferred) The staff recommends amending OARs to describe a new zone for Cascade Head to OR/CA border, establish crab quality testing criteria, and set a delay date of December 15 if quality criteria are not met.

Option 1.2. Status Quo. No ODFW crab testing program for Cascade Head to OR/CA border. Retain December 1 season open date with Director option to delay season.

## Issue 2: Commission Guidance

Provide guidance to staff to explore a pot limitation system for the Oregon ocean commercial Dungeness crab fishery

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**Appendix A. ODFW News Releases-1999-00 Season Opening**

**Appendix B: Washington Pot Limit Implementation Letter and Procedures**

## **EXECUTIVE SUMMARY**

This report reviews the status of Oregon's ocean commercial Dungeness crab fishery. An overview is presented for the entire 1999-00 ocean commercial crab fishery with a specific discussion of the 2000 summer fishery. We review the issue of preseason crab testing off Oregon south of Cascade Head. We describe crab pot limitation implementation for Washington's commercial crab fishery for 2000-01 season and discuss Oregon's intent in moving towards pot limits in Oregon.

### **1999-00 Commercial Crab Fishery**

- Oregon commercial crab fishery landed 15.7 million pounds (fifth largest on record) and valued at a record \$31.3 million.
- The 1999-00 landings were 71% above the 1998-99 season (9.1 million) and 53% above the most recent 10 year average (10.2 million).
- Newport, Astoria, Coos Bay and Brookings were the four leading ports of landing, representing 84% of all deliveries.
- Landings by month continue to be skewed towards the start of the season. Since 1984, no less than 67% of the annual catch has been harvested during December and January. For the past four seasons 79% or more of the season catch was harvested in this eight week period.
- An estimated 325 vessels participated last season, 6% above the 1998-99 level of 306 vessels.
- The number of pots fished, increased dramatically from about 116,000 pots in 1998-99 season to an estimated 134,000 pots based on the start of season vessel "hold" inspections. This is second only to the record of 151,000 pots set in 1989-90 (before limited entry). We expect to exceed the record pot level in 2000-01.
- Overall ex-vessel price/pound set a new record of \$2.00/pound.

### **2000 Summer Commercial Crab Fishery**

- Summer crab catch increased significantly as more crab was available, and despite the more restrictive summer regulations of a 1,200 pound landing limit per vessel per week for the period of second Monday in June through end of the season August 14.
- The summer 2000 fishery (assessed as June 1-August 14) landed 493,000 pounds, nearly 2.5 times the 1999 landings of 203,000 pounds. Summer catch was 3% total season catch.
- Summer landings were 46% of the potential summer ceiling catch calculated as 7% of the December-May landings; 1,062,000 pounds for 2000.
- A record number of crab vessel (152) participated in the summer fishery, 47% of the overall fleet.
- Ex-vessel price per pound was similar to 1999 value, but substantially less in August. Summer fishery was worth about \$1.2 million compared to \$538,000 in 1999.

### **Preseason Crab Quality Testing**

- Industry-wide concerns over preseason crab quality in central and southern Oregon coast areas prior to the 1999-00 preseason.

- ODFW and Industry contributed to multiple surveys south of Cascade Head. Although crab met meat pick out minimums for several areas, other areas continued to show poor or variable quality as of December 1. Crab quality concerns resulted in an industry-lead season delay for varying number of days depending on coastal location, after ODFW decided not to delay season.
- Industry and staff propose sampling and testing procedure for south of Cascade Head for 2000-01 season. This is an action item for Commission consideration.

### **Oregon and Washington Crab Pot Limitation Discussion**

- Washington will implement a pot limitation system with the start of the 2000-01 season. It is a two-tiered pot limit of 300 or 500 pots per license based on the best year of landings from a base period of 1996-97, 1997-98, and 1998-99 season.
- Oregon staff and industry have actively discussed this issue relative to possible Oregon implementation. Several discussions have taken place in recent months.
- Staff seeks direction and guidance from Commission to proceed with formation of industry advisory committee and begin discussion for a program in Oregon.

**OREGON DEPARTMENT OF FISH AND WILDLIFE  
STAFF REPORT**

**OREGON COMMERCIAL DUNGENESS CRAB FISHERY  
STATUS REPORT**

**PREPARED FOR OREGON FISH AND WILDLIFE COMMISSION**

**October 13, 2000**

**Newport, Oregon**

**INTRODUCTION**

In October of each year ODFW's Marine Resources Program (MRP) provides an annual review the status of Oregon's ocean commercial Dungeness crab fishery. This report reviews the most recent 1999-2000 season (December 1, 1999-August 14, 2000) and updates several issues under discussion. At this OFWC meeting, staff will: 1) review Oregon's 1999-00 crab fishery, 2) update the Commission on the current preseason crab quality testing program, discuss recommendations for its expansion, and review options for Commission action, and 3) provide an update on Washington's implementation of their crab pot limitation program and discuss the possibility of a similar plan for Oregon.

**I. REVIEW OF 1999-2000 FISHERY**

**Fishery Regulations**

The West Coast Dungeness crab fishery off Washington, Oregon, and California is managed as a "recruitment" fishery with established Season dates and no quotas. All male crab of a minimum size are available for harvest based generally on size, sex and season (3-S) management.

Oregon's size and sex regulations insure high levels of annual reproduction, protects all females from harvest and adult males below the commercial minimum size of 6.25 inches. Season regulations are designed to insure that the harvest occurs well after molting, allowing a period of time to protect newly-molted softshell crabs of legal size ("recruits") while they harden-up and reach an acceptable meat content. The traditional approach of West Coast harvest strategies has been to close the season during the period when the majority of adult male crabs are softshelled, in order to optimize the annual yield from the crab resource. However, both Oregon and Washington seasons currently extend into a period when molting activity and softshell abundance is typically high (July and August).

The setting of Oregon season regulations has been an active issue since the early days of the crab fishery. As early as 1911, there were regulations that recognized the months of July, August and September as the time when crabs were in poorest condition. In 1948, season closure and opening criteria were established on the basis of at-sea sampling. When more than 10 percent softshells were

present, the season was closed. Since then, fixed season dates have been established, modified and extended. In 1984, following several years of high-volume fishing on low quality crabs at the end of the season, the Commission set the season closure date to the current August 14. Late-season ("summer") landings and effort declined for several years but soon began to increase. In 1992, the Commission enacted a summer harvest quota, requiring the Director to close the season if landings after May 31 exceed ten percent of the previous December through May total landings. This regulation was effective with the 1993 summer season. The ten percent limit was approached but not exceeded during the 1993-1998 summer seasons.

In 1999, the Commission enacted additional summer fishery regulations to discourage the potential for expansion of a softshell fishery, higher levels of fishing effort and increased sorting and associated mortality. Regulations restrict landings to 1,200 cumulative pounds per vessel per week during the period of the second Monday in June to August 14, with total landings during this period limited to a catch ceiling of 7 percent of the previous December-May harvest. This action preserved a modest historic low volume summer fishery directed towards available hardshell crab and coastal consumer markets.

### **Catch, Effort and Value Summary**

The 1999-00 season began December 1, 1999 and ended August 14, 2000 with a preliminary landed catch of 15,670,000 pounds, the fifth highest since 1947-48 season (Table 1). The ex-vessel value set a record "season average price" of \$2.01/pound (range \$1.74-\$3.01) and a record season total value of \$31,400,000, nearly double the 1998-99 season value (Tables 3 and 4). Oregon's commercial Dungeness crab fishery was the single most valuable marine commercial fishery this past season.

Oregon's annual crab landings have fluctuated in an approximately cyclical manner over the last fifty years, with peaks in the 15 to 18 million pound range and lows of about 3 to 5 million pounds (Figure 1). This pattern is expected in a fishery that relies on a single year "recruit" class for most of its harvest. The long term harvest (since the 1947-48 season) is about 8.9 million pounds and about 10.2 million in the most recent 10 years (since 1989-90 season).

### **Landings**

The 1999-00 season landings of 15,670,000 exceeded the previous season catch (9,114,000) by 72% and the most recent 10 year average (10,224,000) by 53% (Table 1). Landings for December and January were 8,814,000 and 3,525,000 million pounds; 56% and 79% of total season landings, respectively.

**Landings by Port:** Newport led 1999-00 season port landings at 4.9 million pounds followed closely by Astoria with 4.4 million pounds. Coos Bay and Brookings landed 2.1 and 1.7 million pounds, respectively (Table 5 and Figure 2). Collectively, these four leading ports accounted for 84% of all Oregon landings for the season (72% in 1998-99). Seven of the nine major ports landed 500,000 or more pounds during the season. Port landing profiles and their relative position to each other has been somewhat similar in the last three years (Figure 2).

### **Effort**

**Vessels:** Total season vessel effort (preliminary) is estimated at 325 vessels, a 6% increase over the 1998-99 season (306), but well below the previous 10 year average of 365 vessels (Table 1). The 1999-00 season effort; however, was within the range of 300-350 vessels active since implementation of Oregon's crab limited entry system implemented on December 1, 1995. Ports with the largest landings (Newport, Astoria, Coos Bay and Brookings) also had the largest number of vessels landing at those ports (Figure 3).

**Pots Fished:** Commercial crab pots "declared" for fishing at the start of the 1999-00 season were estimated at 134,000 pots, 15% above the 1998-99 season estimate of 116,000 and 18% above the most recent 10 year average of 114,000 (Table 1). This estimate is a minimum value as additional gear can enter the fishery later in the season or during the summer months. This past season's gear level represents a dramatic increase over recent years and is the second highest number of pots declared since record keeping began with the 1947-48 season. The previous pot record was recorded during the 1989-90 season (before limited entry) estimated at 151,000 pots (Table 1).

With another excellent season catch and value expected by many fishermen for 2000-01, and the expectation of an Oregon pot limitation system coming in the near future, significant amounts of new pots are being built. It is entirely possible (likely) that the fishery could set a new record for gear fished next season. A gear increase of only 15%, will exceed the previous record (Figure 4).

Since 1984, no less than 67 % of the annual catch has been harvested during December and January. In each of the last four seasons 79-84 % of total season landings have been harvested during these two months.

## 2000 Summer Dungeness Crab Fishery

### Description, History and Markets

The "traditional" summer fishery historically includes the period of June 1-August 14 (end of season). Markets for summer crab has historically been more diverse with crab quality and price varying widely. The summer fishery landed catch is only a small portion of the total season catch; almost always less than 10 percent (Table 2 and Figure 5). Although significant number of good quality crab can still be caught through June and early July, prior to the summer molting period, in most years, there are few remaining "hardshells" or "skip molts" available. New recruits, following molting in mid summer, are not generally of sufficient quality to support significant catches for the hardshell markets. In occasional years, however, crab molt and harden-up relatively early so that by mid-July there is an opportunity to market substantial quantities. The quality is still not up to winter standards but finds market acceptance at a time when domestic supplies of fresh crab are limited.

While the remaining hardshell crabs caught in summer command a high price, lesser-quality, recently-molted "soft" crab have been harvested in recent years and sold at significantly lower prices. For example, approximately half of the crab delivered during the 1997 and 1998 summer seasons were softshelled, marketed at sharply lower prices than the prevailing price for hardshells.

Historically, the summer fishery was unregulated with only seasonal fishing periods limiting potential catch. In 1992, Commission action placed a 10 % ceiling on catch (beginning with the 1993 summer season) based on 10 percent of the previous December-May landings (Figure 5). This limit was intended to prevent large-scale impacts to the future resource while allowing summer deliveries to continue for small-scale high unit value markets.

Beginning with the 1999 summer season, the Commission adopted new regulations (May 1999) for the summer crab fishery aimed at reducing the potential for an increasingly larger summer live softshell crab fishery, and the recent expansion of the fishery in developing West Coast markets for this product. Specifically, the Commission adopted:

- A weekly cumulative landing limit of 1200 pounds per vessel during the period of the second Monday in June through the end of the season, August 14. There is no limit on the number of weekly deliveries. A catch week is defined as Monday-Sunday.
- Crabbers to retain landing receipts or tickets on board the vessel for a period of 90 days following the date of landing and make them available for inspection by authorized agents as needed.
- Lowered the summer fishery catch ceiling from 10 to 7% of the previous December through May total pounds landed statewide.

### Summer 2000 Fishery

The summer 2000 fishery (June-August 14), operating under the 1999 revised regulations, landed 493,000 pounds (minimum estimate), about 2.5 times the 1999 summer landings of 203,000 pounds, and representing about 3% of the total season catch (Table 2). With the current summer catch ceiling regulation in place, the summer 2000 landings represented about 46% of that ceiling of 1,062,000 pounds.

**Catch:** The Oregon summer ocean Dungeness crab fishery landing history since 1978 is shown in Figure 5. Peaks of nearly one million pounds were reached in the early 1990's, but significantly lower levels of less than 700,000 pounds have been made since that time. Annual summer landings since 1985 averaged about 500,000 pounds. Overall, the 2000 summer catch was 3.1 percent of the total 1999-00 season landings, (Figure 5).

Monthly landings for June, July, and August were 81, 290, and 153 percent higher than the same months for the previous season, respectively (table 2). Figure 6 shows a comparison of June-August landings for the past three seasons, but note that 1998 landings represent pre 1,200/week limits that started in 1999, and illustrate larger amounts of "soft crab" portion of the harvest. Summer landings by port (Figure 7) show Coos Bay/Charleston, Newport, Winchester Bay, and Port Orford as the four leading ports

**Effort:** The summer 2000 fishery effort of 152 vessels was 13% above 1999, and the highest number of participating vessels on record, since 1985 (Table 2). Forty seven percent of the season fleet fished during the summer fishery; a new record. Historically, the number of active vessels in the summer fishery has fluctuated, averaging 123 vessels, about 40% of the active overall yearly season fleet during the period of 1985-2000 (Table 2 and Figure 8). Preliminary data indicates that both June and July effort was considerably higher than 1999, but significantly less for August (Table 2). Typically, the summer fishery shows a declining level of participating vessels from June into August, although this summer's fishery held steady for the June-July period (Table 2).

**Fishery Value:** The 2000 summer fishery average ex-vessel price per pound, compared to 1999, showed a similar June-July value, but substantially less for August (Table 2). Based on June-August poundage and average price values, the summer fishery had an ex-vessel value of about \$1.2 million (Table 3) compared to \$538,000 and \$716,000 in 1999 and 1998, respectively.

## II. PRESEASON CRAB QUALITY TESTING

### Background

Preseason Dungeness crab quality testing has been conducted, at varying levels, in recent years for northern Oregon; Cape Falcon Oregon to Oyehut (Grays Harbor) Washington, (since 1992) and in northern California (since 1995). No significant or regular sampling has occurred south of Cascade Head to the OR/CA border. In 1996, Directors of the fishery agencies for Oregon, California, and Washington signed a cooperative management agreement (Memo of understanding) for the Pacific Coast Dungeness crab fishery (effective for 1996-97 season) as part of a Tri-State agreement. This agreement set out standards for Oregon (north of Cascade Head) and Washington at-sea sampling and crab testing protocols and a cooperative framework for Directors of the three agencies to confer on needed management actions. Oregon sampling for the area south of Falcon, was not addressed in that agreement.

Since sampling began under the Tri-State agreement, the Dungeness crab season opening was delayed in December 1994 and December 1996 north of Cape Falcon, including southern Washington waters, due to poor quality crab.

Last year the Oregon crab industry raised several concerns with ODFW about observed "late" summer molting of crab, and continued soft-shell crab off central and southern Oregon during the late summer and fall of 1999. The Marine Resources Program (MRP) began its regular sampling and crab testing program off northern Oregon in October, but was reluctant to expand its program to the much larger area covering the remaining two-thirds of the coast without an agreed upon sampling protocol and minimum criteria for testing crab. Staffing at-sea sampling trips were also a consideration. Such sampling would have been the basis for any delayed opening to the season for all or part of this much larger area.

Oregon crab fishermen continue this year to express a high degree of concern and have again asked the Department to begin sampling in central/south Oregon coastal areas to assess a preseason crab quality situation this fall. They feel stocks again this summer are molting late and expect a repeat of year. The summary below provides an overview of the 1999-00 preseason conducted by both ODFW-chartered vessels and in cooperative venture with the Oregon Dungeness Crab Commission, crab fishermen, and area processors.

### Preseason Testing, 1999-00 Season

**North of Cape Falcon Sampling:** Preseason sampling began for Oregon, north of Cascade Head and south/central Washington ocean areas in late October and early November as it had each year since 1992 in the usual sampling areas (mostly north of Cape Falcon). Multiple depth and sub area sampling trips by both Washington and Oregon staffs confirmed crab quality to be well above the minimum meat "pick-out" percentage (set at equal or greater than 23%) for the area by late November. Final sampling by mid November off Washington indicated 25.8% to 27.3% crab meat content (depending on area).

Final testing off northern Oregon on November 30 showed meat content at 26%. No season delay was indicated or considered by Oregon and Washington based on test results.

**South of Cape Falcon Sampling:** Both the Department's Marine Resources program and crab industry conducted preseason quality testing in November-December 1999 at various locations south of Cascade Head. This process included a Department-chartered volunteer crab vessel at Brookings in late October for two sampling trips in the OR/CA border area between November 1-15. The second test (November 14) indicated a meat "pick out" of 21.9% for that area.

The crab industry, coordinated additional sampling with the Oregon Dungeness Crab Commission, ODFW, and individual fishermen, under permits issued by the Department in mid to late November and early December at locations including Newport, Florence to Cape Arago area, Port Orford, and Brookings areas.

Although no sampling criteria had been established historically for testing in this area, it was generally assumed by industry that a meat pick out percentage of at least 25% was desirable as a basis for "a quality product" suitable for opening the season. A 23% minimum is used for the northern Oregon/southern Washington test criteria. California uses a 25% minimum.

A brief summary of this Department and industry sampling effort, and the final preseason crab meat "pick out" percentages by area appear below.

<u>General Sample Areas</u>	<u>Final Sample Date</u>	<u>% Meat Content</u>
Col. River-Seaside	Nov. 30	26.0%
Newport-north	Nov. 30	25.5%
Newport-south	Nov. 30	25.0%
Coos Bay-north	Nov. 30	23.9%
Coos Bay-Win. Bay area	Nov. 30	22.5%
Coos Bay-south	Nov. 30	21.6%
Port Orford area	Dec. 1	20.9%
Brookings area	Dec. 1	25.0%

South of Cascade Head test results were, as indicated above, of variable meat content by sample location. Sampling also indicated a wide range of shell hardness during November sampling, although some industry sampling did not test for shell hardness criteria. Although crab generally met minimum criteria in central (Newport) and OR/CA border areas, crab from Florence to Port Orford were not at the same quality and meat pick out percentage. Crabbers and processors also pointed to other factors such as shell brittleness that indicated crab may not be "market-ready."

Whether to open or delay the 1999-00 season opening on December 1 was a hotly-debated topic by the industry and Department in the days leading up to, and just after, December 1. The ODFW issued news releases on November 19 and December 3 addressing crab quality, testing results, industry concerns, and season open dates (Appendix A). The Department concluded that "localized" crab quality issues were best left to market interactions than by regulatory actions and the Director decided not to take emergency action to delay the December 1 opening.

Following this announcement, Oregon, southern Washington, and northern California crabbers stayed in port during the Nov. 30-Dec. 2 period as the final crab test samples were evaluated and results made public. Many vessels went fishing late on December 3, but a large portion of the fleet, with processor support, from Florence to the OR/CA border generally decided not to fish until crab quality improved. The fishery in this area did not generally start until after December 10. Bad weather was also a factor at this time.

## **III. WASHINGTON AND OREGON COMMERCIAL DUNGENESS CRAB POT LIMIT DISCUSSION**

### **Overview**

#### **Background**

Both Washington and Oregon have actively evaluated and considered pot limits for their commercial Dungeness crab fisheries in recent years. Multiple factors have driven these discussions including: (1) Indian treaty sharing (Washington), overcapitalization of pots in each state's fishery, (2) economic destabilization, (3) excessive harvesting pressure on resource, (4) increasingly shorter "derby" type seasons, (5) safety factors, (6) West Coast groundfish disaster declaration and strategic planning to rebuild stocks, (7) effort transfer from Alaska crab and groundfish and West Coast groundfish fisheries, and (8) concern over for larger capacity vessels taking most of the product in a shorter seasons.

**Washington:** Washington has taken the lead among West Coast states and developed a pot limitation system as part of a "Dungeness Crab Even Flow Harvest Plan" adopted by their legislature and following an extensive public hearing process in 1999-2000. For the 1999-00 season, an initial "place holder" pot limit of 500 pots was implemented by emergency rule in the Washington ocean crab fishery. On August 11, 2000 the Washington Fish and Wildlife Commission adopted a final two-tiered pot limitation plan (300/500 pots) using a base period catch history to qualify Washington (and Oregon and California) fishermen. Appendix B contains the WDFW letter to Oregon dungeness crab license holders who qualify under the Washington program along with descriptive information on the program.

**Oregon:** Oregon's consideration of pot limits took shape most recently via Oregon crab industry and House legislative sponsorship of two House bills in the 1999 legislative session (HB 2645, 2646). After an industry/legislative workshop in Salem in early March failed to reconcile different approaches in the two bills, HB2646 was amended and moved forward as a compromise. It sought a more deliberative process, through the Oregon Fish and Wildlife Commission, to discuss pot limits rather than risk a pressured legislative negotiation process. The amended bill had as its main intent, to direct the ODFW to consider the necessity of developing a pot limit system in the Oregon crab fishery and specified a participation date in the fishery for any future consideration (December 1, 1998). Director Greer requested a Department of Justice opinion on whether the ODFW had authority to set crab pot limits for individual vessels and limit the total number of pots in the fishery (it did). The bill died in committee.

#### **Current Oregon Pot Limit Discussion**

The final implementation of a pot limitation system in Washington for the 2000-01 season has escalated discussion among Oregon fishermen to explore a corresponding Oregon program. The MRP staff discussed and updated the Commission at both their May and October 1999 meetings on this issue.

In October 1999, the Commission gave general direction to the staff to evaluate a process with industry to developing pot limitation in the Oregon crab fishery, when the Washington plan was finalized, and report back as appropriate. We are currently evaluating such a process and the elements of working through such a discussion with the industry and consulting with the Washington Department of Fisheries and Wildlife (WDFW) staff to exchange information.

### **Considerations**

- Staff has indicated to the Commission (Oct. 1999) that a pot limit implementation would be (at least) a two-year process with a start date no earlier than December 2001. Washington took about 19 months to complete their process; we have about 14 months, from now (October), until December 2001-but an easier process potentially.
- We should develop an Oregon's system recognizing the reality of the Washington pot limit system and, in some respects, "match up" with it, for consistency.
- We expect a planing process to take a *lot of staff time* and assorted time from several Department licensing and administrative personnel over the next several months to meet a possible December 2001 implementation date.
- Develop a comprehensive technical "background" document on the fishery
- Develop a time line and schedule for action
- Develop a working partnership with fishermen, processors, ODCC through creation of an industry advisory group.
- Conduct a series of industry advisory group workshops (open to public) to evaluate issues and discuss approaches and potential options.
- Commission may need to consider setting a participation or "control date." In the fishery

### **Any final pot limit system would require at least some or all of the following:**

1. Multi-tiered pot limit approach
2. Economic analysis prior to adoption-work
3. Establishment of "base period" fishery participation to set pot allocations
4. Develop a pot/buoy tag marking system
5. Set a *maximum* pot size (cubic volume) similar to that in Washington
6. Inclusion of all other (California and Washington) permit holders that may qualify.
7. Develop a single vessel buoy brand number and color scheme per vessel
8. Develop an appeals process

### **Suggested schedule for a planning process, with a December 1, 2001 implementation date:**

1. September/October 2000-Discuss with industry, establish a crab advisory committee, and discuss a work schedule. Complete a mailing to all crab permit holders, discuss issue, and establish a schedule. Distribute a background data document as soon as completed.
2. Oct. 2000 - Oct. 13 OFWC meeting at Newport, public testimony on issue, seek Commission direction on a process, control date discussion and scheduling.
4. Oct. 2000-April 2001 - Industry discussion, prepare a package of options
5. Report back to Commission with update at March 2001 meeting
6. May/June 2001 - Report to Commission with options for pot limit system-take action
7. May-Nov. 2001 - Plan & Implement pot limit system in Oregon fishery
8. December 2001 - Pot limit start date

9. If December 2001 implementation date appears to be unattainable, but if progress is being made, consider a single pot ceiling for 2001-02 season only, until process is completed.

#### **Recent Staff Port Limit Discussions and Consultations**

- The ODFW Marine Resources staff met with OWFC Fisheries Subcommittee on August 18 to review groundfish and Dungeness crab issues, including pot limitation.
- Marine Resources staff met with Washington Department of Fish and Wildlife Dungeness crab staff at Astoria on August 24 to discuss implementation of Washington plan.
- Oregon Dungeness Crab Commission held their summer meeting at Newport on September 1. Director Greer, Joe Rohleder, Legislative Assistant to the Director, and Marine Resources staff attended to review the 1999-00 season fishery, discussed preseason crab testing, and pot limits.
- Staff has been in communication with ODCC, industry members, and processors to discuss candidates for establishing a crab advisory committee whose primary task would be an evaluation of a crab pot limitation system for Oregon.
- Staff has discussed pot limits with numerous fishermen over the past several months.

## IV. Staff Analysis of Issues and Options – Option and Recommendations

**Issue 1: Establish additional preseason commercial Dungeness crab quality sampling program for a new fishing zone from Cascade head to OR/CA border and set a later “default” season opening date for the entire area if minimum crab quality criteria are not met.**

The following review discusses the staff recommendation for establishing pre season Dungeness crab sampling and testing criteria for a new fishing zone on the Oregon Coast for the area from Cascade Head to OR/CA border. and sets a “default date” if crab quality fails to meet minimum criteria. A full text of the proposed rule change is attached in Appendix A.

### Background

The 1999-00 preseason crab quality testing and industry/ODFW debate discussed in the 1999-00 season review section above, and Appendix A-News Releases, provides background for this issue.

**Tri-State Agreement for Dungeness Crab:** Beginning with the 1996-97 season, a Tri-State “Memorandum of Understanding Regarding Management of the Pacific Coast Dungeness Crab Fishery” (signed September 1996) exists between Washington, Oregon, and California. It obligates the Directors of the various fishery agencies in those states to cooperate in management of the fishery in general, and specifically in adjustments of the fishing season. Through the agreement they declare to “take mutually supportive actions to further the management and maximize the sound economic and biological utilization of the crab resource when appropriately requested by the Director of one of the other three cooperating state agencies.”

### Discussion

Oregon crab fishermen from the central and southern Oregon coast, supported by many area crab processors and the Oregon Dungeness Crab Commission have asked ODFW to establish an at-sea sampling program south of Cascade Head to the OR/CA border prior to the 2000-01 season. Although the crab industry has prospered for decades without preseason sampling, and historically has generally supported a “hands off” policy on the preseason sampling issue, they now appear to support this work and want the Department to move forward with additional sampling this fall.

They feel that such a program would provide a basic measure of crab quality, added economic value and better grade for crab to processors, markets and the buying public to protect the “quality label,” for the remainder of the Oregon Coast similar to the established sampling program in place since 1992 north of Cascade Head. They recognize that local crab concentrations will always vary in condition. They are again concerned that summer 2000 crab condition does not appear to be very good based on their summer observations of a late crab molt.

At the September 1 ODCC Newport meeting, a near unanimous show of hands from the audience (about 30 crabbers; only one dissenting vote) supported a test program.

The Oregon State Police (OSP) have some concerns over creating another crab fishing zone and potential enforcement is one or more fishing zone season starts are delayed.

### **Preseason Sampling and Testing Considerations**

**Areas to be Sampled:** Exact sampling locations south of Cascade Head are yet to be determined, but will include locations in the central (Newport), south-central (Coos Bay), and OR/CA border (Brookings) areas.

**Industry Vessels Support :** The ODFW will seek industry vessels to volunteer their services in conduct needed test fishing crab sampling south of Cascade Head.

- Each vessel will operate under a crab collecting permit issued by the Department (Marine Resources Program). Vessel must meet safety requirements.
- The Department will pay for fuel, bait, and lost gear as needed.
- Vessels will set gear in specific locations as determined by the sampling plan and will carry a Department observer when the gear is picked. The observer will observe and coordinate the crab retained per string of gear.

**At Sea Sampling Protocol:** We will develop a sampling plan for collecting crab that is somewhat simpler than that used north of Cascade Head, but similar to northern California testing and with comparable testing requirements. General parameters are:

- First initial test fishing about November 1.
- Second test fishing trip November 15-20
- If second test projects meat "pick-out" percentage at or above 25%, or is projected to be 25% by December 1, season opens on schedule on December 1. If less than 25% meat content is projected, the season opening is delayed until December 15.
- Both of two major sub areas "central" and "southern" Oregon coast must both reach the 25% minimum meat content criteria of entire area remains closed until "default" date. No further testing.

**Procedures for Fishing Different Fishing Zones:** Currently, in the preseason hold inspection certification process in Oregon and Washington, crab fishermen must declare their intent to fish either the "northern zone" (north of either Cascade Head or Cape Falcon) or "southern zone", Cascade Head or Cape Falcon south to Point Arena, California if either zone season is delayed. Creation of a new zone for Cascade Head to OR/CA border, will add a third area for declaration if any one of the three area season start is delayed.

**Season Start Date:** Currently, the ODFW Director has the option to delay a crab season opening for any period of time, as needed, either under the Tri-State Agreement (in consultation with other states and for other Oregon coastal areas not specified under the agreement in consultation with other state Directors. This proposal would modify this slightly by setting a specific delay date.

## **Options and Recommendations:**

**Option 1.1.** (Preferred). Amend OARs to describe a new area (zone) description for the Cascade Head to OR/CA border area, establish crab quality criteria, and set a specific season delay date of December 15 if quality criteria are not met.

**Option 1.2.** Status Quo. No ODFW testing program south of Cascade Head to OR/CA border. Retain December 1 open date with Director option to delay season as per regulations and Tri-State agreement provisions.

**Issue 2. Pot Limitation System in Oregon.** The staff is seeking guidance from the Commission to begin a commercial Dungeness crab pot limitation discussion in Oregon. If the Commission instructs the staff to pursue a discussion with the Oregon crab industry, we would seek direction on the following:

### **Planning Schedule**

- Should we set a schedule that brings options to Commission in May, June, or July 2000 for adoption with implementation on December 1, 2001 (2001-02 season)?
- Alternatively, should we schedule a full two year planning period with implementation for the 2002-03 season? This would leave the pot limit question for the 2001-02 season unresolved without some action or direction by the Commission.

Discussion: Oregon's crab industry appears ready to discuss the issue of pot limitation. They recognize that implementation of Washington's pot limit system presents problems for many north Oregon Coast crabbers and remain concerned over excess Washington gear being "dumped and fished" in Oregon waters. Both staff and many fishermen realize the short time frame for a 2001-02 season start date, but think the Washington process, technical assessment, plan implementation, and lack of Tribal obligations will assist Oregon in its planning process. It should be mentioned; however, moving this process to completion will consume considerable staff and fishermen advisory time and attention. This is also complicated by the 2000-01 crab season positioned directly in the middle of a potential October 1999-May 2000 planning and option building time frame. Many crabbers indicate they would like some interim action if the planning process extends over two more years before implementation.

### **Setting a Control Date for Fishery**

- Does the Commission want to set a crab fishery control date? This would, by definition, be a date at which a fishermen must have had a permit and/or participated in the fishery to qualify for future pot allocations. For example, if a permit was acquired after a control date, that permit, while valid, could potentially qualify only for a base level of pot allocation, not a higher allocation even though the permit catch history would indicate a higher amount.

Discussion: During Oregon legislative action and industry discussion on this issue in 1999, amended house bill HB2646 stated "the Commission shall consider participation in the Oregon ocean Dungeness crab fishery only before December 1, 1998." Setting such a date, or a later date such as the end of the 1999-00 season, would not exclude any existing crab LE permit holders, whether they fished or not, from entry into any pot allocation system using any base participation years to be decided later. It is common to set such a date on the last day of the previous season to begin such fishery limitation processes. One aspect it could effect is a decision or determination that any LE permit transferred or bought after the control date would be only able to receive a "base" number of pots for that permit, not a higher pot allocation, even though the permit history may indicate higher catches and thus more pots.

Washington, though they did not set a specific control date for their pot limit system, used the most recent three catch years (decided by their industry advisory committee) as the basis for participation and pot allocation to each license holder.

Table 1. Historical effort and catch in the Oregon commercial Dungeness crab fishery, 1947-48 through 1999-2000 seasons.

Season	Number of Vessels	No. Pots	Pounds Harvested			Thousands of Pounds per Boat
			Winter	Summer	All	
1947-48	67	8,000			10,044,000	150
1948-49	35	4,000			9,354,000	267
1949-50	29	4,000			6,252,000	216
1950-51	63	13,600			7,478,400	119
1951-52	83	15,700			5,407,675	65
1952-53	71	13,500			6,413,275	90
1953-54	83	16,200			10,131,125	122
1954-55	89	19,600			6,413,100	72
1955-56	92	18,900			8,910,600	97
1956-57	68	19,200			11,737,800	173
1957-58	75	21,300			10,103,000	135
1958-59	105	21,800			7,125,525	68
1959-60	103	20,600			8,296,125	81
1960-61	110	24,400			11,359,000	103
1961-62	103	38,400			5,813,000	56
1962-63	121	24,600			3,620,975	30
1963-64	95	23,000			3,586,335	38
1964-65	100	22,100			6,221,000	62
1965-66	81	25,000			10,187,000	126
1966-67	87	27,100			9,428,000	108
1967-68	90	28,600			10,215,000	114
1968-69	105	29,200			11,965,000	114
1969-70	143	33,500			13,849,000	97
1970-71	193	49,600			14,735,000	76
1971-72	205	54,900			6,780,000	33
1972-73	310	52,000			3,143,000	10
1973-74	300	50,000			3,462,000	12
1974-75	300	50,000			3,335,000	11
1975-76	220	55,000			9,099,000	41
1976-77	346	68,500			16,301,800	47
1977-78	452	91,400	9,856,158	522,442	10,378,600	23
1978-79	444	102,700	15,413,485	938,335	16,351,820	37
1979-80	519	98,600	17,275,838	966,692	18,242,530	35
1980-81	450	112,500	9,119,830	385,988	9,505,818	21
1981-82	458	127,600	5,740,798	2,975,739	8,716,537	19
1982-83	395	104,000	3,095,347	1,232,122	4,327,469	11
1983-84	324	84,000	4,166,174	513,839	4,680,013	14
1984-85	317	90,300	4,738,432	162,293	4,900,725	15
1985-86	339	91,600	6,906,855	222,230	7,129,085	21
1986-87	329	88,700	4,362,639	317,485	4,680,124	14
1987-88	327	85,200	8,299,822	350,009	8,649,831	26
1988-89	345	91,900	10,638,471	526,380	11,164,851	32
1989-90	452	151,400	8,693,548	541,859	9,235,407	20
1990-91	368	86,426	7,692,299	554,203	8,246,502	22
1991-92	374	94,826	6,745,145	609,322	7,554,467	20
1992-93	354	102,310	9,911,678	956,540	10,868,218	31
1993-94	386	111,887	9,356,100	885,060	10,241,160	27
1994-95	425	114,150	14,369,810	681,977	15,051,787	35
1995-96	346	124,483	17,076,141	601,866	17,678,007	51
1996-97	332	122,396	6,686,309	356,824	7,043,133	21
1997-98	311	113,238	6,632,233	449,661	7,081,894	23
1998-99	306	116,421	8,911,608	202,421	9,114,029	30
Historic Average	235	60,737			8,877,091	63
Most Recent 10 Yr Avg.	365	113,754	9,607,487	603,973	10,211,460	28
1999-00 as of 9/8/00	325	134,101	15,177,678	492,676	15,670,354	48

Table 2. Summer (June 1 - August 14) participation and landings in the Oregon commercial Dungeness crab summer fishery, 1984-85 through 1999-00

Season	Season Total Number of Vessels	Number of Summer Vessels (6/1-8/14)	Percent of Fleet in Summer Fishery	Number of Vessels Landing in June	Number of Vessels Landing in July	Number of Vessels Landing in August	Average Number of Summer Deliveries per Vessel
84-85	318	113	36%	102	74	50	7
85-86	339	81	24%	71	52	30	8
86-87	330	85	26%	70	60	52	9
87-88	330	92	28%	72	47	45	7
88-89	345	90	26%	69	58	45	9
89-90	454	135	30%	102	87	78	10
90-91	367	135	37%	108	102	94	11
91-92	374	138	37%	103	114	93	11
92-93	354	122	34%	84	103	91	13
93-94	386	142	37%	127	107	96	12
94-95	424	173	41%	127	131	101	10
95-96	346	147	42%	120	116	100	10
96-97	331	113	34%	88	80	71	9
97-98	314	112	36%	84	74	66	14
98-99	306	135	44%	121	86	61	7
99-00	325	152	47%	126	127	38	8

Season	Pounds Landed in Summer Fishery (6/1-8/14)	Percent of Pounds Landed in the Summer Fishery	Number of Summer Deliveries	June Landings in Pounds	July Landings in Pounds	August Landings in Pounds
84-85	162,293	3%	736	66,930	49,072	46,291
85-86	222,230	3%	646	108,697	72,523	41,010
86-87	317,485	7%	786	89,247	147,485	80,753
87-88	350,009	4%	643	143,986	137,713	68,310
88-89	526,380	5%	832	187,504	239,226	99,650
89-90	541,859	6%	1,389	177,542	221,934	142,383
90-91	554,203	7%	1,435	184,387	234,626	135,190
91-92	809,322	11%	1,540	206,182	346,772	256,368
92-93	956,540	9%	1,559	224,876	379,469	352,195
93-94	885,060	9%	1,685	202,537	372,064	310,459
94-95	681,977	5%	1,652	185,773	283,825	212,379
95-96	601,866	3%	1,505	258,553	210,026	133,287
96-97	356,824	5%	1,044	68,422	150,213	138,189
97-98	449,661	6%	1,538	48,744	220,574	180,343
98-99	202,421	2%	1,002	122,033	49,788	30,600
99-00	492,676	3%	1,290	221,278	195,460	75,938

Table 3. Pounds and values of the 1999-2000 Oregon Dungeness crab season.

Month	Pounds	Value	Avg Price
December*	8,813,381	\$15,306,184	\$1.74
January	3,525,027	\$7,659,313	\$2.17
February	1,325,077	\$3,130,391	\$2.36
March	669,990	\$1,682,289	\$2.51
April	483,954	\$1,352,657	\$2.80
May	360,249	\$1,084,032	\$3.01
June	221,278	\$594,066	\$2.68
July	195,459	\$454,673	\$2.33
August	77,640	\$151,389	\$1.95
Season Total	15,672,055	\$31,414,994	\$2.00

\* December of previous year

Table 4. Average Ex-vessel prices by month for Oregon commercial Dungeness Crab, 1992 - 2000

Month	1992	1993	1994	1995	1996	1997	1998	1999	2000
December*	\$1.23	\$1.00	\$1.14	\$1.40	\$1.26	\$1.63	\$1.65	\$1.55	\$1.74
January	\$1.20	\$1.01	\$1.15	\$1.65	\$1.16	\$2.12	\$2.17	\$1.79	\$2.17
February	\$1.24	\$1.05	\$1.28	\$1.99	\$1.31	\$2.56	\$2.53	\$2.38	\$2.36
March	\$1.33	\$1.15	\$1.45	\$2.00	\$1.44	\$3.04	\$2.30	\$2.46	\$2.51
April	\$1.56	\$1.32	\$1.54	\$2.01	\$1.60	\$3.21	\$2.26	\$2.58	\$2.80
May	\$1.55	\$1.37	\$1.57	\$2.00	\$1.66	\$3.13	\$2.35	\$2.75	\$3.01
June	\$1.44	\$1.31	\$1.52	\$1.97	\$1.75	\$2.96	\$2.33	\$2.73	\$2.68
July	\$1.34	\$1.31	\$1.45	\$1.79	\$1.74	\$2.36	\$1.50	\$2.54	\$2.33
August	\$1.25	\$1.22	\$1.46	\$1.61	\$1.71	\$2.00	\$1.47	\$2.66	\$1.95
Season Avg.	\$1.25	\$1.05	\$1.21	\$1.65	\$1.27	\$1.89	\$1.76	\$1.78	\$2.00

\* December of previous year

Table 5. Catch by port by year for in the Oregon commercial Dungeness crab fishery, 1986-2000 seasons.

Season	Port										Total
	Astoria	Garibaldi	Depoe Bay	Newport	Florence	Winchester Bay	Coos Bay	Port Orford	Brookings	Other*	
1988	3,143,826	427,028	125,188	2,273,939	333,983	586,446	792,040	184,281	773,801	9,299	8,649,831
1989	4,305,234	599,331	113,422	3,050,992	361,348	661,302	801,062	141,458	1,117,144	13,558	11,164,851
1990	2,888,137	344,286	35,133	2,152,798	258,114	590,906	1,444,346	443,974	1,053,312	24,401	9,235,407
1991	2,359,461	254,790	42,433	1,918,796	181,998	488,401	1,135,287	419,840	1,416,951	28,545	8,246,502
1992	2,164,735	342,384	78,837	1,877,572	257,721	496,040	797,034	329,856	1,197,572	12,716	7,554,467
1993	2,714,761	436,253	134,811	2,494,018	239,655	482,042	1,091,214	429,862	2,833,580	12,022	10,868,218
1994	4,614,144	360,011	92,241	2,630,344	236,460	389,579	1,168,701	206,892	531,290	11,498	10,241,160
1995	5,419,504	414,048	111,816	4,173,526	230,555	512,915	2,086,775	721,006	1,364,963	16,279	15,051,787
1996	5,971,173	725,619	197,295	4,440,287	173,758	450,215	1,768,416	1,341,943	2,591,814	17,487	17,678,007
1997	2,573,250	256,314	67,787	1,976,650	175,759	415,018	781,720	256,319	540,850	19,466	7,043,133
1998	2,611,609	264,907	41,373	1,753,618	327,508	215,737	594,651	247,484	1,015,976	9,031	7,081,894
1999	2,362,908	245,476	52,160	2,612,684	163,507	294,081	1,029,182	713,246	1,627,378	13,407	9,114,029
2000	4,413,701	702,322	68,283	4,922,597	281,014	799,199	2,061,073	666,652	1,717,462	38,051	15,670,354
Average	3,503,296	413,290	89,291	2,790,602	247,798	490,914	1,194,731	469,447	1,367,853	17,366	10,584,588

\*Other includes Nehalem, Pacific City, Waldport, Bandon and Gold Beach

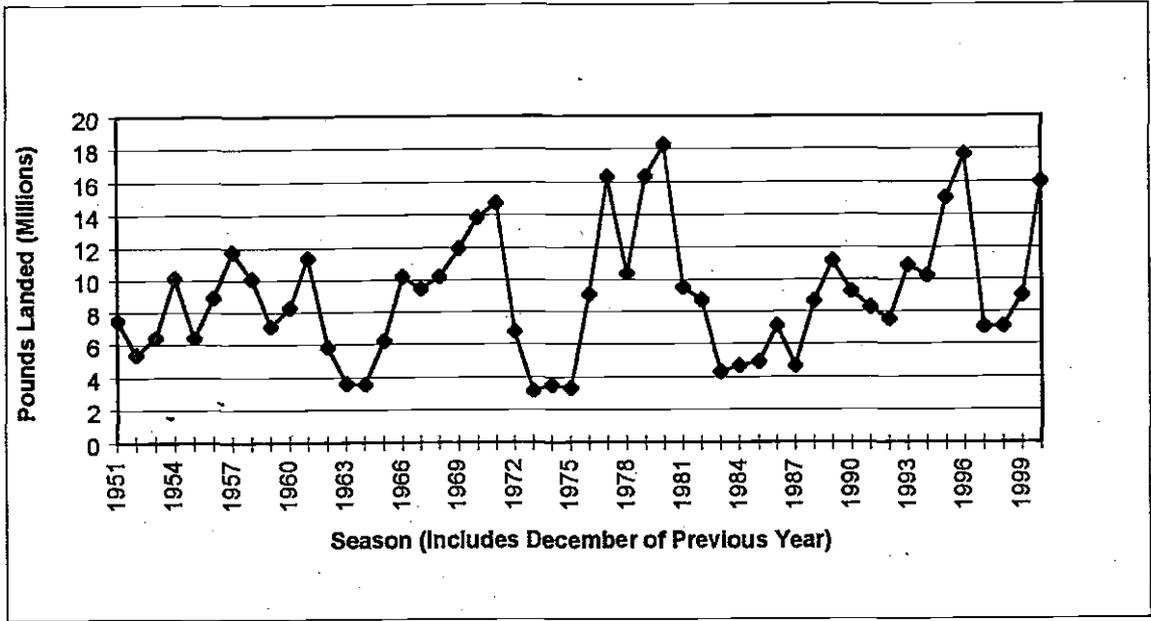


Figure 1. Total seasonal landings (in pounds) for the Oregon commercial Dungeness crab fishery, 1951-2000

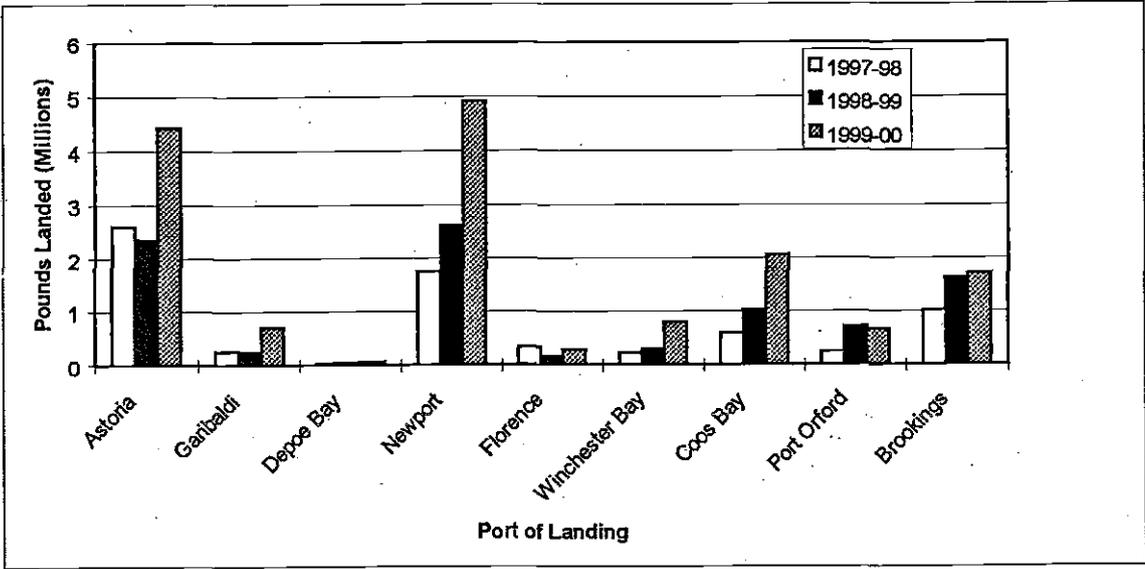


Figure 2. Oregon commercial Dungeness crab landings (in pounds) by port for the three most recent seasons.

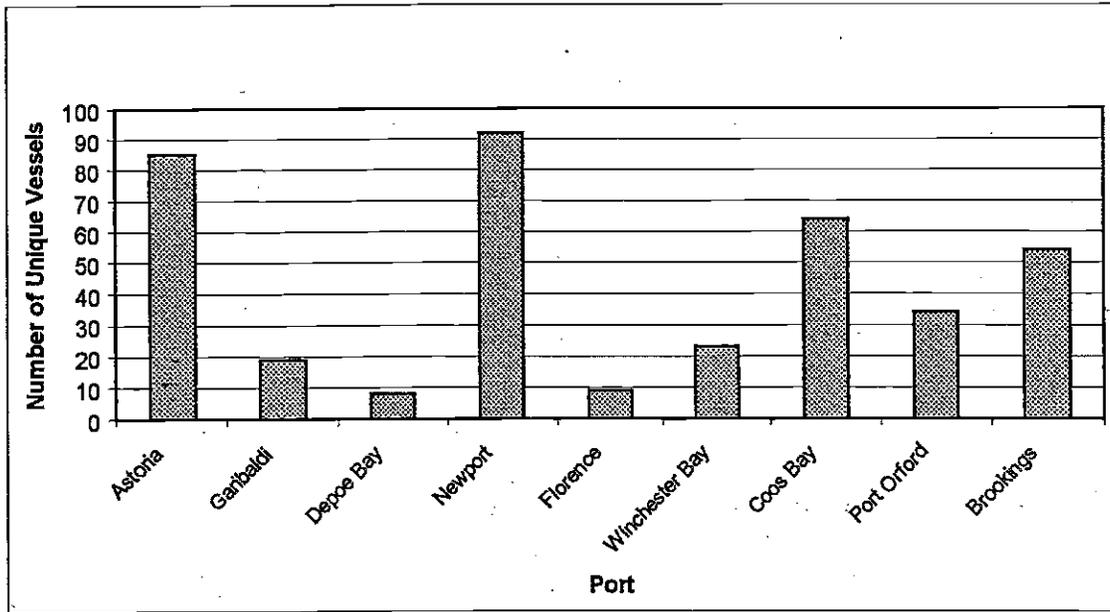


Figure 3. Number of unique vessels landing by port in the 1999-2000 Oregon commercial Dungeness crab fishery

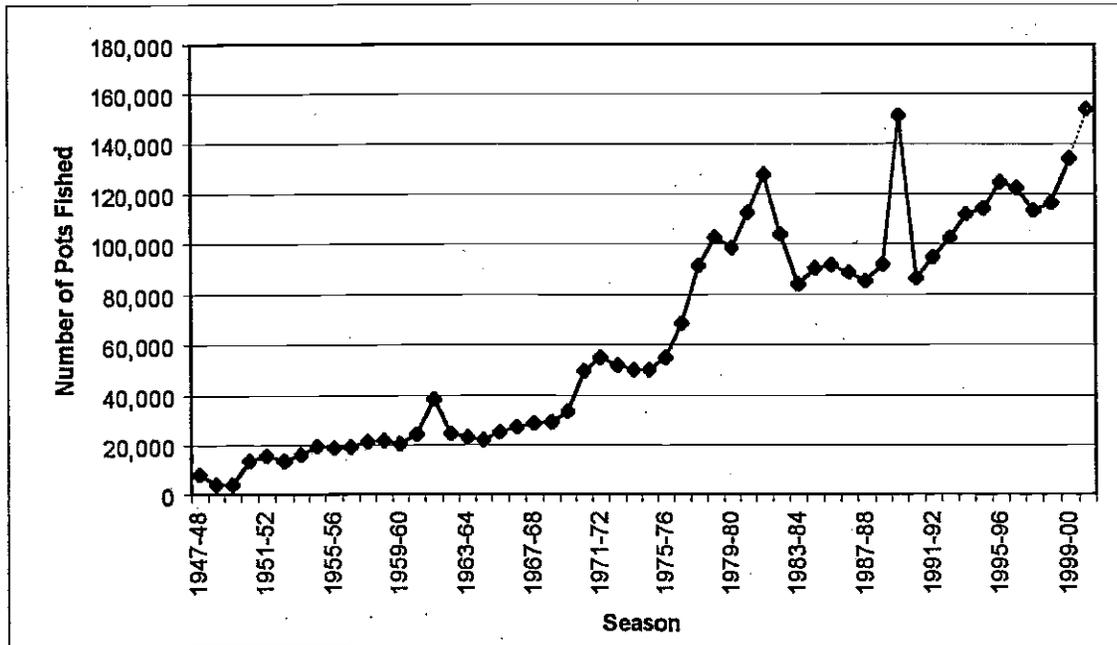


Figure 4. Commercial crab pots "declared" to be fished by fishermen from vessel hold inspections at the start of each season in Oregon commercial Dungeness crab fishery, 1948-2000. A 15% increase for the 2000-01 season, similar to the increase in 1999-00 season, would set a new record level of gear (dotted line).

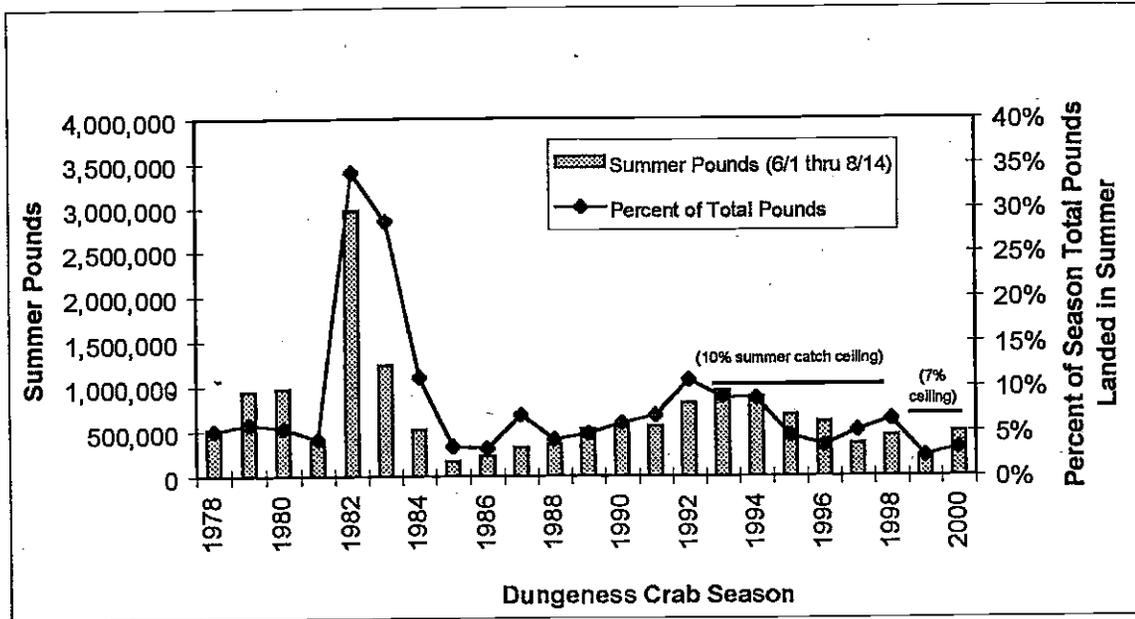


Figure 5. Summer (June 1 - August 14) landings in the Oregon commercial Dungeness crab fishery, 1978 through 2000

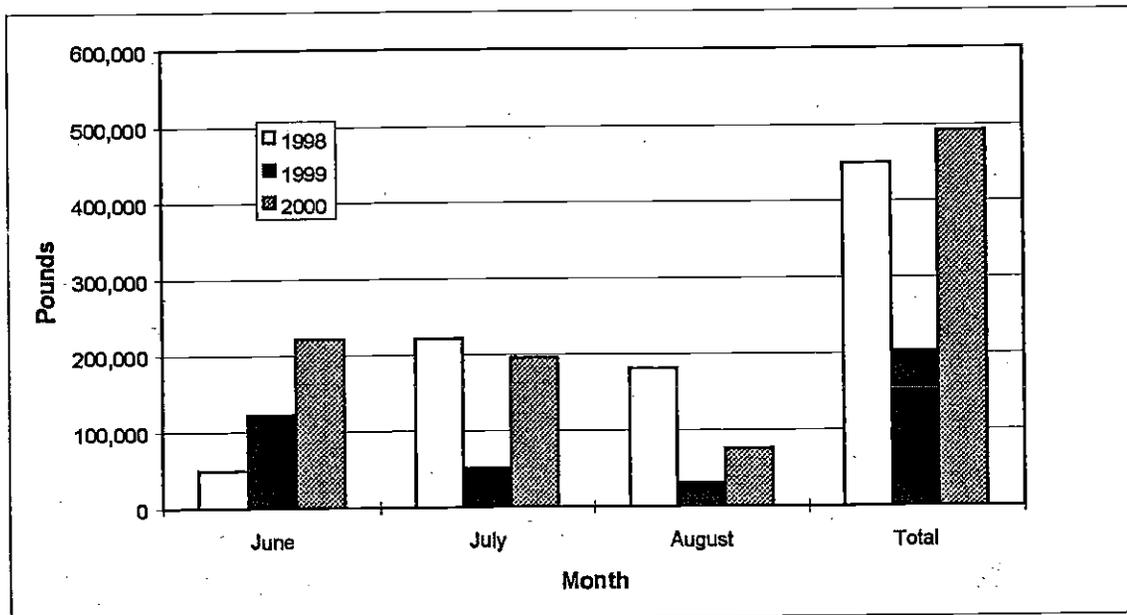


Figure 6. Commercial landings of Dungeness crab in the Oregon summer fishery (June 1 - August 14) for the three most recent seasons.

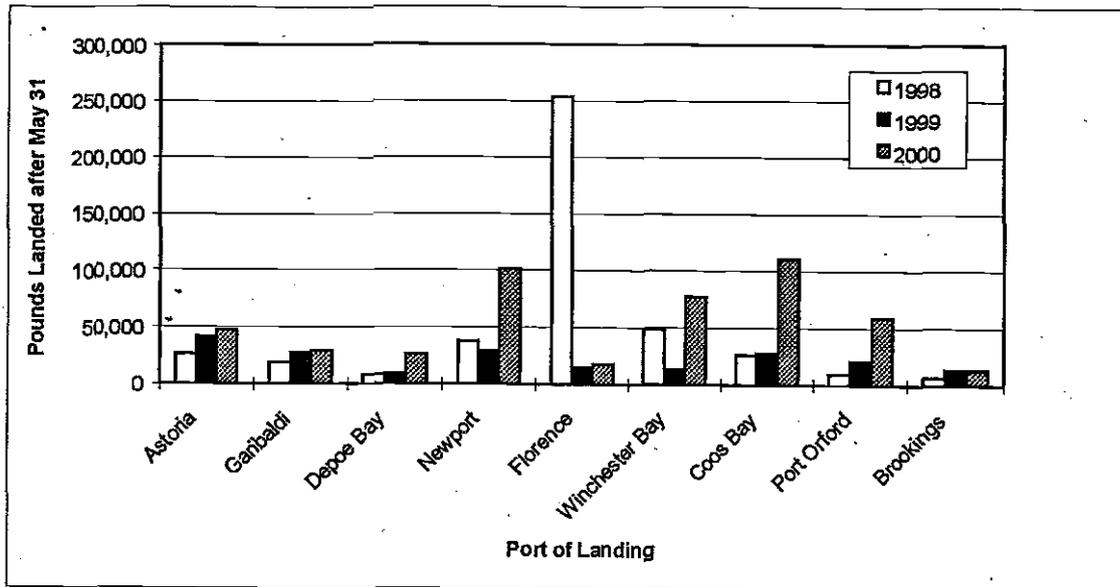


Figure 7. Oregon commercial Dungeness crab landings in the summer fishery (in pounds), (June 1 - August 14), landings by port for the three most recent seasons.

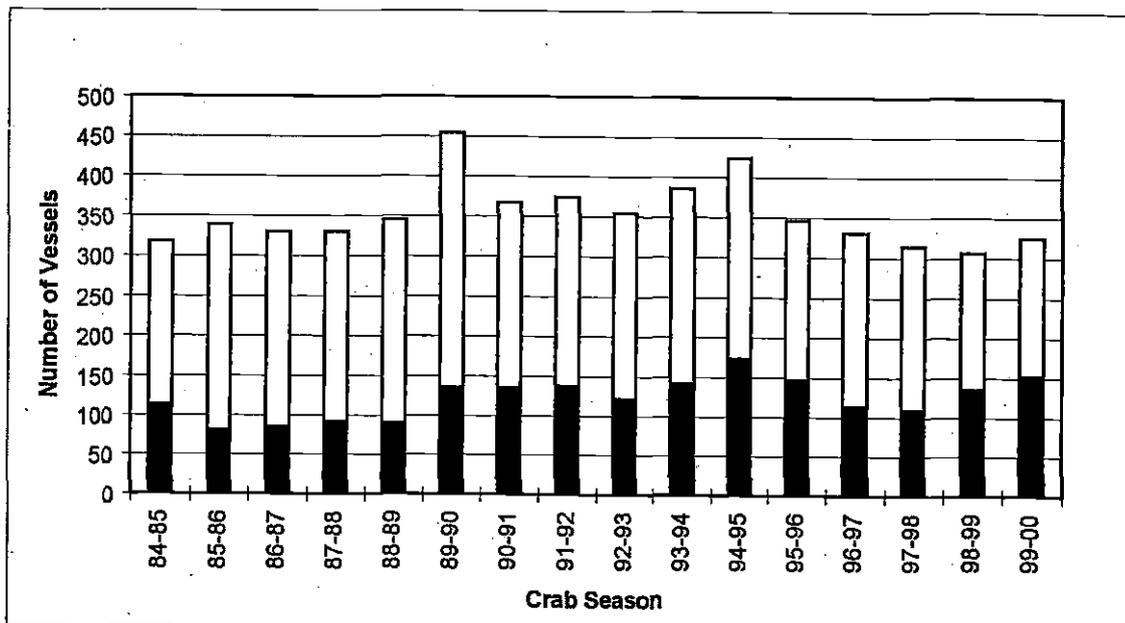


Figure 8. Numbers of commercial vessels landing Dungeness crab in Oregon, 1984-85 through 1998-99 seasons. The black portion of the column represents the number of vessels participating in the fishery beginning June 1 each year.



# ***NEWS RELEASE***

Oregon Department of Fish and Wildlife  
Contact: Anne Pressentin (503) 872-5264, ext. 5356  
Internet: [www.dfw.state.or.us](http://www.dfw.state.or.us)

**For Immediate Release:**

**Date: November 19, 1999**

## **Oregon Commercial Dungeness Crab Season to Open December 1**

PORTLAND — Oregon's ocean commercial Dungeness crab fishery will open on schedule December 1, following a tri-state conference call with Washington, Oregon, and California fish and wildlife agencies today. Similar crab fisheries off Washington and northern California will also open on the same date.

In October, Oregon crabbers and processors were concerned about the apparent late summer molting of crab, their poor shell condition and low meat content. The Oregon Department of Fish and Wildlife, along with the other west coast states, the crab industry and the Pacific States Marine Commission conducted a series of at-sea tests to observe crab condition during October and November. October sampling confirmed that crab were marginal, but sampling completed last week show that crab condition has improved substantially. Projections from these tests indicate crab should be in excellent condition by the December 1 opener.

Dungeness crab is Oregon's second most valuable marine fishery and is also one of the most recognizable and popular seafoods with consumers. The 1998 harvest had a landed value of \$12.5 million.

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# NEWS RELEASE

Oregon Department of Fish and Wildlife  
Contact: Anne Prassentin (503) 872-5264 x5356  
Call (541) 912-2395  
Internet: [www.dfw.state.or.us](http://www.dfw.state.or.us)

For Immediate Release

Friday, December 3, 1999

## ODFW Does Not Close Commercial Dungeness Crab Season in Southern Oregon

PORTLAND – The Oregon Department of Fish and Wildlife (ODFW) announced late Thursday that the commercial dungeness crab season will remain open as scheduled along the entire Oregon coast.

Several commercial harvesters requested that ODFW close the season for 14 days in a limited area along the southern Oregon coast, stating that the crabs do not meet the state's quality criteria. Crab being harvested in northern Oregon, California, and Washington meet the quality criteria.

ODFW officials tested crab quality in Astoria, Newport and Brookings just before the season opened December 1 and determined that quality met or would be at the 23 percent meat "pick out" weight ratio. Many commercial harvesters, concerned that the meat content was not sufficient did not start pulling pots Wednesday. A few fishermen harvested crabs Wednesday and tested their quality. Their results, which are not standardized, were as follows:

City	Percent "pick out"
Astoria	26
Newport	25.5
North of Florence	23.9
Winchester Bay	22.89
South of Coos Bay	21.6
Port Orford	20.9
Brookings	25
Crescent City	24.9

-more-

*Commercial Crab Season - continued*

"Local quality issues sometimes present a difficult challenge to the industry, but one that is better dealt with by market interactions than by regulatory actions," said Douglas DeHart, ODFW Fish Division Director.

"While we recognize that crabbers with small boats may be affected, our decision maintains the crabbers flexibility to harvest crab where they choose," DeHart said.

Commercial crabbers have dealt with local quality issues in the past by using their extensive knowledge of the fishery to maximize opportunity.

The commercial harvesters proposed that ODFW close the fishery at Heceta Head near Florence to the California border within 48 hours and that the southern zone be re-opened on December 16. This action would require the initiation of a 30-day "no transfer" rule for fishermen. Boats that would have crabbed in the northern zone would not be able to crab in the southern zone until 30 days after it reopened on December 16.

Washington, Oregon and California officials opened the dungeness crab season December 1 following several coordination meetings. Commercial harvesters could begin setting crab pots on Sunday, November 28 and landing crab on Wednesday.

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State of Washington  
**DEPARTMENT OF FISH AND WILDLIFE**

Mailing Address: 600 Capitol Way N • Olympia, WA 98501-1091 • (360) 902-2200, TDD (360) 902-2207  
Main Office Location: Natural Resources Building • 1111 Washington Street SE • Olympia, WA

August 25, 2000

Dear Oregon Dungeness Crab License Holder:

On August 11, 2000, the Washington Fish and Wildlife Commission approved a series of measures that pertain to the Dungeness crab fishery in waters adjacent to the Washington coast from 0-200 miles (see enclosures). These decisions were made after more than a year of meetings with industry members and consideration by the Commission. These measures are intended to be the first steps toward reducing the harvest rate of crab in December and January and in minimizing the differences between the treaty Indian and state fisheries. Subsequent steps may include permit stacking and buyback initiatives.

Among the measures adopted by the Commission is a two-tiered pot limit system based on the highest recorded catch history of the license in any one of the three qualifying seasons. We anticipate the new rules to become effective in mid-September. Oregon licensed fishers who wish to fish off the Washington coast must obtain a pot certificate from the Washington Department of Fish and Wildlife (WDFW) and comply with the other management measures beginning next season. To obtain a pot certificate, a license holder must provide WDFW with landing records documented by the Oregon Department of Fish and Wildlife, or a combination of records from the states of Washington, Oregon, and California (see details for combining catch records). Upon receipt of the documented records, WDFW staff will provide the license holders a pot certificate that will specify the maximum number of pots that the vessel designated on their license can fish adjacent to the Washington coast. In addition to a limit on the number of pots each license is authorized to fish, there are other new regulations that will be in effect at the start of the 2000-01 season. Please take time to review them.

Sincerely,

REDACTED FOR PRIVACY  
REDACTED FOR PRIVACY  
REDACTED FOR PRIVACY  
REDACTED FOR PRIVACY

Philip Anderson  
Special Assistant  
Intergovernmental Policy

PA:dak  
Enclosures

cc: Morris Barker  
Tim Flint  
Evan Jacoby  
Steve Barry

**Effective December 1, 2000:**

**Pot tags**

There must be a tag on all pots deployed in Washington coastal waters (including Grays Harbor and Willapa Bay). There are no restrictions on the type of tag that may be used to identify the owner except that it must be printed with the license number or the vessel name **and** a contact telephone number.

**Buoy brand registration:**

One unique buoy brand for each license must be registered with the Department, this brand must be used on all buoys. This must be done at the license office in Olympia.

**Buoy color scheme:**

One unique buoy color scheme for each license must be registered with the Department. Department staff will be available in major ports after mid-September to photograph buoys. You will need to bring a buoy(s) that clearly shows the color scheme to be registered to your license. You will be notified of dates and times for buoy color scheme registration. Buoy color scheme registration will be handled at the Montesano office.

**Combining landing information from other states:**

Landings from Washington, Oregon, and California can be combined to qualify for a higher pot limit. Crab landings from other states can **only** be combined if the same vessel was designated on the licenses during the qualifying season used to determine the pot limit. Only one qualifying season can be chosen and the licenses must have been owned by the same person during that season. A pot limit certificate assigned as a result of combined landings may be invalidated if either of the two licenses is subsequently sold or any vessel designations changes have been made. Landing records and verification from states other than Washington needs to be provided to WDFW by the license holder. Included as a attachment is a landing records release form that can be used to obtain catch record information from Oregon Department of Fish and Wildlife for the license holders use or it can be used to authorize the information to be sent to WDFW.

**Sending and Obtaining information on pot limits:**

All information regarding pot limits should be directed to WDFW at the coastal field station in Montesano; 48 Devonshire Rd. Montesano, WA 98563. Call Steve Barry or Heather Reed at 360-249-4628 for questions.

## Coastal Dungeness Crab Pot Limit System

Two-tiered pot limit based on landings in the best season out of 3 (96/97, 97/98, 98/99)

-Adopted by the Fish and Wildlife Commission, August 11, 2000

A pot limit will be assigned to a license based on that license's highest landings during one of the qualifying seasons. The qualifying seasons are 96/97, 97/98, and 98/99. Landings from 0 - 35,999 pounds will qualify for 300 pots, landings greater than or equal to 36,000 will qualify for 500 pots.

### Additional measures for the 2000-01 season

1. Pot limit is permanently assigned to the license, only one pot limit allowed per vessel.
2. Pot limit based on catch history of the license(s) (best of 3)- 96/97, 97/98, 98/99.
3. Catch history follows the license(s)-pot limit goes to whomever owns the license NOW, not during the qualifying period.
4. Catch history can be used only once-either in combination with another state's license (e.g., WA and OR) or individually.
5. Department will send out pot limit certificates with name of fisher, name of vessel, license number(s), and vessel registration number to out-of-state vessels only; Washington-licensed vessels will have pot limit on their license.
6. Catch histories can only be combined on the same vessel under the following conditions:
  - The same vessel was designated on both licenses during the qualifying season chosen
  - Only one qualifying season (same season) can be used for both catch histories (i.e., cannot combine WA license catch history for 96/97 with OR license catch history for 97/98)
  - Both licenses were owned by the same person during the qualifying season chosen
  - If licenses are combined for a larger limit, then if the licenses are subsequently split as a result of a transfer (sale), or a different vessel is designated on one of the licenses, then a new pot limit may be assigned based on the catch history of the individual licenses.
7. Standardize buoy brand numbers:
  - One buoy brand number per vessel, effective December 1, 2000.
  - Buoy brand number must be registered with WDFW and must be either:
    - old buoy brand number (if multiple, need to designate one) or
    - license number.
8. Must register buoy color scheme with WDFW.
9. Pot tags are required on all pots-fishers can purchase any style of pot tag from any vendor, can be attached in any manner; all must contain the following information:
  - Name of vessel or license number
  - Phone number of contact person.
10. Maximum pot size of 13 cubic feet.
11. Barging of pots allowed by an unlicensed vessel from November 28-December 2, provided the following are met: 1) coastal Dungeness crab license holder who owns the pots being deployed is on board the vessel; and 2) a maximum amount of 150 pots per licensed vessel.



OREGON  
DEPARTMENT  
OF  
FISH & WILDLIFE

FISHING VESSEL  
LANDING RECORDS  
RELEASE FORM

Oregon Revised Statute 192.501(5) conditionally exempts fish ticket catch records from disclosure under the Oregon Public Records Law, unless the public interest otherwise requires. The Department has determined that the fisherman who is credited with the landings of the fish and/or shellfish, may examine the landing information for a vessel. The request must be in writing and signed in the presence of a notary public. Send this completed and notarized form, with a check for \$20.00 made out to the Department, to:

Oregon Department of Fish and Wildlife  
Fishery Information Systems  
P.O. Box 59  
Portland, Oregon 97207  
Attn. Jay Hensleigh

A separate form, each with a check for \$20.00, must be submitted for each vessel.

REQUEST	
I, _____, hereby request the release of ODFW (print fisherman's name) landing records for my landing activity reported under the commercial fishing vessel:	
_____ (vessel name)	_____ (fed. doc., state marine board, or WDFW reg. no.)
for the year(s) _____ I certify that I fished this vessel for the period requested and received from the fish dealer, payment for the fish and/or shellfish sold.	
Fisherman's Signature _____	If the report is to be sent to another party, please fill in the following:
Address _____	WDFW
City _____ State _____ Zip _____	Name _____
Date _____	48 Devonshire Rd. _____
Telephone Number _____	Address _____
Subscribed and sworn before me	Montesano, WA 98563
this _____ day of _____, 19 _____	City _____ State _____ Zip _____
Notary Public _____	Attn. Heather Reed
My Commission expires _____	Fax. 360-664-0689