OFFICE OF THE SECRETARY OF STATE
TOBIAS READ
SECRETARY OF STATE

MICHAEL KAPLAN
DEPUTY SECRETARY OF STATE

ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 635
DEPARTMENT OF FISH AND WILDLIFE

FILED
10/13/2025 11:09 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: 2026 Commercial and Recreational Groundfish Fishery Regulations

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 12/12/2025 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Linda Spansel
503-947-6233
linda.d.spansel@odfw.oregon.gov

4034 Fairview Industrial Dr SE
Salem,OR 97302

Filed By:
Linda Spansel
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 12/12/2025
TIME: 8:00 AM - 5:00 PM
OFFICER: Michelle Tate

IN-PERSON HEARING DETAILS
ADDRESS: Oregon Department of Fish and Wildlife, 4034 Fairview Industrial Dr SE, Salem, OR 97302
SPECIAL INSTRUCTIONS:
This hearing will be conducted as a hybrid meeting, providing an opportunity to give testimony either in person or virtually. Additional information regarding participation will be posted on our website at www.dfw.state.or.us/agency/commission/minutes/. The meeting can be viewed at www.youtube.com/user/IEODFW. Any changes to the meeting format (to virtual only if emergency arises) will be posted to our website as soon as possible.

NEED FOR THE RULE(S)

These rule amendments are needed to implement the Pacific Coast Groundfish Fishery Management Plan (FMP), including federal harvest levels established by the Pacific Fishery Management Council. The FMP describes current resource management goals, harvest policy, and management measures for commercial and recreational fisheries.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

1. Staff report prepared for the Oregon Fish and Wildlife Commission hearing on 12/12/2025, including the presentation and all provided materials.

A copy of the rules and the other documents relied upon for this rulemaking [the above document(s)] are available from the Oregon Department of Fish and Wildlife, Fish Division, 4034 Fairview Industrial Drive SE, Salem, Oregon 97302-1142. Contact Linda Spansel at 503-947-6233 or linda.d.spansel@odfw.oregon.gov to view by appointment between the hours of 8:00 a.m. and 4:00 p.m., on normal working days, Monday through Friday.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The Department has solicited input from representatives of underrepresented communities likely to be affected on whether the proposed rule will have a fiscal impact on the community, the extent of the fiscal impact, and whether the rules will have significant impact on underrepresented communities. https://www.dfw.state.or.us/OARs/index.asp

FISCAL AND ECONOMIC IMPACT:

Minimal fiscal and economic impacts are expected from these rule changes.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1). The proposed rules are expected to affect state agencies, units of local government, and the public, as discussed below:

A. The state agencies that could be affected by the adoption of these rules are the Oregon Department of Fish and Wildlife (ODFW) and the Oregon State Police (OSP). No significant changes in costs to ODFW or to OSP are expected from these rule changes. There is potential for changes in recreational groundfish regulations to affect OSP enforcement costs, but the potential changes are likely to be small relative to statewide enforcement costs. The rules would increase recreational and commercial harvest guidelines (HGs) for Black Rockfish, while decreasing the recreational and commercial HGs for others. The proposed rules would increase the total metric tons allowed for harvest under the 2026 commercial HGs for Black Rockfish by 2.1% and decrease those for Blue and Deacon Rockfish by 2.7%, Other Nearshore Rockfish by 2.6%, Cabezon by 1.6%, and Greenling by 1.3% relative to 2025. The rules would implement a 4-fish recreational general marine species bag limit, with a 1-fish sub-bag limit for canary rockfish and a 1-fish sub-bag limit for cabezon (when cabezon season is open) and increase the lingcod bag limit from 2 to 3. All other bag limits would remain the same as in 2025. The overall impact on license sales is uncertain though likely to be very minor relative to ODFW's total angling license revenues.

There is potential for slight changes in ODFW's Ad Valorem (AV) revenues due to changes to commercial nearshore period limits. The proposed rules include increases to 2026 bi-monthly vessel limits amounting to a 44% increase for bi-monthly limits on Other Nearshore Rockfish, a 33% increase for Cabezon, and a 67% increase for Greenling compared to 2025's limits. These management groups cumulatively contributed $20,041 in AV revenues to ODFW in 2024. There is potential for AV revenue to increase slightly due to the fact that total annual HGs have not been binding in these fisheries in recent years. Despite the minor decreases in the proposed 2026 HGs for these species, the increased bi-monthly vessel limits may allow commercial fishers to achieve annual harvests closer to a full allocation of the annual HGs than were previously possible. Commercial harvests in 2024 amounted to 55% of the annual HG for Cabezon, 15% of the annual HG for Greenling, and 57% of the annual HG for Other Nearshore Rockfish. Cumulative AV impacts of the increased bi-monthly vessel limits will depend on the number of harvesters who record bi-monthly harvest totals greater than the 2025 limits during the 2026 season. As such, precise impacts cannot be estimated at this time. The proposed rules would also permanently remove daily black rockfish vessel limits for commercial vessels fishing in Black Rockfish Management Areas, however, relative to recent years, no change to AV revenue is anticipated because these limits have been suspended since 2022 as a trial period.

B. Economic impacts to local governments are expected to be minor. Units of local government which could be affected by groundfish fishery regulations include port authorities and county governments. Port authorities and county

governments may experience costs and derive revenues related to the provision of moorage and other support facilities for commercial and recreational fishing. There may be potential for some Oregon port districts to be impacted, but significant impacts are not anticipated. A more detailed consideration of impacts is not possible due to data constraints.

C. The public is affected by rules relating to angling regulations. Some of the proposed rule changes could result in decreased angler trips due to harvest restrictions, although negative impacts to angler trips were not observed in 2025 with similar bag limits. The cumulative magnitude of this effect cannot be forecast with any precision because a variety of factors, such as ocean conditions, weather, gas prices, etc. determine the number of angler trips in any given year. Overall, these regulation changes are not expected to result in significant changes in license sales or angler trips in the next year.

Although some of the changes to angling rules and angling regulations in general can be viewed as reducing positive economic impacts in the short run, conservation through the regulation of bag limits and other factors is intended to perpetuate Oregon's fishery resources at optimal levels in the long run. Failure to restrict harvests of fish would result in severe adverse economic impacts in the future. The proposed regulations attempt to strike a balance, which will provide optimal angling opportunities subject to the need to sustain fish population levels and to maintain future benefits.

(2) Effect on Small Businesses:
(a) The main types of small business subject to the rules are commercial harvesters landing nearshore groundfish and businesses that provide goods and services to commercial and recreational groundfish harvesters. In 2024 there were 42 Black/Blue Rockfish permits and 68 Nearshore-endorsed Black/Blue Rockfish permits sold, two separate permit types that exist for the limited-entry commercial nearshore fishery. Wholesale dealers who buy nearshore groundfish will also be affected and there were 33 in 2024 who bought $500 or more worth of nearshore species. Other small businesses that have the potential to be affected include gas stations, tackle shops, charter boat owners, restaurants/cafes/bars, food stores, and places of lodging (hotels, campgrounds, etc.). Information is not available to estimate accurately the number of those types of small businesses affected.
(b) No significant changes in these costs are expected for the small businesses subject to the rule.
(c) No significant changes in these costs are expected for the small businesses subject to the rule.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

ODFW will hold three meetings focused on recreational fishing in early October 2025 that will be open to the public. One of the recreational meetings will be conducted with a hybrid format allowing for interested parties to attend both in-person and online, allowing for more individual feedback. ODFW held two public meetings focused on the commercial nearshore fishery in September 2025, both conducted in a hybrid format allowing attendance in-person and online. These meetings are conducted to allow impacted parties to individually provide their feedback on the proposed rules. ODFW also communicated with the Commercial Nearshore Advisory Panel (CNAP) to discuss reductions in the 2025/2026 harvest guidelines at meetings in April and June 2024. This 10-member panel consists of commercial harvesters, processors, and dealers. At the June 2025 CNAP meeting staff discussed the 2025 season and potential in-season adjustments, following up with the panel in late September via email to obtain feedback on 2026 bi-monthly vessel limits.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The alternatives for federal groundfish regulations and harvest limits were developed through the Pacific Fishery Management Council process, which involves advisory committees and public comment. As described above, Department staff hosted several meetings that were open to the public to hear from individuals to inform the agency's

development of proposed changes to state regulations that are in addition to federal regulations. The rules are believed to be fully compatible with legislative direction on the goals of wildlife management in Oregon.

RULES PROPOSED:
635-004-0275, 635-004-0350, 635-004-0355, 635-004-0365, 635-039-0080, 635-039-0090

AMEND: 635-004-0275

RULE SUMMARY: These proposed rule amendments will modify annual groundfish management measures and harvest limits for 2026 commercial and recreational groundfish fisheries, including but not limited to, state Harvest Guidelines for commercial and recreational fisheries, recreational regulations (bag limits, length limits, and seasons), and nearshore commercial regulations (bi-monthly period vessel limits and black rockfish management area daily limits). Housekeeping and technical corrections to the regulations may also occur to ensure rule consistency. The Commission may decide to adopt staff recommended proposed rules and rule amendments as proposed in Attachment 3, or the Commission may decide to modify the proposed rules or not adopt some or any of the proposed rule amendments.

CHANGES TO RULE:

635-004-0275
Scope, Inclusion, and Modification of Rules ¶

(1) The commercial groundfish fishery in the Pacific Ocean off Oregon is jointly managed by the state of Oregon and the federal government through the Pacific Fishery Management Council process. The Code of Federal Regulations provides federal requirements for this fishery, including but not limited to the time, place, and manner of taking groundfish. However, additional regulations may be promulgated subsequently by publication in the Federal Register, and these supersede, to the extent of any inconsistency, the Code of Federal Regulations. Therefore, the following publication~~s are~~ is incorporated into Oregon Administrative Rule by reference:¶
~~(a)~~ Code of Federal Regulations, Part 660, Subparts C, D, and E (October 1, 2024~~5~~ ed.) as amended~~; and~~¶
~~(b) Federal Register Vol. 89, no. 241, dated December 16, 2024 (89 FR 101514)~~.¶
(2) Persons must consult the federal regulations in addition to Division 004 to determine all applicable groundfish fishing requirements. Where federal regulations refer to the fishery management area, that area is extended from shore to three nautical miles from shore coterminous with the Exclusive Economic Zone.¶
(3) The Commission may adopt additional or modified regulations that are more conservative than federal regulations, in which case Oregon Administrative Rule takes precedence. See OAR 635-004- 0205 through 635-004-0235 and 635-004-0280 through 635-004-0365 for additions or modifications to federal groundfish regulations.
Statutory/Other Authority: ORS 506.119
Statutes/Other Implemented: ORS 506.109, ORS 506.129

AMEND: 635-004-0350

RULE SUMMARY: These proposed rule amendments will modify annual groundfish management measures and harvest limits for 2026 commercial and recreational groundfish fisheries, including but not limited to, state Harvest Guidelines for commercial and recreational fisheries, recreational regulations (bag limits, length limits, and seasons), and nearshore commercial regulations (bi-monthly period vessel limits and black rockfish management area daily limits). Housekeeping and technical corrections to the regulations may also occur to ensure rule consistency. The Commission may decide to adopt staff recommended proposed rules and rule amendments as proposed in attachment 3, or the Commission may decide to modify the proposed rules or not adopt some or any of the proposed rule amendments.

CHANGES TO RULE:

635-004-0350
Harvest Guidelines and Landing Caps ¶

(1) Upon attainment of a harvest guideline in the Black Rockfish / Blue Rockfish / Nearshore Fishery, the Department shall initiate consultation to determine if additional regulatory actions are necessary to achieve management objectives.¶
(2) The following commercial harvest guidelines include the combined landings and other fishery related mortality by all Oregon commercial fisheries in a single calendar year:¶
(a) Black rockfish: 8~~2.4~~4.1 metric tons;¶
(b) Blue rockfish and deacon rockfish combined: 14.~~8~~4 metric tons;¶
(c) Other Nearshore Rockfish combined: 15.40 metric tons;¶
(d) Cabezon: 3~~1.0~~0.5 metric tons; and¶
(e) Greenling: 9~~6.6~~5.3 metric tons.
Statutory/Other Authority: ORS 506.119
Statutes/Other Implemented: ORS 506.109, ORS 506.129

AMEND: 635-004-0355

RULE SUMMARY: These proposed rule amendments will modify annual groundfish management measures and harvest limits for 2026 commercial and recreational groundfish fisheries, including but not limited to, state Harvest Guidelines for commercial and recreational fisheries, recreational regulations (bag limits, length limits, and seasons), and nearshore commercial regulations (bi-monthly period vessel limits and black rockfish management area daily limits). Housekeeping and technical corrections to the regulations may also occur to ensure rule consistency. The Commission may decide to adopt staff recommended proposed rules and rule amendments as proposed in attachment 3, or the Commission may decide to modify the proposed rules or not adopt some or any of the proposed rule amendments.

CHANGES TO RULE:

635-004-0355
Trip Limits ¶

(1) The trip limits outlined in this rule are set at the beginning of each calendar year based on commercial harvest caps and projected fishing effort~~,~~ and are subject to in-season adjustments and closures. Fishers should refer to Nearshore Commercial Fishery Industry Notices on the Marine Resources Program Commercial Fishing Rules and Regulations webpage for the most up-to-date information regarding trip limits and other regulations affecting the Nearshore Commercial Fishery.¶
(2) Vessels with a Black Rockfish / Blue Rockfish / Nearshore Fishery Permit, with or without a Nearshore Endorsement, may land no more than the following bi-monthly cumulative trip limits:¶
(a) Black rockfish:¶
(A) 1200 pounds in period 1;¶
(B) 1200 pounds in period 2;¶
(C) 1600 pounds in period 3;¶
(D) 1600 pounds in period 4;¶
(E) 1200 pounds in period 5;¶
(F) 1200 pounds in period 6; and¶
(b) 1500 pounds of blue rockfish and deacon rockfish combined in each period.¶
(3) For all other nearshore species with a Black Rockfish / Blue Rockfish / Nearshore Fishery Permit with Nearshore Endorsement may land no more than the following bi-monthly cumulative trip limits:¶
(a) 4~~6~~50 pounds of other nearshore rockfish combined in each period;¶
(b) ~~15~~2000 pounds of cabezon in each period; and¶
(c) ~~1~~2000 pounds of greenling species in each period.¶
(4) It is unlawful to retain or land quillback rockfish for commercial purposes, except by vessels participating in the federal Pacific coast groundfish limited entry trawl fishery.
Statutory/Other Authority: ORS 506.119
Statutes/Other Implemented: ORS 506.109, ORS 506.129

AMEND: 635-004-0365

RULE SUMMARY: These proposed rule amendments will modify annual groundfish management measures and harvest limits for 2026 commercial and recreational groundfish fisheries, including but not limited to, state Harvest Guidelines for commercial and recreational fisheries, recreational regulations (bag limits, length limits, and seasons), and nearshore commercial regulations (bi-monthly period vessel limits and black rockfish management area daily limits). Housekeeping and technical corrections to the regulations may also occur to ensure rule consistency. The Commission may decide to adopt staff recommended proposed rules and rule amendments as proposed in attachment 3, or the Commission may decide to modify the proposed rules or not adopt some or any of the proposed rule amendments.

CHANGES TO RULE:

635-004-0365
Black Rockfish Management Areas ¶

~~In addition to catch restrictions set forth in the/Code of Federal Regulations, Title 50 Part/660, OAR 635-004-0355 and OAR 635-004-0360, the following trip limit applies to black rockfish taken with all commercial gears except trawl: ¶~~
~~(1) It is/unlawful/to take, retain, possess, or land more than the following trip limit of black rockfish per vessel from a single fishing trip when fishing occurs for any species of fish within one of the Black Rockfish Management Areas defined in section (2) of this rule: ¶~~
~~(a) 500 pounds from November 1 of any year through February 28 of the following year; and ¶~~
~~(b) 300 pounds from March 1 through October 31. ¶~~
~~(2~~(1) Black Rockfish Management Areas are defined as:~~-~~¶
(a) Tillamook Head (45°56'45" N latitude) to Cape Lookout (45°20'15" N latitude);~~-~~¶
(b) Cascade Head (45°03'50" N latitude) to Cape Perpetua (44°18' N latitude);~~-~~¶
(c) From a point (43°30' N latitude), approximately 8 1/2 nautical miles north of the Coos Bay north jetty, to a point (43°03' N latitude) adjacent to the mouth of Four-mile Creek; and¶
(d) Mack Arch (42°13'40" N latitude) to the Oregon-California border (42°00' N latitude).~~-~~¶
(3~~2~~) ~~Notwithstanding any other part of this rule, trip limits described in section (1) of this rule are suspended from January 1, 2023 through December 31, 2025~~Effective January 1, 2026, there is no daily trip limit for the amount of black rockfish that may be taken, retained, or possessed when any fishing occurs within a Black Rockfish Management Area on a fishing trip. Therefore, vessels may land up to the ~~period~~bi-monthly cumulative trip limit for black rockfish described in OAR 635-004-0355~~(2)(a)~~ from a single fishing trip~~ during that time~~.
Statutory/Other Authority: ORS 506.119
Statutes/Other Implemented: ORS 506.109, ORS 506.129

AMEND: 635-039-0080

RULE SUMMARY: These proposed rule amendments will modify annual groundfish management measures and harvest limits for 2026 commercial and recreational groundfish fisheries, including but not limited to, state Harvest Guidelines for commercial and recreational fisheries, recreational regulations (bag limits, length limits, and seasons), and nearshore commercial regulations (bi-monthly period vessel limits and black rockfish management area daily limits). Housekeeping and technical corrections to the regulations may also occur to ensure rule consistency. The Commission may decide to adopt staff recommended proposed rules and rule amendments as proposed in attachment 3, or the Commission may decide to modify the proposed rules or not adopt some or any of the proposed rule amendments.

CHANGES TO RULE:

635-039-0080
Purpose and Scope ¶

(1) The purpose of Division 039 is to provide for management of sport fisheries for marine fish, shellfish, and marine invertebrates in the Pacific Ocean, coastal bays, and beaches over which the State has jurisdiction.¶
(2) Division 039 incorporates into Oregon Administrative Rules, by reference:¶
(a) The sport fishing regulations of the State, included in the current annual ~~/~~ Oregon Sport Fishing Regulations;¶
(b) Title 50 of the Code of Federal Regulations, Part 300, Subpart E (October 1, 2024<u>5</u> ed.), as amended; <u>and</u>¶
(c) ~~/~~ Title 50 of the Code of Federal Regulations, Part 660, Subpart G ~~/~~ (October 1, 2024<u>5</u> ed.), as amended~~; and~~¶
~~(d) Federal Register Vol. 89, no. 241, dated December 16, 2024 (89 FR 101514).~~¶
(3) Therefore, persons must consult all publications referenced in this rule in addition to Division 011 and Division 039 to determine all applicable sport fishing requirements for marine fish, shellfish and marine invertebrates.
Statutory/Other Authority: ORS 496.138, ORS 496.146
Statutes/Other Implemented: ORS 496.162

AMEND: 635-039-0090

RULE SUMMARY: These proposed rule amendments will modify annual groundfish management measures and harvest limits for 2026 commercial and recreational groundfish fisheries, including but not limited to, state Harvest Guidelines for commercial and recreational fisheries, recreational regulations (bag limits, length limits, and seasons), and nearshore commercial regulations (bi-monthly period vessel limits and black rockfish management area daily limits). Housekeeping and technical corrections to the regulations may also occur to ensure rule consistency. The Commission may decide to adopt staff recommended proposed rules and rule amendments as proposed in attachment 3, or the Commission may decide to modify the proposed rules or not adopt some or any of the proposed rule amendments.

CHANGES TO RULE:

635-039-0090
Inclusions and Modifications ¶

(1) The current annual Oregon Sport Fishing Regulations provide requirements for sport fisheries for marine fish, shellfish, and marine invertebrates in the Pacific Ocean, coastal bays, and beaches, commonly referred to as the Marine Zone. However, additional regulations may be adopted in this rule division from time to time and to the extent of any inconsistency, they supersede the current annual Oregon Sport Fishing Regulations.¶
(2) For the purposes of this rule, a "sport harvest guideline" is defined as a specified numerical harvest objective that is not a quota. Attainment of a harvest guideline does not automatically close a fishery. Upon attainment of a sport harvest guideline, the Department shall initiate consultation to determine if additional regulatory actions are necessary to achieve management objectives. The following sport harvest guidelines include the combined landings and other fishery related mortality by the Oregon sport fishery in a single calendar year:¶
(a) Black rockfish, ~~389.1~~266.3 metric tons;¶
(b) Blue rockfish and deacon rockfish combined: 6~~6.7~~3.2 metric tons;¶
(c) Other Nearshore Rockfish combined: 1~~5.2~~4.3 metric tons;¶
(d) Cabezon, 1~~7.6~~6.9 metric tons; and¶
(e) Greenling, 3~~2~~1.6 metric tons.¶
(3) For the purposes of this rule, "Other ~~n~~Nearshore ~~r~~Rockfish" means the following rockfish species: black and yellow (Sebastes chrysolmelas); brown (S. auriculatus); calico (S. dalli); China (S. nebulosus); copper (S. caurinus); gopher (S. carnatus); grass (S. rastrelliger); kelp (S. atrovirens); olive (S. serranoides); quillback (S. maliger); and treefish (S. serriceps).¶
(4) In addition to the regulations for Marine Fish in the current annual Oregon Sport Fishing Regulations, the following apply for the sport fishery in the Marine Zone:¶
(a) Lingcod (including green colored lingcod): ~~2~~3 fish daily bag limit. ¶
(b) All rockfish ("sea bass" "snapper"), greenling ("sea trout"), cabezon, skates, and other marine fish species not listed in the current annual Oregon Sport Fishing Regulations in the Marine Zone, located under the category of Finfish Species, General Marine Species: ~~5~~4 fish daily bag limit in aggregate (total sum or number), of which no more than ~~one~~1 may be canary rockfish, and no more than 1 may be a cabezon, when retention of cabezon is allowed. Retention of the following species is prohibited: ¶
(A) Yelloweye rockfish; ¶
(B) Cabezon from January 1 through June 30; and ¶
(C) Quillback rockfish. ¶
(c) Flatfish (flounder, sole, sanddabs, turbot, and all halibut species except Pacific halibut): 25 fish daily bag limit in aggregate (total sum or number). ¶
(d) Except as specified in subsection (4)(d)(A), retention of all marine fish listed under the category of Finfish Species, General Marine Species, except Pacific cod, sablefish, flatfish, herring, anchovy, smelt, sardine, striped bass, hybrid bass, and offshore pelagic species (excluding leopard shark and soupfin shark), is prohibited when Pacific halibut is retained on the vessel during open days for the all-depth sport fishery for Pacific halibut when the sport fishery for general marine species (other than flatfish species) is closed outside of the 40 fathom curve as specified in subsection (4)(f).¶
(A) Persons must also consult all publications referenced in OAR 635-039-0080 to determine all rules applicable to the taking of Pacific halibut.¶
(B) When the all-depth sport fishery for Pacific halibut is open and the sport fishery for general marine species (other than flatfish species) is closed outside of the 40-fathom curve as specified in subsection (4)(f), fishing with long-leader gear is allowed on the same trip as all-depth halibut fishing as follows:¶
(i) When rockfish are onboard the vessel, anglers are only allowed to retain the species listed under subsection

(4)(h)(A) and must use long-leader gear as defined in subsection (4)(e)(F); ¶
(ii) Pacific cod, sablefish, flatfish, herring, anchovy, smelt, sardine, striped bass, hybrid bass, and offshore pelagic species (excluding leopard shark and soupfin shark) may be retained while all-depth halibut fishing, prior to retaining any rockfish species;¶
(iii) It is not required to separate all-depth halibut fishing from long-leader fishing by returning to the dock and offloading fish. A long-leader fishing trip must be separated from any other fishing trip where groundfish are retained by returning to the dock and offloading fish; and¶
(iv) All other requirements and prohibitions contained within subsection (4)(h) apply. ¶
(e) Harvest methods and other specifications for marine fish in subsections (4)(a), (4)(b) and (4)(c) including the following: ¶
(A) Minimum length for lingcod, 22 inches.¶
(B) Minimum length for cabezon,16 inches.¶
(C) May be taken by angling, hand, bow and arrow, spear, gaff hook, snag hook and herring jigs.¶
(D) Mutilating the fish so the size or species cannot be determined prior to landing or transporting mutilated fish across state waters is prohibited.¶
(E) When angling for groundfish or Pacific halibut in the Pacific Ocean or when in possession of groundfish or Pacific halibut, all watercraft shall have a functional descending device on board and shall use a descending device when releasing any rockfish outside of the 30-fathom curve (defined by latitude and longitude) as shown in Title 50 Code of Federal Regulations Part 660 Section 71. Upon request, a descending device shall be presented for inspection by any person authorized to enforce the wildlife laws or a representative of the Department. In this subsection, "descending device" means a device capable of returning a rockfish back to a depth of at least 100 feet to assist the fish in recompression and to improve the fish's chance of survival.¶
(F) Long-leader gear means fishing gear with the following: one fishing line, deployed with a sinker and no more than three hooks, with a minimum of 30 feet (9.14 meters) between the sinker and the lowest hook, and a non-compressible float attached to the line above the hooks. The hooks can only be equipped with artificial lures or molded soft plastic or rubber imitations of worms, eggs, insects, bait fish, crayfish, etc. 5 inches or less in length and/or artificial flies. Natural bait may not be used.¶
(f) Sport fisheries for species in subsections (4)(a), (4)(b) and (4)(c) and including leopard shark and soupfin shark are open January 1 through December 31, twenty-four hours per day, except as provided in subsections 4(b) and (4)(d). A 20-fathom, 25-fathom, 30-fathom, or 40-fathom curve, as shown in Title 50 Code of Federal Regulations Part 660 Section 71 may be implemented as the management line for depth-based inseason modifications as necessary. In addition, the following management lines may be used to set area-specific regulations for inseason action only: ¶
(A) Cape Lookout (45°20'30" N latitude); and¶
(B) Cape Blanco (42°50'20" N latitude).¶
(g) The Stonewall Bank Yelloweye Rockfish Conservation Area (YRCA) is defined by coordinates specified in Title 50 Code of Federal Regulations Part 660 Section 70 (October 1, 2018 ed.). Within the YRCA, it is unlawful to fish for, take, or retain species listed in subsections (4)(a), (4)(b) and (4)(c) of this rule, leopard shark, soupfin shark, and Pacific halibut using recreational fishing gear. A vessel engaged in recreational fishing within the YRCA is prohibited from possessing any species listed in subsections (4)(a), (4)(b) and (4)(c) of this rule, leopard shark, soupfin shark, and Pacific halibut. Recreational fishing vessels in possession of species listed in subsections (4)(a), (4)(b) and (4)(c) and including leopard shark, soupfin shark, and Pacific halibut may transit the YRCA without fishing gear in the water. ¶
(h) On any fishing trip where fishing with long-leader gear (as defined in subsection (4)(e)(F)) occurs seaward of the 40-fathom curve (defined by latitude and longitude) as shown in Title 50 Code of Federal Regulations Part 660 Section 71, the following apply:¶
(A) It is unlawful to retain any species in the Groundfish Group other than yellowtail rockfish (Sebastes flavidus), widow rockfish (S. entomelas), canary rockfish (S. pinniger), deacon rockfish (S.diaconus), blue rockfish (S. mystinus), redstripe rockfish (S. proriger), greenstriped rockfish (S.elongatus), chilipepper rockfish (S. goodei), bocaccio rockfish (S. paucispinis), ~~or~~ silvergray rockfish (S.brevispinis);¶
~~(B) The daily bag limit is 12~~ , Pacific cod (Gadus macrocephalus), Sablefish (Anoplopoma fimbria), or any species of flatfish;¶
(B) The daily bag limit is 10 fish, of which no more than 1 may be canary rockfish, in aggregate for the species listed in section (4)(h)(A);¶
(C) A long-leader fishing trip must be separated from any other fishing trip for all anglers on the vessel where groundfish are retained by returning to the dock and offloading all fish, except as specified in subsection (4)(d)(B)(iii);¶
(D) It is unlawful for an angler who retained fish on a long-leader fishing trip to retain more than 10 fish in aggregate of the species listed in subsection (4)(b) in the same day; ¶

(E) It is unlawful for any angler on the vessel to fish for any species in the Groundfish Group, including those listed in subsection (4)(h)(A), inside of the 40-fathom curve or with gear that is not long-leader gear as defined in subsection (4)(e)(F); and ¶
(F) Federal rules governing the long-leader fishery will supersede these rules to the extent of any inconsistency, including the definition of long-leader gear.¶
~~(i) Take of abalone is prohibited.¶~~
~~(j) It is unlawful to use recreational trap, pot, or ring gear that has on any part of the gear line marks or multi-colored line required for any state or federal fishery operating in the U.S. West Coast EEZ or in the state waters of Washington, Oregon, or California, other than the fishery the gear is being used in.¶~~
~~(k) The daily bag limit for purple sea urchins is 35. Purple sea urchins may be taken by hand or hand-powered tools. Unwanted marine invertebrates must be immediately released unharmed.~~
Statutory/Other Authority: ORS 496.138, ORS 496.146
Statutes/Other Implemented: ORS 496.162