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When adding text **Bold and Underline**

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Division 4

COMMERCIAL FISHERIES OTHER THAN SALMON OR SHELLFISH

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] **2025** ed.) as amended; and

~~(b) Federal Register Vol. 89, no. 241, dated December 16, 2024 (89-101514)].~~

(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

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: ~~[82.4]~~**84.1** metric tons;

(b) Blue rockfish and deacon rockfish combined: ~~[14.8]~~**14.4** metric tons;

(c) Other Nearshore Rockfish combined: ~~[15.4]~~**15.0** metric tons;

(d) Cabezon: ~~[31.0]~~**30.5** metric tons; and

(e) Greenling: ~~[96.6]~~**95.3** metric tons.

Statutory/Other Authority: ORS 506.119

Statutes/Other Implemented: ORS 506.109, ORS 506.129

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:



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- (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) ~~450~~**650** pounds of other nearshore rockfish combined in each period;

(b) ~~14500~~**2000** pounds of cabezon in each period; and

(c) ~~14200~~**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

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.]~~

(1) [(2)] 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).

(2) 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. Vessels may land up to the bi-monthly cumulative trip limit for black rockfish described in OAR 635-004-0355 from a single fishing trip.

~~[(3) 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. Therefore, vessels may land up to the period 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

Division 39

MARINE ZONE FISH, SHELLFISH AND MARINE INVERTEBRATES SPORT REGULATIONS

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:



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- (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]**2025** ed.), as amended; **and**
- (c) **Title 50 of the Code of Federal Regulations, Part 660, Subpart G** (October 1, [2024]**2025** 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

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, [~~389.4~~]**266.3** metric tons;
- (b) Blue rockfish and deacon rockfish combined: [~~66.7~~]**63.2** metric tons;
- (c) Other Nearshore Rockfish combined: [~~45.2~~]**14.3** metric tons;
- (d) Cabezon, [~~47.6~~]**16.9** metric tons; and
- (e) Greenling, [~~32.6~~]**31.6** metric tons.

(3) For the purposes of this rule, "Other [~~n~~]**N**earshore [~~r~~]**R**ockfish" means the following rockfish species: black and yellow (*Sebastes chrysomelas*); 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 1 may be canary rockfish, and** no more than [~~one~~]**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



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(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



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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*), **Pacific cod (*Gadus macrocephalus*), Sablefish (*Anoplopoma fimbria*) or any species of flatfish;**

(B) The daily bag limit is ~~[42]~~ **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