

Exhibit C

**Supplemental Public Correspondence
Received as of February 4, 2026**

From: Nancy Rhodes
E-mail: banjogirl57@gmail.com
Sent on: Wednesday, February 4, 2026 11:30 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

The petition under consideration contains reasonable solutions that are already working in California and should be applied here in Oregon. This includes stronger management measures that reduce the number of lines in the water during whale feeding and migration seasons, plus closing areas to conventional crab gear during the times when whales are known to be here in concentration. Doing so, while creating a pathway for fishers to use pop-up fishing gear that can avoid such entanglements, will protect whales and allow fishers to stay on the water and safely catch Dungeness crab. Consumers will also benefit knowing their Oregon crab was caught without harming wildlife.

I urge you to move forward with the whale entanglement petition. I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you, Nancy Rhodes

From: Daryth Morrissey
E-mail: darythmorrissey@gmail.com
Sent on: Wednesday, February 4, 2026 11:40 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

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I urge you to move forward with the whale entanglement petition. I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you, Daryth Morrissey

From: Bella Johnson
E-mail: bejohnson@pacificseafood.com
Sent on: Wednesday, February 4, 2026 11:42 AM
Subject: Crab Fishery Petition
Comment:

Hello,

Attached for your consideration are comments on behalf of Pacific Fishing, LLC regarding the December 11 petition to adopt new measures and amend existing rules in the Oregon commercial Dungeness crab fishery to reduce the risk of marine life entanglements.

Please let me know if there are any issues with the document or further questions. Thank you and have a wonderful day!

Kind Regards, Bella Johnson
971.266.9128



PACIFIC FISHING, LLC

Pacific Conquest – Pacific Hooker – Pacific Future – Sea Princess – Triple Star – Swell Rider – Miss Pacific – Calamari – Grumpy J – Coho

PO Box 70 - Warrenton OR 97146 - Ph: 503.861.6904 - Fax: 503.861.3302 - pacificfishing@pacseafood.com

February 4, 2026

Director Debbie Colbert
Oregon Fish and Wildlife Commission
4034 Fairview Industrial Drive SE
Salem, OR 97302

Submitted electronically to odfw.commission@odfw.oregon.gov

RE: Petition to Adopt New Rules and Amend Oregon Administrative Rules Chapter 635
Division 5

Dear Ms. Colbert,

Pacific Fishing, LLC operates a fleet of ten combination fishing vessels harvesting a wide range of West Coast seafood, including Dungeness crab, shrimp, whiting, groundfish, and sablefish. Collectively, our captains bring more than 175 years of on-the-water experience, along with deep expertise and a shared commitment to excellence in fisheries operations. Among these fisheries, the commercial Dungeness crab fishery is one of the most vital, not only to our fleet, but to Oregon as a whole.

Oregon's commercial Dungeness crab fishery is the state's most valuable single-species fishery and a cornerstone of our coastal economy. The economic data speaks for itself:

- The 2024-2025 season achieved a record-breaking \$97.1 million in ex-vessel value paid to fishermen, despite catch volume challenges. This surpassed the previous record of \$91.5 million set during the 2021-2022 season.
- Oregon's commercial fisheries collectively generated an estimated \$642 million in income to the statewide economy in 2021, supporting approximately 9,200 jobs.
- The Dungeness crab fishery represents a substantial portion of this economic contribution, with revenue and employment rippling throughout coastal communities.

Pacific Fishing has a longstanding history of supporting scientifically based fisheries management and the health of coastal communities, but this petition is premature, unjustified, and counterproductive to the work already underway by the Oregon Department of Fish and Wildlife (ODFW). For these reasons, **we respectfully ask you to deny the petition seeking sweeping, permanent changes to regulations governing the Oregon commercial Dungeness crab fishery.**

The Petition Ignores ODFW's Recent and Planned Actions

This petition asserts that ODFW is not taking action to reduce whale entanglement risk in our fishery, but nothing could be further from the truth. ODFW has been diligently working with National Marine Fisheries Service (NMFS) since 2021 to create the required Conservation Plan (CP) so that ODFW can apply for an Incidental Take Permit (ITP) for our fishery under the Endangered Species Act (ESA).

ODFW continues to work through the informal review process on the CP with NMFS, but finalization of the plan has been delayed due to factors beyond ODFW's control including Department-wide resource constraints, NMFS staffing reductions, and federal government shutdowns. Due to federal review requirements under the National Environmental Policy Act (NEPA), which are also outside of ODFW's control, the ITP approval process will likely take an additional 2-3 years to complete. We are deeply concerned that if ODFW were to accept this petition and begin rulemaking to create regulations for unauthorized takes as the petition requests, it would further delay their ability to continue the necessary steps to bring our fishery into compliance to allow authorized takes.

In the meantime, ODFW has already implemented, and continues to support, improved management measures aimed at reducing whale entanglements. These actions include:

- Surface buoy line requirements and line-length restrictions;
- In-season gear reductions and depth restrictions adopted through temporary and permanent rulemaking;
- Consideration of electronic monitoring, already required in Washington and California Dungeness crab fisheries and under discussion for Oregon; and
- Temporary, adaptive rules responding to real-time conditions.

Pop-Up Gear is Not a Simple Alternative

As fishermen, we know our gear and the Oregon Dungeness fishery the best; the depths we fish at, the currents on our grounds, and the number of vessels fishing are not the same as other regions. The petitioners infer that transitioning to pop up buoy gear is a simple solution that anyone can do and that it won't impact our catch rates or revenue. However, yielding 220,000 pounds of crab over 277 fishing trips, as their example of gear testing in California states, only amounts to 824 pounds of crab per trip. At that catch rate, we wouldn't even harvest enough to pay the fuel bill, let alone other expenses.

ODFW is already planning to consider a pop-up or ropeless gear exempted fishing permit (EFP) at the August 2026 Commission meeting. An EFP is a critical step to implementing gear changes into a fishery; it allows gear to be tested on a smaller scale and creates a collaborative relationship between vessels and the Department to make positive changes in the fishery. As Captains with a combined 175+ years of experience on the water, we know we can't just make a switch one day and fully convert to fishing with pop up gear.

Even if pop-up gear proves to be effective after an EFP, the economic cost of being forced to convert to new gear will force vessels to delay maintenance, accrue debt or go out of business. We anticipate fully converting our fleet of vessels to pop up gear would be at least \$900,000; per vessel the investment may amount to over 100% of a vessel's gross revenue for a single Dungeness season, before fuel, crew, bait, and maintenance costs are paid. Efforts on our fishing grounds at the peak of the season are so concentrated, that without lines and buoys we will be forced to either invest additional money into expensive electronics to track our gear, or risk losing entire pot strings.

Requested Actions Are Not Justified by Current Conditions

After many years on the water, we have observed a significant increase in whale presence on our fishing grounds, with some estimates suggesting approximately a 20 percent increase over the past four to five years. We value seeing whales on the grounds, and the health of the ocean is deeply important to us. We spend our lives on the water and are committed to ensuring it remains healthy for future generations.

However, an increase in whale populations, or an isolated whale stranding with unidentified line, does not, on its own, demonstrate a problem that justifies actions which would permanently undermine the viability of our vessels, processors, and the coastal communities where we live and work.

Accepting this petition would represent a critical and irreversible step toward the collapse of the Oregon Dungeness crab fishery. We urge you not to be the Commissioners who makes that decision. We support ODFW's continued efforts to complete the Conservation Plan and Incidental Take Permit process to bring the fishery into compliance with the Endangered Species Act, and we respectfully request that the petition be **denied in its entirety**.

Sincerely,

Stuart Arnold

Stuart Arnold
General Manager
Pacific Fishing
Warrenton, OR

From: Rex Leach
E-mail: cleachnvrhome@gmail.com
Sent on: Friday, February 6, 2026 9:12 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair and Commissioners of the Oregon Fish and Wildlife Commission,

Rex Leach

-----am writing to strongly oppose the petition requesting additional crabbing regulations based on concerns related to whale entanglement.

Whale populations along the U.S. West Coast are expanding annually and have shown remarkable growth under the current management framework established by NOAA, ODFW, and industry partners. This population growth is well documented through NOAA whale population assessments spanning multiple years and clearly demonstrates that existing management measures are effective.

Available data further indicate that the majority of whales involved in reported entanglement events are young-of-the-year animals. Multiple studies, including NOAA five-year population assessments and ODFW entanglement reports, show that natural mortality rates for young whales are extremely high—approaching 90 percent in some populations—due to predation, disease, and environmental factors. These mortality rates are a normal and expected component of whale population biology.

There is no evidence that whale entanglements associated with the crabbing industry have had any measurable effect on overall whale population abundance, growth, or recovery. To the contrary, whale populations have continued to increase at significant rates during the same period that the crabbing industry has operated under the current regulatory and management structure.

Current line color marking requirements merely indicate the geographic proximity of an entanglement relative to state boundaries and do not establish causation or population-level impact. These measures have imposed significant costs, with nearly the entire financial burden borne by the crabbing industry, despite no demonstrated biological benefit.

The recreational and commercial crabbing fisheries are arguably among the largest economic contributors to Oregon's coastal communities. They support thousands of jobs, generate substantial local and state revenue, and are foundational to the economic stability of coastal ports. Regulatory actions that lack biological justification place these communities at unnecessary risk.

It is also concerning that this petition appears to be driven largely by advocacy pressure rather than by new biological information. The increasing use of threatened litigation and the dissemination of misleading or incomplete information should not substitute for science-based decision-making. Management actions must remain grounded in verified data and population-level risk, not conjecture or external pressure.

Because there is no documented population-level impact, conservation concern, or biological threshold being exceeded, there is no biological justification for accepting this petition. Accepting it would undermine science-based management and set a concerning precedent inconsistent with the Commission's responsibility to manage Oregon's fisheries using the best available data.

Rex Lead

For these reasons, -----respectfully urge the Commission to reject this petition and reaffirm its commitment to biologically justified, outcome-based management.

Thank you for your consideration and continued stewardship of Oregon's natural resources.

Sincerely,

Rex Lead
F/v. Ms. Julie

This Rule that you are considering
to accept will destroy my business.
there is NO biological reason to
accept that petition! Everyone on the
ODFW Commission should take a ride on
a commercial boat so you can see the
whale population! you have no idea
how many whales are out there. this
will effect every business I do business with.
I will have no choice but to come after
you for damages to me + my business.

Rex Lead

2-5-2026

From: Michelle Winfield
E-mail: wnfld@yahoo.com
Sent on: Friday, February 6, 2026 9:35 AM
Subject: Crab Fishery Petition
Comment:

Dear Decision-Makers,

My name is Michelle Winfield, and I am the owner of WnflD Fisheries, Inc. I am writing regarding the February 20 decision on whether to accept or deny the Petition currently under consideration.

The economic impact of accepting this Petition is unknown and cannot be accurately quantified. The fishing industry already operates under substantial uncertainty, including fluctuating market prices, unpredictable weather conditions, and shifting season start dates. Additional restrictions without clear scientific justification will further destabilize fishing operations, particularly for small, family-owned businesses that depend on consistent access to the fishery to remain viable.

Fishermen have actively participated in discussions to reduce the risk of whale entanglements and were asked to provide alternative solutions to those proposed by environmental organizations. Several practical, reasonable options have been identified that could meaningfully reduce risk without imposing unnecessary economic harm. These include longlining crab pots to reduce the number of vertical lines in the water, increasing funding through the Oregon Dungeness Crab Commission for expanded derelict gear retrieval, and exploring emerging technologies such as GPS- or AirTag-type tracking devices to locate and recover lost gear. These measures would reduce marine debris and further minimize entanglement risk.

In addition to expanding funding for derelict gear retrieval, fishermen should be legally authorized to grapple for and recover lost pots, and resources should be provided to support larger, capable vessels to safely conduct this work offshore. Based on my knowledge and experience on the water, there have been no documented entanglements in actively fished, current-season gear. The greater risk comes from derelict gear that remains suspended below the surface, unseen and unrecovered. Targeting and removing this legacy debris would directly address the most significant source of entanglement risk while supporting fishermen as part of the solution rather than placing further restrictions on those actively operating responsibly.

Additional options include training and authorizing fishermen to safely assist with cutting gear from whales when entanglements are encountered. There are also unresolved concerns about the inability to definitively identify which endangered whale populations—particularly those originating from Mexican waters—are involved in reported incidents. A more effective, science-based approach would include tagging and tracking studies to better understand whale movement patterns before implementing additional restrictions on U.S. fisheries.

One of the most effective and proven methods to reduce the number of vertical lines in the water is a voluntary permit or gear buyback program. Such programs have been successfully implemented in the past. A buyback would particularly benefit the small-boat fleet, as reducing these vessels would significantly decrease late-season gear density. For fishermen approaching retirement, it offers a dignified and practical exit from the industry rather than watching their

businesses slowly lose value through incremental regulatory cuts. This approach provides measurable conservation benefits while avoiding unnecessary economic hardship for those who remain active.

It is also important to recognize that whales and fishermen have coexisted in these waters for more than a century. The question must be asked: why is this now being characterized as an unsustainable conflict? Whale populations are increasing, as observed by fishermen and supported by NOAA data. Some animals involved in entanglements may already be compromised due to age, illness, or nutritional stress, particularly as populations grow and competition for food increases.

Whales are highly intelligent animals and clearly aware of fishing gear in the water. My husband has personally observed whales interacting with—and even playing with—his gear. These observations suggest the issue is more complex than currently presented and unlikely to be resolved through blanket restrictions alone.

Our family represents multiple generations of fishermen. My husband began fishing at age eight with his grandfather. Our sons followed the same path and now work alongside us. Wnfld Fisheries, Inc. supports eight families, all of whom would be directly affected by continued season reductions and increasing regulatory uncertainty. These are livelihoods, not abstractions.

For these reasons, I respectfully urge denial of the Petition. It presents no new scientific evidence demonstrating that whales are being excessively harmed by current practices. Existing conservation measures appear effective, and without new peer-reviewed data, further restrictions are unwarranted and would cause unnecessary economic harm.

Thank you for your time and consideration.

Sincerely,
Michelle Winfield
Owner, Wnfld Fisheries, Inc.

From: Rick Eichstaedt
E-mail: rick@rbmindianlaw.com
Sent on: Friday, February 6, 2026 9:55 AM
Subject: Crab Fishery Petition

Comment:

Please find attached comments of the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians regarding the petition related to commercial Dungeness crab fishery rules. Please include in the materials for the February 20, 2026 Commission meeting.

Thank you.

Rick Eichstaedt
Attorney for CTCLUSI



**CONFEDERATED TRIBES OF
COOS, LOWER UMPQUA AND SIUSLAW INDIANS
TRIBAL GOVERNMENT**

1245 Fulton Avenue - Coos Bay, OR 97420

Telephone: (541)888-9577 Toll Free 1-888-280-0726 Fax: (541)888-2853

February 6, 2026

Oregon Fish and Wildlife Commission
4034 Fairview Industrial Drive SE
Salem, OR 97302

SENT VIA EMAIL (ODFW.COMMISSION@odfw.oregon.gov)

RE: Petition to Revise Commercial Dungeness Crab Fishery Rules

Dear Commissioners:

This letter is being sent on behalf the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians ("the Tribe") on the Petition to Revise Commercial Dungeness Crab Fishery Rules ("Petition"). The Tribe opposes the Petition and urges the Commission to reject its consideration.

Since time immemorial, the Tribe and its members have resided on the Oregon Coast and relied upon the rich ocean resources, including Dungeness crab. The Tribe and its members retain the right and continues to practice its culture, religion, and traditional lifeways within its ancestral Territory, both inside and outside its lands, including the Ocean. Tribal members engage in subsistence, cultural, and commercial Dungeness crab fishing, including commercial crab fishing under state regulations.

The Petition was developed with no input from the Tribe or its members. It does not consider how the proposed changes will impact Tribal use of the resource, including economic impacts to families that rely on crab.

We urge the Commission to continue with the process already in place that includes a variety of stakeholders, including those in the crab industry, to review the regulations and develop changes that are protective of both Ocean resources and those who are engaging in the crab fishery. Consistent with section 4 of the Memorandum of Agreement between ODFW and CTCLUSI, the Tribe and ODFW must meet to discuss cooperative management opportunities that could further mutual interest in the protection of Dungeness Crab. Accordingly, before any changes to regulations are finalized, any proposed changes to regulations should be reviewed by the Tribe and an opportunity for government-to-government consultation occur to ensure that the Commission and the agency fully understand and be able to address Tribal concerns.

We appreciate your dedication to the protection of Ocean resources and welcome the opportunity to advance cooperative management of Ocean resources including Dungeness Crab. Thank you for consideration of these comments.

Sincerely,

A handwritten signature in dark ink, appearing to be 'BK', with a long horizontal flourish extending to the right.

Brad Kneaper, Chair
The Confederated Tribes of Coos,
Lower Umpqua, and Siuslaw Indians

From: David Reid
E-mail: david@oldoregon.com
Affiliation or Type of Stakeholder Astoria-Warrenton Area Chamber of Commerce
Sent on: Friday, February 6, 2026 11:19 AM
Subject: Crab Fishery Petition
Comment:
February 5, 2026

Debbie Colbert, Director
Oregon Department of Fish and Wildlife

Director Colbert:

The Astoria-Warrenton Area Chamber of Commerce consists of some 600 local businesses, institutions, and organizations across all sectors of the local economy.

We are deeply concerned about the December 11, 2025 petition requesting regulatory changes to the Oregon Dungeness crab fishery to further reduce the risk of whale entanglement.

With a landed value of \$97 million, Dungeness crab has a massive positive effect on our coastal economy, providing traded-sector revenue, thousands of jobs, and economic multiplying effects far beyond that large figure. When we consider that much of the same fishing fleet and all of the same processors also participate in state-managed fisheries like pink shrimp, groundfish, whiting, salmon, and tuna, the proposed changes to Dungeness crabbing will have massive repercussions to more than just the crab fishery – though those losses alone would be sufficient to cause us alarm.

We strongly urge ODFW to recommend the Commission deny the petition to prevent a massive loss of jobs, livelihoods, and economic benefits. The ongoing and planned regulatory actions surrounding whale entanglement should be considered, as should the fact that whale populations are already rebounding and that entanglement remains a small risk compared to natural and shipping threats.

If accepted, this petition could decimate our local economy and take away one of the few bright spots in a county with some of the highest poverty rates and the single highest homelessness rate in the state. Jobs and revenue are crucial here.

Thank you for your consideration.

David L. Reid, Executive Director

From: Robert Werder
E-mail: robertwerder1@gmail.com
Sent on: Friday, February 6, 2026 1:50 PM
Subject: Crab Fishery Petition

Comment:

Hello Brittany,

My name is Robert, and I'm a commercial Dungeness crab fisherman working out of the Oregon coast. I'm reaching out because I've been following the discussion around whale entanglements and wanted to share an idea that could help reduce risk while also supporting fishing communities.

From what we see on the water, a portion of entanglement risk may come from lost or abandoned crab gear that remains in the ocean year-round. Active fishermen have strong incentives to recover their gear, but storms, gear conflicts, and weather still result in pots and lines being lost and left fishing unattended.

I'd like to explore the possibility of an authorized derelict gear retrieval program where permitted vessels could recover abandoned gear during designated periods, document recovered gear, and remove lines from the water before they pose continued risk to whales. I'm also interested in developing or using drone-based tools to help locate submerged or lost buoys so recovery vessels can operate more efficiently.

My goal is to help find solutions that protect whales while keeping fishing communities part of the solution rather than in conflict with it. I'd really appreciate the opportunity to briefly discuss the idea and hear your perspective on whether this could be explored further.

Thank you for your time and for the work you're doing on this issue.

Best regards, Robert

Commercial Crab Fisherman

From: Delores Porch
E-mail: verandafay@gmail.com
Affiliation or Type of Stakeholder Member of the Oregon Chapter of the American Cetacean Society
Sent on: Friday, February 6, 2026 2:29 PM
Subject: Crab Fishery Petition

Comment:

Last month I spoke on behalf of whales off the Oregon coast that get entangled in commercial crab fishing gear. I thank the Commission for approving emergency rules to try and save whales in the 2026 season. But, that is not enough. I am in favor of the petition to further modify the rules for commercial crab fishing.

I would like to see the following approved:

1. Establish a process for pop-up fishing gear authorization.
2. Adjust late-season conservation measures to include a 40% pot limit reduction and 30 fathom depth restriction (exempting pop-up gear), effective April 1 each season through 2028.
3. Prohibit conventional (non-pop-up) gear after April 1 each season starting in 2028.
4. Require ODFW to provide public notice of any marine mammal or sea turtle entanglement in Oregon within 48 hours of receiving a report.
5. Until the National Marine Fisheries Service issues a take permit to the state of Oregon, require ODFW to take emergency action, including closing areas to conventional gear, in response to confirmed entanglements of Endangered Species Act-listed animals in Oregon crab gear.

Thank you, Delores Porch

From: Cory Garvin
E-mail: Cory@cliffcreekwines.com
Affiliation or Type of Stakeholder Captain FV Catalyst
Sent on: Saturday, February 7, 2026 9:54 AM
Subject: Crab Fishery Petition

Comment:

Hi ODFW as a person that makes his living on the ocean the proposed changes could be devastating to my family and our lives.

I believe there other avenues we can explore. First thing that comes to mind is a state sponsored derelict gear program. We could explore the possibility of 50 percent gear reduction with the ability of stacking two permits on one vessel. One more idea is a state sponsored buy back. Thank you for your time.

Sincerely, Cory garvin.

From: Kathleen Hornstuen
E-mail: Firetrainer1@charter.net
Affiliation or Type of Stakeholder General public
Sent on: Saturday, February 7, 2026 3:16 PM
Subject: Crab Fishery Petition

Comment:

Are you seriously going to permit regulations that will put a huge portion of the fishermen and women out of business with these rules?! Entanglements don't put much of a dent in whale populations. Instead focus should be on derelict gear rules being stricter! This is a terrible thing to do to generations of fishermen, processors, coastal towns and counties!

From: Crystal Roy
E-mail: xtalr52@gmail.com
Sent on: Sunday, February 8, 2026 9:39 AM
Subject: Crab Fishery Petition

Comment:

Dear ODFW Commission,

Hi. I live on the Oregon Coast and am extremely concerned about all marine life, but specifically whales, getting entangled in fishing debris.

In November, a young humpback whale was stranded on an Oregon beach tangled up in heavy lines used in the Oregon Dungeness crab fishery. Efforts to save the whale were unsuccessful and, tragically, it had to be euthanized. This is a sad example of a growing problem off Oregon's coastline. Last year alone, at least four humpback whales were documented as entangled in Oregon Dungeness crab fishing gear. One of the whales entangled was spotted off Baja California, Mexico, meaning it swam for hundreds of miles with this gear wrapped around its body, impacting its ability to swim and feed. The National Oceanic and Atmospheric Administration (NOAA) estimates 75% of whales entangled in commercial fishing gear ultimately die. And many entanglements go undetected. It is estimated that only one in five whale entanglements are actually observed. Humpback whales, gray whales, fin whales, orcas and other large whales are all at risk of being entangled, injured and killed. Humpback whales feeding and migrating off Oregon come from two distinct populations; one is listed as endangered with extinction, and the other is threatened.

Please establish a process for pop-up fishing gear authorization,

- Adjust late-season conservation measures to include a 40% pot limit reduction and 30 fathom depth restriction (exempting pop-up gear), effective April 1 each season through 2028,
- Prohibit conventional (non-pop-up) gear after April 1 each season starting in 2028,
- Require ODFW to provide public notice of any marine mammal or sea turtle entanglement in Oregon within 48 hours of receiving a report, and
- Until the National Marine Fisheries Service issues a take permit to the state of Oregon, require ODFW to take emergency action, including closing areas to conventional gear, in response to confirmed entanglements of Endangered Species Act-listed animals in Oregon crab gear.

Pop-up fishing Gear: Pop-up fishing gear can prevent whale entanglements while providing additional fishing opportunities, particularly at times when areas are closed to conventional crab gear. Pop-up gear stores the rope and buoy with the traps on the seafloor until the fisherman triggers a release mechanism when they are ready to retrieve their catch. This means there are no vertical ropes left in the water or on the surface until the trap is retrieved. The gear has been demonstrated to be profitable, reliable, and safe for whales, and it is now approved for use in the commercial California Dungeness crab fishery in the Spring.

Thank you for your attention to this critical matter.

Respectfully, Crystal Roy

From: William Goergen
E-mail: willygoergen@gmail.com
Affiliation or Type of Stakeholder F/V Catalyst, V/V Ann Me, Catalyst Seafood
Sent on: Monday, February 9, 2026 8:44 PM
Subject: Crab Fishery Petition

Comment:

If the commission chooses to approve this petition it will impact my three businesses that employ 40 people at a level that is not sustainable. It is difficult enough to stay in business with the current regulations and taxes in this state. The cost of dungeness crab will skyrocket to a level that working class people wont be able to afford and that is the core ingredient in our seafood restaurant. I believe that a much improved derelict recovery program would drastically reduce any chance of entanglements and that is the approach we should be taking.

From: Jonathon Trost
E-mail: Jonathon.Trost@currycountyor.gov
Sent on: Tuesday, February 10, 2026 7:42 AM
Subject: Crab Fishery Petition

Comment:

Please find the above letter from the Curry County Board of Commissioners opposing the petition from the Center of Biodiversity. Please share with all of the commission and acknowledge receipt.

Thank you,

Jay Troust
Curry County Commissioner



BOARD OF COMMISSIONERS

JAY TROST, CHAIR

PATRICK HOLLINGER, VICE CHAIR

LYNN COKER, COMMISSIONER

94235 Moore Street | Suite 123

Gold Beach, OR 97444

(541) 247-3296

BOC_Office@CurryCountyOR.gov

February 9, 2026

Oregon Fish and Wildlife Commission
4034 Fairview Industrial Drive SE
Salem, OR 97302
odfw.commission@odfw.oregon.gov

Re: Curry County Opposition to December 15, 2025 Petition to Revise Commercial Dungeness Crab Fishery Rules (OAR Chapter 635, Division 5)

Dear ODFW Chair and Commissioners:

On behalf of Curry County citizens, we urgently request that you reject the December 11, 2025 Petition to Adopt New Rules and Amend Oregon Administrative Rules (hereinafter referred to as "Petition") which seeks to make changes to Oregon's regulations on commercial Dungeness Crab fishery. The revisions proposed by the Petition would devastate Curry County's economy, pose a direct threat to critical public infrastructure, and risk the elimination of thousands of family-wage jobs in Oregon's smallest and poorest county.

Why This Matters to Curry County:

The commercial Dungeness Crab fishery is fundamental to the survival of our community. Both the Port of Brookings Harbor and Port Orford host dozens of commercial vessels supporting fishing families, crew members, seafood processors, marine suppliers, restaurants, and tourism. These ports depend on lease payments from processors who rent warehouse space and facilities, which if they close, port revenue collapses while maintenance costs remain. With limited economic diversification, Curry County cannot afford to lose an industry generating millions in annual economic activity and supporting hundreds of families.

Layering additional, precautionary restrictions on top of existing regulations will further compress an already short and seasonal crab season. Delayed or shortened seasons in recent years have already demonstrated how quickly local economies suffer when crab revenue is lost: fishermen can go months without work, local businesses lose winter cash flow, and households go without the income they count on for basic needs. When the South Coast crab season was delayed because

of domoic acid, Port Orford and surrounding communities experienced exactly these impacts - idle vessels, idle workers, and no replacement jobs. Imposing additional gear or timing constraints that are not clearly tied to demonstrated risk in this region would replicate those harms, except by policy rather than by unavoidable environmental conditions.

Fatal Flaws in the Petition:

Unaffordable Technology Mandate: Mandatory pop-up gear by 2028 costs \$50,000-\$200,000+ per vessel—often exceeding boat values. Banks won't finance unproven technology. One year of testing is grossly inadequate. Most Curry County families cannot afford this and will be forced out.

Threat Of Season Closure: Page 19 recklessly mandates subjective conditions of sudden and unpredictable full season closures in the absence of adopting unproven technologies. This would fundamentally erode business predictability that is likely to create a financial hole that cannot be filled.

Arbitrary Gear Reduction: The 40% gear cut starting April 1st eliminates fishing during peak pricing months. This assumes maximum effort that doesn't reflect actual practice and provides no credit for gear voluntarily pulled early. For operations with thin margins, a 40% income cut during critical months is fatal.

Eliminates Small-Boat Fishermen: Brookings and Port Orford are homes to family-scale operations, not corporate fleets. Smaller vessels are often less capitalized and cannot financially absorb short notice major mandated retrofits, have limited geographic range, and depend on springtime fishing. These proposals consolidate the fishery to wealthy operators, eliminating the diversity of family businesses that have sustained our community for generations.

Questionable Science, Outside Control:

Humpback whale populations off the coast of Oregon have increased over 8% annually in most recent studies, suggesting current management works. The petition assumes worst-case scenarios without clear evidence that endangered populations are being harmed in Oregon waters. Oregon fishermen have voluntarily adopted best practices and worked collaboratively with ODFW for years, with several years of plans in process.

This petition was filed by California-based organizations with no stake in Curry County's economy or accountability to families whose livelihoods they seek to eliminate. It circumvents ODFW's proven collaborative management process, transferring authority from science-based regulation to litigation-driven activism.

Predictable Economic Collapse:

Losing this fishery means: local fishing families forced to relocate or lose employment; fishery processing facilities closing; harbor businesses failing; reduced property tax revenue we cannot afford to lose; declining school enrollment; loss of tourism appeal as our working waterfront disappears; and the erosion of community character. Once working-waterfront capacity is lost in a rural county like Curry, it is extremely difficult and expensive to rebuild, and the loss is effectively permanent for future generations of fishermen.

Curry County witnessed similar devastation in timber-dependent communities when regulations ignored local realities. We cannot repeat that mistake.

Our Request:

We respectfully but urgently request that the Commission:

1. Reject this petition—it is economically catastrophic, scientifically questionable, and procedurally inappropriate.
2. Maintain ODFW's current collaborative, science-based management that balances conservation with economic sustainability.
3. Require comprehensive economic impact analysis before considering major rule changes affecting entire communities; and clear, region-specific evidence of risk, a fact-based demonstration that existing measures are insufficient, and a socio-economic analysis that fully accounts for localized impacts in each affected coastal county.
4. Ensure meaningful consultation with coastal communities who will bear the consequences of regulatory changes.

Commissioners, you face a choice between litigation threats from out-of-state advocacy groups or protecting Oregon families and communities. Conservation and community are not mutually exclusive. The existing collaborative system has achieved a balance which would be destroyed should the proposed changes destroy it.

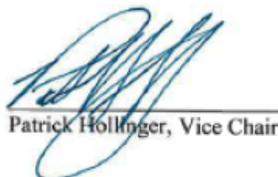
We ask you to stand with Oregon's coastal communities. Reject this petition and affirm that Oregon's natural resources will be managed by Oregonians, based on sound science and meaningful community input. The families of Curry County are counting on you.

Respectfully submitted,

CURRY COUNTY BOARD OF COMMISSIONERS



Jay Trost, Chair



Patrick Hollinger, Vice Chair



Lynn Coker, Commissioner

cc: Oregon Legislative Coastal Caucus, Sen. David Brock Smith, Rep. Court Boice, Rep. Boomer Wright, Oregon Coast Crab Association, Port of Brookings Harbor Commission, Port of Port Orford Port Commission

From: Charlie Graham
E-mail: cgraham@teleport.com
Sent on: Tuesday, February 10, 2026 8:12 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

The petition under consideration contains reasonable solutions that are already working in California and should be applied here in Oregon. This includes stronger management measures that reduce the number of lines in the water during whale feeding and migration seasons, plus closing areas to conventional crab gear during the times when whales are known to be here in concentration. Doing so, while creating a pathway for fishers to use pop-up fishing gear that can avoid such entanglements, will protect whales and allow fishers to stay on the water and safely catch Dungeness crab. Consumers will also benefit knowing their Oregon crab was caught without harming wildlife.

I urge you to move forward with the whale entanglement petition.

I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Charlie Graham

From: Helen Jaskoski
E-mail: hjaskoski@fullerton.edu
Sent on: Tuesday, February 10, 2026 8:34 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

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I urge you to move forward with the whale entanglement petition. I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Helen Jaskoski

From: Bob Clark
E-mail: bclark856@gmail.com
Sent on: Tuesday, February 10, 2026 8:36 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

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I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Bob Clark

From: David Goldberger
E-mail: jinanddvoid@me.com
Sent on: Tuesday, February 10, 2026 8:42 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

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I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
David Goldberger

From: Crystal Roy
E-mail: xtalr52@gmail.com
Sent on: Sunday, February 10, 2026 8:50 AM
Subject: Crab Fishery Petition

Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

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I urge you to move forward with the whale entanglement petition.

I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Crystal Roy

From: Fred Mallery
E-mail: fmallery@efn.org
Sent on: Tuesday, February 10, 2026 8:58 AM
Subject: Crab Fishery Petition

Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

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I urge you to move forward with the whale entanglement petition. I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Fred Mallery

From: John Enders
E-mail: jenders@jeffnet.org
Sent on: Tuesday, February 10, 2026 9:06 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

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safely catch Dungeness crab. Consumers will also benefit knowing their Oregon crab was caught without harming wildlife.

I urge you to move forward with the whale entanglement petition.

I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
John Enders

From: Teresa DeLorenzo
E-mail: tde@telep;ort.com
Sent on: Tuesday, February 10, 2026 9:34 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

We need to prevent whales from becoming entangled in fishing gear off the Oregon coast. Please design a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

The petition under consideration contains reasonable solutions that are already working in California and should be applied here in Oregon. This includes stronger management measures that reduce the number of lines in the water during whale feeding and migration seasons, plus closing areas to conventional crab gear during the times when whales are known to be here in concentration. Doing so, while creating a pathway for fishers to use pop-up fishing gear that can avoid such entanglements, will protect whales and allow fishers to stay on the water and safely catch Dungeness crab. Consumers will also benefit knowing their Oregon crab was caught without harming wildlife.

Please move forward with the whale entanglement petition. You must develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Teresa DeLorenzo

From: Catherine Leach
E-mail: catherinel@wildlifewarriors.org
Sent on: Tuesday, February 10, 2026 9:36 AM
Subject: Crab Fishery Petition

Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

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I urge you to move forward with the whale entanglement petition.

I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Catherine Leach

From: Yvonne Wolf
E-mail: yrwolf@yahoo.com
Sent on: Tuesday, February 10, 2026 9:38 AM
Subject: Crab Fishery Petition

Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

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I urge you to move forward with the whale entanglement petition. I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Yvonne Wolf

From: Paul Mirante
E-mail: paulmirante@gmail.com
Sent on: Tuesday, February 10, 2026 9:43 AM
Subject: Crab Fishery Petition
Comment:

To the Oregon Department of Fish and Wildlife,

I am writing as a licensed commercial fisherman and permit holder actively participating in Oregon’s commercial fisheries to formally oppose the petition submitted by the Center for Biological Diversity (CBD) and to respectfully request that the Department deny the petition in its entirety.

I recognize and respect ODFW’s obligation to manage Oregon’s fisheries using the best available science while balancing conservation objectives with the economic viability of fishing communities. It is precisely because of this obligation that the CBD petition should be denied. The petition relies heavily on precautionary assumptions, regional extrapolations, and speculative risk rather than Oregon-specific evidence demonstrating a measurable conservation benefit that would justify additional regulatory action.

Whale population trends do not support the level of emergency or causation implied by the petition. NOAA Fisheries stock assessments consistently show that humpback whale populations along the U.S. West Coast have experienced substantial recovery over recent decades. The California–Oregon–Washington humpback whale population is estimated in the tens of

thousands of animals and has been documented as increasing or stable over time, with long-term growth rates commonly cited in the range of 5–7 % annually during recovery periods. These data reflect one of the most successful marine mammal conservation outcomes in U.S. history and do not indicate a population-level threat attributable to Oregon’s commercial fisheries.

Importantly, available entanglement data do not demonstrate that Oregon’s spring or early-season commercial gear is driving entanglement events. To date, there has been no verified evidence linking spring-tagged Oregon gear to confirmed whale entanglements. Despite this, the CBD petition seeks broad regulatory changes based on correlations drawn from other regions, other fisheries, and different operational practices. Such an approach does not meet the standard of causation or proportionality that should guide state-level fisheries management.

Oregon’s commercial fisheries already operate under robust mitigation measures, including limited entry programs, seasonal management, pot limits, depth restrictions, gear marking requirements, and ongoing monitoring and reporting. These measures were developed collaboratively with industry participation and are tailored to Oregon-specific conditions. Additional restrictions layered on top of an already precautionary management framework, without clear evidence of effectiveness, risk diminishing returns while imposing substantial economic harm.

The economic and social consequences of further restrictions cannot be overstated. Oregon’s commercial fisheries contribute tens of millions of dollars annually in ex-vessel value, with the Dungeness crab fishery alone often generating \$70–80 million or more in strong years, making it one of the most economically significant fisheries in the state. Beyond ex-vessel value, these fisheries support thousands of jobs across harvesting, processing, transportation, marine supply, shipyards, fuel docks, and coastal businesses. Each regulatory reduction in access directly affects not only permit holders, but entire coastal communities that depend on predictable and stable fisheries.

For individual fishermen and permit holders, these decisions are not abstract. They affect our ability to service debt, maintain vessels, employ crew, support families, and remain viable in an industry already facing rising fuel costs, inflation, insurance pressures, and increasingly compressed fishing seasons. Repeated or premature regulatory actions risk accelerating fleet consolidation and the permanent loss of small, family-operated fishing businesses along the Oregon coast.

The Oregon Dungeness Crab Commission has implemented a comprehensive gear recovery program that demonstrates the industry’s ongoing commitment to ocean stewardship and responsible fishing practices. Through coordinated efforts with fishermen, state agencies, and recovery partners, lost or abandoned crab gear is actively retrieved, reducing marine debris and minimizing potential risks to marine life. This program not only helps keep Oregon’s coastal waters clean, but also reflects the fleet’s willingness to take proactive, science-based steps to protect the marine environment while sustaining a viable, working fishery. These efforts underscore the crab industry’s role as a responsible ocean user that is continually improving practices to safeguard the health of the ecosystem for future generations.

I am also concerned about the precedent that granting this petition would establish. Approving broad restrictions absent clear Oregon-specific evidence incentivizes management through litigation pressure rather than collaborative, science-based decision-making. Oregon has long

distinguished itself by engaging stakeholders, evaluating localized data, and implementing adaptive management when warranted. Departing from this approach undermines confidence in the regulatory process and erodes trust between the Department and the fishing community.

Commercial fishermen are not opposed to conservation. On the contrary, our livelihoods depend on healthy ecosystems and sustainable fisheries. We have demonstrated a willingness to adopt reasonable, effective measures when supported by sound science. However, conservation actions must be targeted, proportional, and demonstrably effective—not speculative or symbolic.

For these reasons, I respectfully urge ODFW to deny the CBD petition and continue its current approach: monitoring entanglement data, evaluating Oregon-specific risk, engaging stakeholders, and implementing management changes only when supported by clear scientific justification. This balanced framework best serves both marine conservation and the long-term sustainability of Oregon’s commercial fishing communities.

Thank you for the opportunity to provide comment and for your continued work managing Oregon’s fisheries responsibly.

Respectfully,
Paul Mirante
Commercial Fisherman & Permit Holder
Fishing Vessel Sea Spirit

From: Donlon McGovern
E-mail: mcgovern@hevant.com
Sent on: Tuesday, February 10, 2026 9:48 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

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safely catch Dungeness crab. Consumers will also benefit knowing their Oregon crab was caught without harming wildlife.

I urge you to move forward with the whale entanglement petition.

I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Donlon McGovern

From: Diana Kekule
E-mail: luvsea33@gmail.com
Sent on: Tuesday, February 10, 2026 9:50 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

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Thank you,
Diana Kekule

From: Barbara Hazen
E-mail: bhazen@efn.com
Sent on: Tuesday, February 10, 2026 10:12 AM
Subject: Crab Fishery Petition

Comment:

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Thank you,
Diana Kekule

From: Jim Burns Sr
E-mail: jburnsjr777@gmail.com
Affiliation or Type of Stakeholder Fisherman
Sent on: Tuesday, February 10, 2026 10:24 AM
Subject: Crab Fishery Petition

Comment:

2/9/2026

Dear OFWC,

This letter is in response to the upcoming meeting Feb. 20th regarding the proposed rule change moving the late season start date from May 1 to April 1.

My name is James Burns Jr. I'm a 66 year old fisherman, born and raised in Coos Bay, Oregon. I have been fishing (crabbing) for over 50 years. I currently own and operate two commercial crab fishing vessels. My two sons are also crab fishermen with their own boats, one of which is brand new, built entirely by himself and launched last spring; this is his first season with his new vessel.

I strongly oppose the rule change for various reasons. One, this has been an extremely tough season for many crabbers. Further restrictions will make it nearly impossible to make a profit and therefore be able to carry on. The economic impact resulting from pot reductions and area reduction may simply be the straw that breaks the camel's back.

Also, it remains uncertain whether late season gear reduction and fishing area restrictions have any actual effect on whale entanglement occurrences. ODFW staff claim there have been no known entanglements during the late season fishery, therefore it must be working, but they also admit they really don't know when entanglements happen because they are never actually witnessed, only that most appear to be from derelict gear, which is gear that has been lost or temporarily unaccounted for because of various reasons.

Derelict pots (often referred to as "strays" by fishermen) are often a product of winter storms, which produce lots of driftwood, root wads, kelp paddies the size of football fields, and various other debris that pot buoys get tangled in and drag off from their original location, often miles away.

Crabbers are good at reporting strays to each other. After a major winter storm there is constant reporting on the local radio working channel of stray pot coordinates, along with regular phone calls. Sometimes pots get dragged a long distance, occasionally into a completely different fishing area. When this happens, it may take the owner of the stray pot some time to retrieve it or get someone fishing closer to it to get it for them.

The recent rule changes by ODFW have made it much easier to pick up derelicts and bring them to the dock. Also, the Crab Commission has started derelict pot retrieval programs that accounted for several hundred derelict pots last spring and summer.

Back to the proposed late season rule change, I can only hope ODFW staff reconsider and not implement said rule change. Many fishermen have already quit and brought their gear in. The Alaska boats have all quit. The shrimper/crabbers for the most part have their gear in, plus others who have chosen to call it quits. I don't know what the exact numbers are, but I doubt half of the gear that hit the water at the opener is still in the water fishing.

Nearly every boat I mentioned having quit is a 500 pot permit. Moving the line from 40 fathoms into 30 fathoms just doesn't seem necessary. I would like to see it moved out to 50 fathoms or at least 45.

Thank you for your time.

Sincerely,

Jim W. Burns Jr.

F/V ECHO BELLE
F/V GALWAY BAY

From: Adri Ochoa
E-mail: adriana.2011@live.com
Sent on: Tuesday, February 10, 2026 10:26 AM
Subject: Crab Fishery Petition
Comment:

As a longtime resident of Curry County, I know firsthand how important the fishing and more importantly crabbing industry, is to this area. I would like to voice my opinion that outside states should have no say in our crabbing industries, that support so much of our local livelihood and economy. These decisions should remain in the hands of the ODFW, working hand in hand with the local fishing and crabbing leaders to make appropriate changes to protect our oceans and our jobs. Our crabbers know how important the health of the ocean is for the future of their careers, nobody has more of a stake in the outcome of the oceans than them. These decisions should be kept locally. We do not want you to accept the petition.

Thank you for your time,
Adriana Ochoa

From: Oregon Dungeness Crab Commission
E-mail: crystal@oregondungeness.org
Affiliation or Type of Stakeholder Crab Commission
Sent on: Tuesday, February 10, 2026 10:39 AM
Subject: Crab Fishery Petition
Comment:

Response to Petition for Regulation Change

Whale Entanglement Risk Reduction Measures

February 10, 2026

TO:

Chair Mary Wahl and Members

Oregon Fish and Wildlife Commission

4034 Fairview Industrial Drive SE

Salem, OR 97302

RE: Response to Petition to Adopt New Rules and Amend OAR Chapter 635, Division 5 —
Request for Denial

Dear Chair Wahl and Members of the Commission:

On behalf of the Oregon Dungeness Crab Commission and the commercial Dungeness crab fishing industry of Oregon, I write to respectfully urge the Commission to deny the petition submitted by the Center for Biological Diversity, Oceana, NRDC, and the American Cetacean Society requesting amendments to OAR Chapter 635, Division 5 regarding whale entanglement risk reduction.

We share the petitioners' fundamental commitment to protecting endangered whales and marine turtles. Over the past decade, the Oregon crab fleet has demonstrated commitment through action—not through litigation or regulatory mandate, but through early, cooperative, and science-based partnership with the Oregon Department of Fish and Wildlife, our federal partners, and independent researchers. However, the petitioners' proposed rules are not necessary, are not adequately justified, and would impose substantial and unjustified economic hardship on our fishing families and coastal communities.

I. Oregon's Existing Comprehensive Entanglement Mitigation Framework

The premise of the petition is that Oregon lacks adequate whale protection measures. This premise is factually incorrect. Since 2020, Oregon has adopted one of the more comprehensive entanglement-mitigation packages for any trap fishery on the U.S. West Coast. These measures include:

Pot Limits and Vertical Line Reduction

A permanent 20 percent reduction in permitted crab pots for all ocean Dungeness crab permits beginning May 1 each season. This requirement directly lowers the number of vertical lines in the water during the period believed to be of greatest overlap with migrating whales—the late season when entanglement risk is highest.

Late-Season Gear Management

A mandatory secondary buoy tag requirement on all active gear after May 1, allowing ODFW enforcement and managers to distinguish and, if necessary, retrieve or restrict late-season gear specifically associated with higher entanglement risk. This innovation permits targeted management without broad-based closures.

Spatial and Temporal Restrictions

A 40-fathom depth restriction from May 1 through August 14 that prohibits commercial crab gear outside forty fathoms during late season, limiting spatial overlap with whales foraging offshore and in known high-use corridors. These measures are complemented by season-opening delays, depth-based and time-area restrictions, and low-line requirements that further reduce interaction between gear and whales.

Gear Marking and Traceability

Robust line-marking and dual-color rope requirements developed in coordination with Washington and California give Oregon crab gear a distinct, recognizable signature for use in entanglement investigations. Mandatory buoy branding and tagging, including seasonal secondary tags, allow enforcement to link gear to a specific permit and vessel within hours. This system is believed by Tri-states to be essential for accurate attribution and rapid response.

Derelict Gear Programs

The fleet participates in an in-season derelict-gear program funded by the Oregon Dungeness Crab Commission, which invests \$60,000 of fishermen's dollars each year to locate and remove lost gear before it can become long-term ghost gear. Post-season derelict-gear removal programs further recover lost pots and lines, reducing persistent entanglement hazards.

Voluntary Fleet Practices

Beyond regulatory requirements, Oregon fishermen have voluntarily adjusted fishing practices to further reduce entanglement risk, including minimizing line in the water, avoiding hi

From: Monica Gilman
E-mail: monicagilman@yahoo.com
Sent on: Tuesday, February 10, 2026 10:46 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon's coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

The petition under consideration contains reasonable solutions that are already working in California and should be applied here in Oregon. This includes stronger management measures that reduce the number of lines in the water during whale feeding and migration seasons, plus closing areas to conventional crab gear during the times when whales are known to be here

in concentration. Doing so, while creating a pathway for fishers to use pop-up fishing gear that can avoid such entanglements, will protect whales and allow fishers to stay on the water and safely catch Dungeness crab. Consumers will also benefit knowing their Oregon crab was caught without harming wildlife.

I urge you to move forward with the whale entanglement petition.

I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Monica Gilman

From: Nick Bordelon
E-mail: nickbordelon406@gmail.com
Sent on: Tuesday, February 10, 2026 11:22 AM
Subject: Crab Fishery Petition

Comment:

My name is Nick Bordelon. I own the fishing vessel Lacie Belle in Port Orford Oregon. I also own two 300 pot Dungeness crab permits. I have been able to buy into this fishery for over the past 20 years. I'm invested in it heavily and it's my family's main source of income. With any new regulations my permits are losing value even the 20% reduction starting april 1st 2026 will affect my small business, my crew's income and my permits values. The smaller boats and smaller permits will be the most affected by the new proposed regulations. The larger crabber/shrimper 500 pot boats will not have the same financial hardship with these new proposed regulations. I urge ODFW to take a hard stance against pop up gear and any further pot reductions. My recommendation is a stronger derelict pot removal program and I would like to see a possibility for permit stacking with a 50% reduction on stacked permits or something of that nature that would allow the industry to buy itself out.

Please ODFW take Oregon fishing families into strong consideration before you adopt any of these new regulations. We are counting on you to keep us in business at this point.

From: Vina Gardner
E-mail: auntgina@ccgmail.net
Sent on: Tuesday, February 10, 2026 11:40 AM
Subject: Crab Fishery Petition

Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

The petition under consideration contains reasonable solutions that are already working in California and should be applied here in Oregon. This includes stronger management measures that reduce the number of lines in the water during whale feeding and migration seasons, plus closing areas to conventional crab gear during the times when whales are known to be here in concentration. Doing so, while creating a pathway for fishers to use pop-up fishing gear that can avoid such entanglements, will protect whales and allow fishers to stay on the water and safely catch Dungeness crab. Consumers will also benefit knowing their Oregon crab was caught without harming wildlife.

I urge you to move forward with the whale entanglement petition. I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Vina Gardner

From: Travis Webster
E-mail: travis@portofbrookingsharbor.com
Sent on: Tuesday, February 10, 2026 11:47 AM
Subject: Crab Fishery Petition
Comment:

To whom it may concern,

Please see attached letter from the Port of Brookings Harbor. This letter is in opposition to modifying commercial Dungeness crab fishery rules. If you have any questions please contact me.

Travis Webster
Port of Brookings Harbor
541-291-7380



Port of Brookings Harbor

This Institution is an Equal Opportunity Provider

February 9, 2026

Oregon Fish and Wildlife Commission

Via email: odfw.commission@odfw.oregon.gov

RE: Port of Brookings Harbor Opposition to Petition Modifying Commercial Dungeness Crab Fishery Rules

Dear Commissioners:

On behalf of the Port of Brookings Harbor and the commercial fishing community we serve, we urgently request that you reject the December 11, 2025 petition proposing major changes to Oregon's commercial Dungeness crab fishery. The measures outlined in this petition would severely damage the economy of the Port, undermine essential public infrastructure, and eliminate the family-wage jobs that sustain our working waterfront.

Why This Matters to the Port of Brookings Harbor

The commercial Dungeness crab fishery is the backbone of the Port of Brookings Harbor. Our harbor is home to dozens of commercial vessels that support fishing families, crew members, seafood processors, marine service providers, restaurants, and tourism-related businesses.

Port operations rely heavily on lease payments from seafood processors who occupy dockside and warehouse facilities. If processors are forced to close due to reduced or unpredictable fishing activity, the Port's revenue base collapses—even as maintenance, dredging, and infrastructure obligations remain. With limited opportunities for economic diversification, the Port of Brookings Harbor cannot absorb the loss of a fishery that generates millions in annual economic activity and anchors our waterfront economy.

Fatal Flaws in the Petition

1. Unaffordable Technology Mandate

Requiring the adoption of pop-up gear by 2028 imposes costs of **\$50,000–\$200,000+ per vessel**, often surpassing vessel values. Financial institutions will not fund unproven or untested gear systems. One year of testing is inadequate to evaluate safety, reliability, and operational viability. Many fishing families operating from our Port would be forced out of the industry entirely.

16330 Lower Harbor Road • P.O. Box 848 • Brookings Oregon 97415
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2. Risk of Sudden and Arbitrary Season Closures

Page 19 of the petition authorizes full season closures based on subjective criteria, particularly if new technology is not adopted. This unpredictability threatens the stability of fishermen, processors, and Port tenants who rely on consistent seasonal operations for planning and financial continuity.

3. Arbitrary 40% Gear Reduction

A **40% mandatory gear reduction on April 1** removes fishermen from the water during peak-price months. This measure assumes unrealistic maximum trap usage, disregards voluntary early trap removal, and overlooks operational realities. For vessels operating out of the Port with narrow margins, such a reduction is unsustainable.

4. Disproportionate Impact on Small-Boat Fishermen

The Port of Brookings Harbor primarily serves small, family-scale fishing operations, not large corporate fleets. Smaller vessels cannot absorb abrupt, high-cost gear mandates, and their limited range makes spring fishing essential to their economic survival. These proposals would consolidate the fishery into the hands of only the wealthiest operators, eliminating long-standing family businesses.

Questionable Science and External Influence

Recent research shows humpback whale populations off Oregon growing at over **8% annually**, indicating that current management is effective and Oregon's waters are not the primary source of entanglement risk. The petition relies on worst-case assumptions rather than Oregon-specific data.

Oregon fishermen have demonstrated years of good-faith collaboration with ODFW through voluntary gear innovations, reporting advancements, and risk-reduction practices. This petition—advanced by California-based organizations—sidesteps that collaborative process and shifts decision-making from science-based management to litigation-driven activism.

Predictable Economic and Community Damage

Adopting this petition would result in:

- Loss of local fishing families and generational vessels

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- Closure of seafood processors and port-dependent businesses
- Sharp reductions in Port revenue
- Declines in local employment and taxable economic activity
- Loss of tourism tied to an active working waterfront
- Long-term harm to the culture, identity, and vitality of the Brookings community

The Port has witnessed the lasting damage caused when regulations are crafted without regard for local economic realities. We cannot afford to repeat the past.

Our Request

We respectfully request that the Commission:

1. **Reject the petition**—its economic consequences are severe, its scientific foundation uncertain, and its approach procedurally inappropriate.
 2. **Continue ODFW's collaborative, science-based management framework**, which has successfully balanced conservation and economic stability.
 3. **Conduct a comprehensive economic impact analysis** before considering rule changes that directly affect Oregon's working ports.
 4. **Engage coastal communities directly**, ensuring those who bear the consequences of regulatory change have a meaningful voice.
-

Commissioners, your decision will shape the future of our working waterfront for decades. Oregon can protect marine resources while preserving the livelihoods of the families who depend on this fishery. The current collaborative framework demonstrates this balance. The petition before you undermines it.

We urge you to stand with Oregon's coastal ports and fishing communities. Reject this petition and reaffirm that Oregon's fisheries will continue to be guided by sound science, real-world experience, and meaningful engagement with the communities that rely on them.

Sincerely,

Travis Webster
Port Manager
Port of Brookings Harbor

From: Jamie Shields
E-mail: jfillmore66@gmail.com
Sent on: Tuesday, February 10, 2026 11:48 AM
Subject: Crab Fishery Petition

Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

The petition under consideration contains reasonable solutions that are already working in California and should be applied here in Oregon. This includes stronger management measures that reduce the number of lines in the water during whale feeding and migration seasons, plus closing areas to conventional crab gear during the times when whales are known to be here in concentration. Doing so, while creating a pathway for fishers to use pop-up fishing gear that can avoid such entanglements, will protect whales and allow fishers to stay on the water and safely catch Dungeness crab. Consumers will also benefit knowing their Oregon crab was caught without harming wildlife.

I urge you to move forward with the whale entanglement petition. I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Jamie Shields

From: Levi Schubkegel
E-mail: levi.schubkegel@gmail.com
Affiliation or Type of Stakeholder General Public
Sent on: Tuesday, February 10, 2026 11:49 AM
Subject: Crab Fishery Petition

Comment:

A massive marine mammal
Five hundred humans heavy
The real steward of the sea

Long before man fished the ocean
They've been forming communities of their own
Migrating across the entire planet

We find ourselves here
After accidentally killing creature after creature
Trying to account for our sins

Nothing can be done about the past lives lost
But change can protect them
For the generations to come

So our children and grandchildren
Can look on with wonder
As a 50 foot long goliath splashes in the sea

Protect them from the careless
Grabbing for fleeting cash
At the expense of our planet

Move with the waves
Adopt the change
Protect all life

From: Linda MacKown
E-mail: jlmackown@casco.net
Sent on: Tuesday, February 10, 2026 12:02 PM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon's coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

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I urge you to move forward with the whale entanglement petition.

I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Linda MacKown

From: Harry Freiberg
E-mail: hap@alumni.stanford.edu
Sent on: Tuesday, February 10, 2026 12:54 PM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

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I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Harry Freiberg

From: Georgan Lapham
E-mail: georgonlapham@gmail.com
Sent on: Tuesday, February 10, 2026 12:54 PM
Subject: Crab Fishery Petition
Comment:

Please find the attached public comment letter submitted on behalf of Mike Pettis of Newport.

Commission members,

My name is Michael Pettis. I have fished Dungeness crab in Oregon for 48 years. My wife and I currently own three vessels that fish crab in Oregon. We have 12 employees who were paid a cumulative one point three million dollars while employed on our boats in 2025.

I feel it is important to remember that seafood products landed in Oregon ports produce "New Money" that comes into Oregon. It is value that didn't exist before being landed.

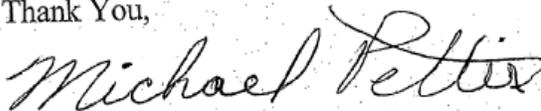
It is also Important to remember that the Dungeness crab fishery is very well managed, and that whale populations have been steadily increasing.

Giving in to these environmental groups will only embolden them to ask for more and more restrictions on the crab fishery until a 97 million, "New Dollar", fishery in 2024 is un-recognizable and financially decimated.

Instead, I feel the state of Oregon should offer an improved, "Derelict Gear", program where vessels notify the state when they are no longer fishing crab so that their lost pots can begin to be retrieved, in season, rather than waiting until the middle of August when the crab season in Oregon ends. In season recovery of derelict gear would help reduce whale entanglements.

This new Derelict gear program would put a monetary "bounty" on every pot so that poor quality pots would also be brought to town instead of being left at sea because no one wanted them. A new derelict gear program would be a big help to fight whale entanglements. Give the environmental groups that instead of trashing our well managed fishery.

Thank You,



Michael Pettis,

F/V Patriot, F/V Jaka-B, F/V Challenge.

From: Jim Hajek
E-mail: jhajek1938@yahoo.com
Sent on: Tuesday, February 10, 2026 1:02 PM
Subject: Crab Fishery Petition

Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

The petition under consideration contains reasonable solutions that are already working in California and should be applied here in Oregon. This includes stronger management measures that reduce the number of lines in the water during whale feeding and migration seasons, plus closing areas to conventional crab gear during the times when whales are known to be here in concentration. Doing so, while creating a pathway for fishers to use pop-up fishing gear that can avoid such entanglements, will protect whales and allow fishers to stay on the water and safely catch Dungeness crab. Consumers will also benefit knowing their Oregon crab was caught without harming wildlife.

I urge you to move forward with the whale entanglement petition. I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Jim Hajek

From: Craig Good
E-mail: cragdweller@live.com
Sent on: Tuesday, February 10, 2026 1:04 PM
Subject: Crab Fishery Petition

Comment:

Oregon Fish and Wildlife Commission members,

I am writing to insist that you reject the petition dated December 11, 2025 by Center for Biological Diversity et al in it's entirety.

The Northern Pacific Humpback DPSs are artificial constructs. There is documented, peer-reviewed, published research showing gene flow between all four of the DPSs. When taken as a whole population, none of these animals would be under consideration for ESA listing. The overall Northern Pacific Humpback population has rebounded tremendously since the whaling moratorium. What should be considered a conservation success story is being characterized by these eco-NGOs as a commercial fishing gear interaction disaster. Obviously, with an increasing Humpback population, more interactions with fishing gear will result. Do we halt interstate freight hauling and limit individual's driving freedoms because various wildlife are hit by cars and trucks?

ODFW has taken action not based on sound, science-based management, but instead apparently on some sort of misguided appeasement effort. In the January 23 industry notice, we are told:

"Since implementation, more recent research has found that exposure to entanglement risk peaks around the month of April. We are taking these actions to reduce risk of whale entanglement in crab gear earlier in the season and move up the initiation of late-season derelict gear recovery efforts."

Where is the link to a peer-reviewed publication documenting this April-specific gear interaction? Is this NOAA data? Academic data? ODFW data?

ODFW held a series of meetings with the crab industry in October of 2019. During those meetings, the need for a take permit was soundly established. ODFW hired additional staff for this task and reported that it would take 3 years to obtain the permit. There is still no take permit over 6 years later. They have completely failed at this task.

The Eco-NGOs are asking for draconian measures that in all cases will lead to increased derelict gear problems and additional expenses that will bankrupt many operations. Pop-up gear is a disaster waiting to happen. With no visual cues on the surface of the ocean indicating where existing gear lies, boats will be setting gear on top of each other resulting in massive tangles. It will be the same with longlining crab pots. Not to mention the cost-prohibitive nature of pop-up gear. Small crabbing operations are already stretched to their breaking points with ridiculous and ill-advised line color schemes.

None of these measures will result in fewer whale entanglements. But the eco-NGOs know that, because this really isn't about saving whales. It's about putting crab operations out of business. It's about getting boats off the ocean. It's about killing an industry. The ultimate goal isn't to reduce whale entanglements, the goal is to end ocean harvest.

Do the right thing,

Craig Good
Owner/operator F/V Maverick
Brookings Oregon

From: Ericka Carlson
E-mail: ericka@oregonsalmon.org
Sent on: Tuesday, February 10, 2026 1:59 PM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl,

Attached please find our letter opposing the recent crab fishery petition.

Please let me know if you have any questions.

Regards,
Ericka

Ericka Carlson
Executive Director
Oregon Salmon Commission
P.O. Box 16338 Portland, OR 97292
971.209.2030
www.oregonsalmon.org

P.O. Box 16338
Portland, OR 97292



Phone 971-209-2030
ericka@oregonsalmon.org

OREGON SALMON COMMISSION

February 5, 2026

Chair Mary Wahl
Oregon Fish and Wildlife Commission
4034 Fairview Industrial Drive SE
Salem, OR 97302

Submitted via email to: odfw.commission@odfw.oregon.gov

Re: Public Comment - Commercial Dungeness Crab Fishery Petition

Dear Chair Wahl:

The Oregon Salmon Commission (OSC) is an industry-funded state commodity commission under the Oregon Department of Agriculture and represents the Oregon commercial salmon troll industry. At the last Commission meeting the petition before the Oregon Fish and Wildlife Commission (OFWC) requesting substantial modifications to Oregon's commercial Dungeness crab fishery regulations was brought to our attention. The Oregon Salmon Commission is requesting that the OFWC deny this petition.

Oregon's commercial Dungeness crab fishery is the state's most valuable single-species fishery and a cornerstone of our coastal economy. The economic data speaks for itself:

- The 2024-2025 season achieved a record-breaking \$97.1 million in ex-vessel value paid to fishermen, despite catch volume challenges
- Average ex-vessel prices reached \$6.19 per pound in 2024-2025, compared to \$3.79 per pound the previous season
- Oregon's commercial fisheries collectively generated an estimated \$642 million in income to the statewide economy in 2021, supporting approximately 9,200 jobs
- The Dungeness crab fishery represents a substantial portion of this economic contribution, with revenue and employment rippling throughout coastal communities

Many salmon trollers participate in the Dungeness crab fishery and would incur significant economic losses in their annual fisheries revenue if this petition is approved.

The Oregon Salmon Commission is an industry-funded state commodity commission under the Oregon Department of Agriculture

P.O. Box 16338
Portland, OR 97292



Phone 971-209-2030
ericka@oregonsalmon.org

OREGON SALMON COMMISSION

If the petition's proposed measures are implemented, the economic consequences for Oregon's Dungeness crab fleet would be severe and far-reaching:

Direct Impacts to Fishermen

- **Shortened Season:** Prohibiting conventional gear after April 1 would eliminate approximately 40% of the traditional fishing season (April through August 15). Based on recent seasons averaging \$95+ million annually, this could result in direct revenue losses of \$35-40 million per year to fishermen. Additionally, it could threaten the financial stability of smaller vessels. Smaller vessels make up over 50% of the Oregon crab fleet and Oregon fishing families. Dungeness crab is often their primary income source that balances their annual fisheries revenues.
- **Gear Replacement Costs:** Mandatory conversion to pop-up gear would require purchasing entirely new gear systems. With permit holders operating fleets of crab pots, the capital investment required per vessel could range from \$50,000 to \$150,000 or more - costs that many small-boat operators cannot afford
- **Reduced Catch Efficiency:** The 40% pot reduction and 180-foot depth restriction during peak late-season months would significantly limit catch capacity during periods when crab prices are typically highest
- **Fleet Consolidation:** Smaller vessels lack the hydraulic systems, deck space, and crew safety capabilities to operate pop-up gear configured in long-line pot strings. This would force many smaller operators out of the fishery entirely
- **Depth and Safety:** Shifting the depth contour from 40 fathoms to 30 fathoms compresses the fleet into a narrower area, which may lead to gear conflicts and safety concerns. Inside of 30 fathoms changes historic fishing grounds and can significantly reduce landings statewide

Direct Impacts to Processors and Buyers

- Processing facilities, cold storage operations, and seafood distributors rely on consistent supply throughout the season
- Shortened seasons would result in reduced processing volumes, decreased employment hours, and potential facility closures
- Increased costs to the fleet would raise prices for buyers and ultimately costs to consumers, raising the price of Oregon-caught seafood. Our seafood commissions have worked for decades to get more Oregon-caught seafood on Oregonian's plates. The impacts of this petition passing has the potential to further set this goal back.

The Oregon Salmon Commission is an industry-funded state commodity commission under the Oregon Department of Agriculture

P.O. Box 16338
Portland, OR 97292



Phone 971-209-2030
ericka@oregonsalmon.org

OREGON SALMON COMMISSION

Direct Impacts to the Environment

- The potential for salmon troll fleet impact with pop-up gear using long lines is significant, heightening the risk of increased ocean waste. This could impact safety for marine mammals and fishermen.

Our fishermen understand the importance of whale protection and have invested substantial time and resources into entanglement risk reduction working together with ODFW. However, the petition's proposed measures go far beyond reasonable conservation objectives and threaten the economic viability of the entire fleet.

Oregon's commercial Dungeness crab fishery represents more than just an industry – it is a way of life for coastal communities and a vital economic engine for our state. While we share the conservation community's commitment to protecting marine mammals, the petition's proposed measures would devastate our fleet without providing adequate time for development of economically viable alternatives.

The substantial economic losses outlined in this letter – potentially exceeding \$40-50 million annually in direct impacts, with cascading effects throughout the coastal economy – demand fact-based information, sound science, and comprehensive analysis while using the tools we already have on hand, including our established rulemaking process and the expertise of our current regulatory agencies.

Setting a hard deadline of 2028 for a gear type transition that is untested in Oregon waters or on a diversified fleet of vessels is setting a precedent for our state and does not account for the time needed for the fleet to financially and technically test or adapt to ropeless systems. While pop-up gear has been tested elsewhere, Oregon needs its own rigorous trials to ensure the gear is detectable by law enforcement and retrievable by our fleet.

Due to the many negative impacts on our state and fishery, the OSC respectfully requests that you deny this petition.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "JR", written over a horizontal line.

Jeff Reeves, Chairman
Oregon Salmon Commission

From: Neil Friedman
E-mail: neilf@efn.org
Sent on: Tuesday, February 10, 2026 2:06 PM
Subject: Crab Fishery Petition

Comment:

Dear Chair Wahl and Commission members,

I strongly support preventing whales from becoming entangled in fishing gear off the Oregon coast. I urge you to create a pathway for a more sustainable Dungeness crab fishery that does not pose a risk to wildlife.

The tragic death of a humpback whale that beached on the Oregon coast entangled in Oregon Dungeness crab gear—one of four such entanglements last year alone—should be a wake-up call that current management measures are not working. Whales are central to Oregon’s coastal economy and ocean ecosystems, and the growing number of entanglements off our coast further jeopardizes them.

The petition under consideration contains reasonable solutions that are already working in California and should be applied here in Oregon. This includes stronger management measures that reduce the number of lines in the water during whale feeding and migration seasons, plus closing areas to conventional crab gear during the times when whales are known to be here in concentration. Doing so, while creating a pathway for fishers to use pop-up fishing gear that can avoid such entanglements, will protect whales and allow fishers to stay on the water and safely catch Dungeness crab. Consumers will also benefit knowing their Oregon crab was caught without harming wildlife.

I urge you to move forward with the whale entanglement petition. I request that you develop stronger management measures for the Oregon Dungeness crab fishery to protect whales while they feed and migrate off our coast and establish a pathway for pop-up gear that can keep fishers on the water while avoiding entangling whales.

Thank you,
Neil Friedman

From: Bernie Lindley
E-mail: bernie97415@gmail.com
Affiliation or Stakeholder Type Oregon commercial crab fisherman
Sent on: Tuesday, February 10, 2026 4:56 PM
Subject: Crab Fishery Petition

Comment:

I am in opposition to the petition. The Dungeness crab industry does not need additional restrictions at this time to prevent whale entanglements in our gear. And we certainly cannot allow the mandatory implementation of ultra cost prohibitive pop-up gear that would cause the fleet an unnecessary financial burden that would result in a significant number of fishermen leaving the industry.

From: Kelle Wraith
E-mail: wraithkelle@gmail.com
Sent on: Tuesday, February 10, 2026 5:37 PM
Subject: Crab Fishery Petition
Comment:

Dear Oregon Fish and Wildlife Commission,

I am writing to provide public comment regarding the petition requesting additional regulatory measures for the Oregon commercial Dungeness crab fishery. I respectfully urge the Commission not to adopt the proposed measures as written. While I support reasonable, science-based efforts to reduce the risk of marine life entanglements, the actions outlined in the petition would impose substantial economic and operational burdens on fishermen and coastal communities without clear evidence that they would result in meaningful additional conservation benefit.

My family is directly and deeply invested in Oregon's commercial fisheries. My husband is a second-generation commercial fisherman, and we purchased our vessel, Karen Jan, and our business, We Finish Inc., from his uncle and aunt (Tom and Lori Wraith), who has been a commercial fisherman for over 50 years. We are based out of Brookings, Oregon, and our operation participates in both the Dungeness crab and Albacore tuna fisheries. In addition, my husband serves on the board of the American Albacore Fishermen Association, giving him direct involvement in fishery leadership, collaboration, and conservation discussions.

The Oregon Dungeness crab fleet has a strong record of compliance and stewardship and has already implemented significant gear modifications, reporting requirements, and seasonal management measures. These efforts have reduced risk while allowing the fishery to remain viable. Broad prohibitions on conventional gear, expanded depth restrictions, and accelerated timelines for gear changes would disproportionately impact small, family-run operations like ours, many of which lack the financial capacity to absorb such changes. Additionally, several of the petition's requests appear to rely on precautionary assumptions rather than demonstrated Oregon-specific data. Before further restrictions are considered, it is critical that decisions be grounded in transparent, peer-reviewed science that clearly links proposed measures to measurable reductions in entanglement risk. Measures not tailored to Oregon's unique ocean conditions and fishing practices risk causing significant economic harm without achieving their intended conservation goals.

I encourage the Commission to continue pursuing collaborative, balanced solutions that protect marine life while sustaining working waterfronts. Continued investment in research, voluntary and incentive-based gear innovation, improved data collection, and adaptive management developed in partnership with fishermen will produce better long-term outcomes than sweeping regulatory changes.

Thank you for the opportunity to comment and for considering the voices of families and communities whose livelihoods depend on these fisheries.

Sincerely,

Kelle Wraith
Eathan Wraith
We Fish Inc.
V/F Karen Jan
Brookings Oregon
wraithkelle@gmail.com
eathanwraith@gmail.com
541-254-4142 cell

From: Mark a smith
E-mail: Onyxsmiths@gmail.com
Affiliation or Stakeholder Type Crab fisherman
Sent on: Wednesday, February 11, 2026 7:32 AM
Subject: Crab Fishery Petition
Comment:

I'm asking the commission to deny the petition. The whale population is growing at a larger rate yearly.

From: Michael Pettis
E-mail: mkpettis@charter.net
Affiliation or Stakeholder Type Commercial crab fisherman
Sent on: Wednesday, February 11, 2026 8:32 AM
Subject: Crab Fishery Petition
Comment:

I would like to provide public testimony during the Feb. 20th Commission meeting about whale entanglement

From: Chris Burhans
E-mail: cburhans51@gmail.com
Sent on: Wednesday, February 11, 2026 8:39 AM
Subject: Crab Fishery Petition
Comment:

To Whom It May Concern,

I grew up on the Southern Oregon Coast in Brookings, and after graduating from the University of Oregon in 2012 and participating in some environmental work doing species surveys, I

became a commercial fisherman and have continued to fish commercially for the last 12 years. There are roughly 315 crab permits on the Oregon Coast, which means that there are 315 small businesses at risk of closing shop if the petition to tighten regulations for commercial crabbers is accepted. The money that those businesses generate for the economies of the local communities is quite substantial. Many of the economies of the towns on the Oregon Coast rely on the crabbing industry as a major pillar, and accepting the proposal would mean that a lot of the smaller crabbing operations would not be able to stay afloat in a financial sense. Not only are there 315 small businesses at risk, there are many towns that will suffer grave consequences due to the loss of income as well. Furthermore, if I am not mistaken, ODFW receives a significant amount of funding through the permitting/licensing and tax dollars that are collected from the crab industry, so ODFW would take a financial hit as well.

I want to make it clear that I do not propose that we forget about the whales for the sake of the crabbers. Rather, I am asking that ODFW does not accept the current proposal for tightening restrictions on crabbers, and then works with both sides of the issue to find some sort of compromise. It is my belief that the common goal of keeping the oceans healthy exists among all parties involved, and that we should use that goal as a means of encouraging collaboration to find a middle ground. Please don't accept the petition now!

Thank you,

Chris Burhans

From: Benjamin Grundy
E-mail: bgrundy@biologicaldiversity.org
Sent on: Wednesday, February 11, 2026 10:27 AM
Subject: Crab Fishery Petition
Comment:

Dear Chair Wahl and Oregon Fish and Wildlife Commission members:

On behalf of the Center for Biological Diversity, Natural Resources Defense Council, Oceana, the American Cetacean Society Oregon Chapter, Earthjustice, Defenders of Wildlife, Endangered Habitats League, Animal Welfare Institute, Ocean Defenders Alliance, Save the North Pacific Right Whale, Bird Alliance of Oregon, Ten Mile Creek Sanctuary, and others, I'm pleased to submit the attached comment letter regarding **Exhibit C- Review of Petition to Revise Commercial Dungeness Crab Fishery Rules.**

Please feel free to contact us with any questions or if additional information is needed.

Sincerely,
Ben Grundy

Ben Grundy
Oceans Campaigner
Center for Biological Diversity

(510) 844-7121



February 11, 2026

Ms. Mary Wahl, Chair
Oregon Fish and Wildlife Commission
4034 Fairview Industrial Drive SE
Salem, OR 97302

RE: Whale Entanglements in the Oregon Dungeness crab fishery, petition for rulemaking (Exhibit C)

Dear Chair Wahl and Oregon Fish and Wildlife Commission members:

The below-listed groups are writing to strongly support initiating rulemaking to reduce whale and sea turtle entanglements in Oregon's commercial Dungeness crab fishery. Oregon is facing an urgent and well documented entanglement crisis, and the Commission should begin rulemaking promptly to consider the science-based measures sought in the December 11, 2025 petition submitted by conservation organizations.

The petition proposes strengthening Oregon's current risk reduction program by (1) establishing a process to authorize pop-up (on demand) fishing gear, (2) implementing a 40% pot limit reduction and a 30 fathom depth restriction (except if using pop-up gear) from April 1 through the end of each crabbing season. (3) prohibiting the use of conventional crab gear (non-pop-up) during the spring and summer months starting April 1, 2028, (4) requiring public notice of entanglements within 48-hours, and (5) requiring emergency closures be implemented in the event of confirmed and unauthorized entanglements of Endangered Species Act-listed animals in Oregon crab gear.

Recent whale entanglements in Oregon Dungeness crab fishing gear show the serious and increasing scale of Oregon's entanglement problem. Four humpback whales were confirmed entangled in Oregon commercial crab gear in 2025 alone, with a federal analysis indicating the true number could be up to five times higher.¹ Each year, these whales migrate between their feeding grounds off the U.S. West Coast to Mexico and Central America where they reproduce.

¹ Moore, Jeff and Greenman, Justin. Integrating multiple information types to improve estimates of large whale entanglement mortality and serious injury, NOAA Fisheries (2025), https://www.mmc.gov/wp-content/uploads/3_Moore-humpback-entanglement-estimation-for-MMC-Sept-2025.pdf

If entangled in crab gear, the whales may die almost immediately or drag that fishing gear for hundreds of miles while the heavy lines and traps pull behind, cutting into their skin and blubber, inhibiting their ability to dive and feed, and ultimately resulting in serious infection, impeded reproductive ability, starvation and death. As evidence, humpback whales entangled in Oregon commercial Dungeness crab fishing gear were reported off Baja California, Mexico, on Sept. 25, 2025, and Moss Landing, California, on Sept. 26, 2025. Horrifically, on November 15, 2025, a young humpback whale stranded on the Oregon coast still entangled in Dungeness crab gear; after rescue attempts failed, the animal was euthanized on November 17. That whale's protracted decline underscores the severity and suffering caused by these entanglements and illustrates why Oregon must adopt effective protective measures.

The petition details the scientific basis for gear restrictions beginning April 1, noting that humpback whales are present in high densities off Oregon and are at greatest risk of entanglement in Dungeness crab fishing gear beginning in early spring. Critical habitat for humpback whales extends inshore to 28 fathoms (168 feet) and many past entanglements occurred in waters shallower than 40 fathoms (240 feet). The petition also provides substantial evidence that pop-up gear is a viable, effective, and economically beneficial alternative that eliminates the vertical buoy lines that are the cause of the entanglements. Trials in California demonstrate these systems work under commercial conditions and allow fishing to continue while protecting endangered species. up gear is a viable, effective, and economically beneficial alternative that eliminates the vertical buoy lines most responsible for entanglements. Trials in California demonstrate these systems work under commercial conditions and allow fishing to continue while protecting endangered species. -up gear is a viable, effective, and economically beneficial alternative that eliminates the vertical buoy lines most responsible for entanglements. Trials in California demonstrate these systems work under commercial conditions and allow fishing to continue while protecting endangered species.

The petition also proposes new transparency requirements—48-hour public posting of entanglement reports—and emergency procedures that trigger protective fishery closures following confirmed entanglements of ESA listed species that are not covered by an incidental take permit. These accountability measures are critical given that Oregon's application for the fishery's incidental take permit was released for public review over four years ago but still not finalized.

We urge the Commission to initiate rulemaking rather than deny it or delay. Beginning the rulemaking process will allow for robust public participation, ensure that the best available science informs management, and it will create a pathway toward safer, more sustainable fishing practices—including the responsible adoption of pop-up gear. -up gear.

Given the increasing number of whales entangled in Oregon Dungeness crab fishing gear, including the euthanized humpback whale on Oregon's beach this past November, and the clear feasibility of stronger protective measures, it is imperative that Oregon acts now.

Thank you for your consideration.

Sincerely,

Ben Grundy
Oceans Campaigner
Center for Biological Diversity

Ben Enticknap
Fisheries Campaign Director
Oceana

Dan Silver
Executive Director
Endangered Habitats League

Melissa Edmonds
Marine Scientist
Animal Welfare Institute

Kurt Lieber
President
Ocean Defenders Alliance

Amie Kusch
Master's Student, Marine Affairs
University of Washington School of Marine
and Environmental Affairs

Paul Engelmeyer
Sanctuary Manager
Ten Mile Creek Sanctuary

Francine Kershaw, Ph. D.
Senior Scientist
Natural Resources Defense Council

Joy Primrose
President
American Cetacean Society Oregon Chapter

Colin Reynolds
Senior Advisor, Northwest Program
Defenders of Wildlife

Andrea Treece
Senior Attorney
Earthjustice

Kevin Campion
Founder
Save the North Pacific Right Whale

Joe Liebezeit
Statewide Conservation Director
Bird Alliance of Oregon

From: Karen
E-mail: krhuguley@msn.com
Sent on: Wednesday, February 11, 2026 10:51 AM
Subject: Crab Fishery Petition
Comment:

To Whom it may concern:

I am a small business owner and F/V vessel owner. The demands and restrictions being made on crab boat owners are going to be financially devastating, particularly to the smaller fishing vessels.

Shortening of season: Having a 50' boat, the treacherous winter weather greatly restricts the opportunities to dump pots and harvesting. The December 1st start date rarely happens and is a blessing to be able to fish in that month at all. That gives us only a 3 month to 3 ½ month season. The smaller boats continue to crab after the large boats stack out when the bite slows down. This keeps the supply consistent for the market and consumers happy. The month of April and more conducive weather is crucial for these boats to be able to survive.

There is great cost to prepare for each crab season, so much of the initial income is playing catch up for those investments. Taking away an entire month at the end of the season is financial devastation. We can crab with spring tags, again with more costs incurred. And now proposing even more reduction and restrictions for the spring harvest.

The Big Picture: My vessel is one entity that these changes and restrictions will severely impact. The businesses and workers that support the fishing fleet will have a huge financial trickle effect; For the businesses staff, workers and crew. I will list those who will be impacted: boat owners and their crewmembers, marine supply stores (and their suppliers) boat repair, boat yards, maintenance workers, crab buyers, boat unloaders, fish plant workers, truckers, bait suppliers, boats that supply the bait, fish markets- local and afar, restaurants worldwide, much of the market is live and sold internationally. That market will go elsewhere if our product is not available.

Pop-up Gear: If we are expected to completely change our gear, who is going to be financially responsible? A small business does not have that kind of capital. Crab season is often the biggest income maker for the smaller boats. Is that gear that much more effective preventing whale entanglement? Does that gear last, year after year? These is really unrealistic expectations and lofty ambitions for those who don't have personal investment. It will affect the livelihood of many.

Whale Entanglement: We all care about marine life and want to be able to keep them safe. We'd like to see the scientific data on time of year of entanglement, location, conditions of the ocean, of these mammals. I'd like to think we can co-exist.

Are the whales beaching themselves truly dying from crab line? Or is it a contributing factor in already sick animal? Isn't it their natural behavior, to beach themselves when sick? I feel the commercial crab gear are getting targeted for something that could be a bigger problem in the ocean. Are the whale deaths caused by changes in their environment; temperature, tides, food source, pollution, cycles of behavior over the years?

Please consider all these factors and any I didn't mention when you are making rules that affect so many lives and livelihoods!

Karen Huguley owner F/V Sundad, Newport, Or

From: Drew Farmer
E-mail: DFarmer@co.coos.or.us
Affiliation or Stakeholder Type Coos County Commissioner
Sent on: Wednesday, February 11, 2026 12:06 PM
Subject: Crab Fishery Petition

Comment:

Greetings,

This letter is submitted in opposition to the Petition to Adopt New Rules and Amend Oregon Administrative Rules, Chapter 635, Division 5. Until such time as Oregonians are on a sustainable economic footing, I do not believe the state can ethically support the requests of ivory towers while Oregonians stare at empty plates. Their request demonstrates no regard for the socioeconomic impacts of its policy nor the damage to culture and tradition in historically maritime regions of Oregon.

The proposal as presented will result in greater food insecurity in already-impooverished areas. Buying seafood from the dock is more economical than buying it after it has incurred shipping costs and additional labor costs by making it to the stores. Furthermore, the highest challenge will be presented to smaller vessels and fleets, continuing a push towards large non-local food sources who are more likely to sell to big businesses than affordably and right off the docks.

I do firmly believe that, were Oregon to be in a fiscal position to cover the costs of the consequences of this implementation for all of the fleets in Oregon, the situation could be different. If the requestors of this proposal are interested in funding the impacts on fleets, this situation may be different. At present, no proposal exists from either the state or the proponents to take fiscal accountability to the consequences of this proposal on the effected fleets nor to address the resultant exacerbation of food insecurity amongst families in poverty in the effected regions. It comes only with the desire to implement ivory-tower policies to the detriment of the common Oregonian.

I strongly urge you not to adopt the Petition to Adopt New Rules and Amend Oregon Administrative Rules, Chapter 635, Division 5, which was presented by The Center for Biological Diversity, Oceana, NRDC, and the American Cetacean Society. Of particular note, none of the petitioners listed come with addresses based in the coastal Oregon communities which they seek to harm.

Thank you,

Drew Farmer
Coos County Commissioner
dfarmer@co.coos.or.us
Cell: 541-294-8966

From: Chris Loeb
E-mail: loeb61@gmail.com
Sent on: Wednesday, February 11, 2026 5:07 PM
Subject: Crab Fishery Petition

Comment:

Please see attached written testimony regarding the petition affecting the Oregon Dungeness crab fishery.

Date: February 12, 2026

To: Oregon Fish and Wildlife Commission
Subject: Public Comment Opposing Additional Restrictions on Oregon Dungeness Crab Fishery

Dear Chair and Commissioners,

My name is Chris Loeb. I am the owner and operator of the F/V Beverly Ann, and I have worked as a commercial fisherman for approximately 20 years. My home port is Brookings, Oregon.

I am writing to oppose the petition seeking additional restrictions on Oregon's Dungeness crab fishery.

I have spent two decades working on the ocean. I have raised my family and supported my community through commercial fishing. The Oregon crab fleet is already one of the most regulated and responsibly managed fisheries on the West Coast. We follow strict seasons, gear marking rules, fair start requirements, and adaptive management measures designed to protect marine life. Fishermen have consistently stepped up when reasonable conservation measures were requested.

What concerns me is that this petition appears to move forward based more on speculation than on clear, Oregon-specific scientific evidence. In many reported whale entanglements, the exact gear origin or fishery source is unknown. Implementing further restrictions without solid, localized data risks serious economic harm to fishing families, processors, fuel docks, marine suppliers, and entire coastal communities like Brookings — while offering uncertain conservation benefit.

We have watched what has happened in California. Heavy precautionary restrictions have created instability and hardship for fishermen and coastal towns, without clear proof that those measures delivered proportional conservation results. Oregon has always taken a more balanced, science-based approach. I strongly encourage the Commission to continue that path.

Fishermen are not the enemy of the ocean. Our livelihoods depend on healthy ecosystems. We work in these waters every day. We see changes firsthand. We want real solutions — but they must be grounded in credible science and practical realities.

I respectfully ask the Commission to carefully evaluate the evidence and economic consequences before advancing additional restrictions on Oregon's crab fishery. Please continue working directly with the fishing community to find practical, effective solutions that protect both marine wildlife and the people whose lives depend on this fishery.

Thank you for your time and consideration.

Sincerely,

Chris Loeb
Owner, F/V Beverly Ann
Brookings, Oregon

From: Jessie Coon
E-mail: jcoon1675@gmail.com
Sent on: Wednesday, February 11, 2026 6:20 PM
Subject: Crab Fishery Petition
Comment:

Jesse and Charity Coon
705 Makinster Rd
Tillamook Or, 97141
FV/ Steel Fin, Tillamook Bay Seafoods

February 11, 2026

Oregon Department of Fish and Wildlife Attn: Marine Resources Program / Fish and Wildlife Commission 4034 Fairview Industrial Dr. SE Salem, OR 97302
odfw.commission@odfw.oregon.gov

Hello:
To the Commissioners and ODFW Staff,
As a fourth-generation commercial fishing family based in Garibaldi, I am writing to express our grave concerns regarding the proposed mandates for "pop-up" (ropeless) gear and the acceleration of late-season restrictions. Our family's livelihood, including our five children's future and our locally-operated crab wholesale offloading business, depends entirely on the health and viability of the Oregon Dungeness crab fishery.

The Economic Impact on a Multi-Generational Family Business Our 58-foot vessel is not just a boat; it is the engine of a family business that has sustained us for four generations. Crabbing accounts for **70% of our annual household income**. The proposed shift to pop-up gear is not a minor "equipment update"—it is a catastrophic financial burden. Current estimates for ropeless systems range from \$1,000 to over \$2,500 per pot. For a full-tier permit holder, outfitting a vessel could cost upwards of **\$500,000 to \$1,000,000**.

For a family-run operation like ours, which also operates a wholesale offloading business in Garibaldi, these costs are untenable.

Impact on the Garibaldi Community Small ports like Garibaldi rely on a critical mass of active vessels to keep the local economy alive. When a 4-generation business is priced out of the industry, the ripple effect is felt by the fuel docks, the mechanics, and the local restaurants. We are not a faceless corporation; we are the backbone of the Oregon coast.

The "science" being used to drive these new petitions does not reflect the reality of Oregon's waters.

* **Population Growth:** Recent studies show whale populations off the Oregon coast have increased by over 8% annually. This is a clear indicator that current management practices and the "Best Practices" already adopted by Oregon fishermen are effective.

* **Lack of Local Evidence:** The petition assumes worst-case scenarios without clear evidence that endangered whale populations are being harmed specifically in the north west Coast waters where we operate.

* **Collaborative Success:** For years, Oregon fishermen have worked hand-in-hand with ODFW to implement voluntary measures that work. This petition seeks to replace that proven, local collaboration with litigation-driven mandates pushed by out-of-state interest groups.

* **Operational Safety and Viability:**
Pop-up gear is not yet a proven "plug-and-play" solution for the rough conditions of the Oregon coast. As a family business with children counting on their parents to come home from every trip, we are deeply concerned about the safety and reliability of unproven gear. Furthermore, the 20% pot reduction and depth restrictions already being implemented for April 1 represent a significant loss of "soak time" and accessible grounds, which directly impacts our wholesale business's ability to provide a steady supply of crab to the market.

Conclusion

We are not just a "permit number"; we are a cornerstone of the Garibaldi community. Our business supports five children and a 100-year family history on the water. We ask that the Commission deny the petition to mandate pop-up gear and instead continue to work with the Oregon Dungeness Crab Commission and local fishermen on measures that are scientifically justified and economically.

Fishermen are the primary stewards of the ocean, if the ocean isn't healthy fishing isn't either.

Sincerely,

Jesse & Charity Coon

Garibaldi

From: Brian Nolte
E-mail: dynamik48.bn@gmail.com
Sent on: Wednesday, February 11, 2026 6:26 PM
Subject: Crab Fishery Petition
Comment:

Dear Chair and Members of the Oregon Fish and Wildlife Commission,

My name is Brian Nolte. I am a 30-year Oregon commercial crab fisherman based in Brookings and the owner/operator of the F/V Dynamik for the past 25 years. I previously served six years as the Brookings Crab Commissioner. I also served as the out-of-state representative on the California Dungeness Crab Task Force and participated in the California Whale Working Group during its first six years. I offer these comments based on decades of on-the-water experience and direct involvement in collaborative management efforts.

I am writing in opposition to the Center for Biological Diversity's recent petition. More specifically, I am concerned about any outcome that would effectively position CBD to co-manage Oregon's Dungeness crab fishery through litigation pressure, similar to what has occurred in California.

I understand that ODFW staff have been pursuing an Incidental Take Permit (ITP) in order to provide regulatory certainty. I support the State securing an ITP. In my view, obtaining an ITP is a prudent and necessary step that can provide the fishery with meaningful breathing room from litigation. CBD's success in suing California and NOAA was largely based on the fisheries operating without an ITP in place, and Oregon should not leave itself similarly exposed.

Since the lawsuit in California, we have watched the value of California crab permits decline and the ability to maintain a consistently profitable fishery diminish. One clear example has been significant reductions in allowable pot limits and unjustified season delays, without practical on-the-water justification. These restrictions have constrained opportunity and revenue while creating uncertainty for fishermen trying to operate viable businesses. The economic effects have been real for working families and coastal communities.

There has also been experimentation with pop-up (ropeless) gear in California. These trials have been conducted on a very limited basis, with a small number of vessels under controlled

conditions. While those trials have been described as successful, many fishermen question whether the gear is feasible at scale — particularly during normal spring participation levels. A limited test does not fully represent the operational realities of a full fleet working traditional volumes of gear.

Oregon's Dungeness crab fishery is already one of the most tightly managed and economically vital fisheries on the West Coast. Our fleet operates under strict seasonal controls, gear requirements, and risk-reduction measures. Oregon crab fishermen have consistently demonstrated a willingness to collaborate and adapt when supported by sound science and transparent data. What we cannot sustain is a management structure shaped primarily by litigation leverage rather than balanced policy.

I respectfully urge the Commission to secure an Incidental Take Permit to strengthen the fishery's legal standing, while firmly maintaining Oregon's independent management authority. Decisions should remain grounded in sound science, operational practicality, and meaningful input from those who work on the water.

Thank you for your time and your continued service to Oregon's fisheries and coastal communities.

Respectfully,

Brian Nolte
Owner/Operator, F/V Dynamik
Brookings, Oregon
Commercial Dungeness Crab Fisherman

From: Dave Bailey
Sent on: Wednesday, February 11, 2026
Subject: Crab Fishery Petition
Comment:

My name is Dave Bailey, 1-31-26

I have owned and operated the 48' F/V MORNINGSTAR # for the past 25 years and have been a crab fisherman for the past 45 years.

During this period of time, while also salmon fishing and some albacore, I have spent nearly all these years fishing for dungeness crab for the entire season til it closes on the 14th of August.

While fishing various depths from 45 fms. to 5 fms. I have never, ever had a run in, a tangle, or any issue with any whale, grey or humpback.

This is why I am a bit startled to hear the recent proposal to literally turn the Oregon crab fleet upside down (a poor choice of words) and put yet another financial burden and mental strain on myself, my family and my crew.

What?! Black & yellow trailer lines not enough!!
How about we try a "shot in the dark" and throw
Some un-tested and certainly un-proven "POP UP GEAR"
and use the commercial fishing fleet as "guinea pigs",
force them to pay for ridiculously expensive gear,
then give them the real test in the power and the
fury of the Pacific Northwest. No doubt, this
"POP UP GEAR" is barnacle proof, resists any marine
growth that is sure to attempt to apply itself
over several months at sea, and certainly sand
and rock proof as these would never effect or inhibit
its mechanical integrity. And how about setting
these longline disasters in a competitive area, where,
with no bouys present, would form a wonderful
weave of pots destined to be wound in an unseen
tapestry of God knows what, on the hidden
seafloor below.

- There's more!! Cant wait to tell my crew, that from now on in the spring, we get to run longline crab pots (which we have never done, and if I am correct, were made illegal about 20 years ago) and also inform the crew that now we get to stack every string we run and then re-set, which should only take at least twice as long as it does now, and make it about twice as dangerous too, especially for smaller vessels, such as mine.

The only ones smiling at this point will be the designers and manufacturers of these over-priced and over complicated devices.

For the last several years we have ~~part~~ participated in the "Derelict Crab Pot Program", Working with ODFW, it has gone quite well.

The ODFW has even reached out to the fleet

4

for input on how to help improve the program. Working together, the fishermen and ODFW make a real effort to clean up what has been left behind. Many of the pots we retrieve are tangles of 2 or 3 pots wound together by storms, kelp or logs, much too difficult to retrieve in mid-season, with larger seas and tired crews.

This to me is where the true effort should begin, to try and leave it like we found it.

Let me remind everyone the "Yachata Whale" did take place when the season was closed, and the fleet and the gear remained in port.

The fleet has already dealt with, and agreed with the 20% reduction and moving inside of 40 fms. by May 1st.

So this recent "punch in the face" attitude is going to meet some resistance, How else are

we supposed to react?? Beside being furious
and scratching our heads and wondering,
Where will this Madness End??!!

And all this to protect a whale that has been
shown to be increasing in number every year?!

Am I missing something here?

Perhaps its time to put some of that money
towards a buy-back program for crab boats.

It worked in the drag industry, why not us.

Its quite obvious, someone wants us off
the water. Put us out of our misery, instead
of torturing us to death,

I know I will never worry about having to
purchase a ridiculous "Pop up Pot", Im 66, and if
it goes there, dollar store has a "FOR SALE"
sign for a 1.25\$. It will be early retirement for
me, even though I dont want to.

And by the way, just what will these changes do to the values of our boats and our permits?

I mean, who in their right minds would jump into this fishery with all of these dramatic and expensive changes on the horizon?

Where will this leave all the independent crab buyers and restaurants that rely on the smaller vessels to supply them with fresh Dungeness Crab through these spring and summer months? Think of all the people from different parts of the globe that would never be able to enjoy Fresh Dungeness Crab. What a shame indeed.

I believe that Yes, along with most others, love to think of a healthy ocean, full of life, and all of its creatures, safe & sound. The mistake here, I believe, is that this new plan is somehow going to create, a perfect world, which I'm pretty sure, exists in no Fishery, or any industry, just a huge experiment, at our cost.

FINAL

Let me finish by saying: being a year round commercial fisherman can be a daunting task. Finishing one trip, and slowly, sometimes quickly preparing for the next. Yet we men and women also are family people, with wives, husbands, children and grandchildren too.

When we go out on our boat, safety comes first

If we have a decent catch, come home with our fingers and toes, we are a happy lot.

How much more time can we take away from our maintenance, our finances, our safety and our families to pursue some "big in the hole" brainstorm from people who have never pinched a finger in a crab block, or crossed a big bar at midnite.

My blockman, of 15 years, on our last Borellet Pot Trip in Sept, told me "y'know Dave, I hope they know, that, we the fisherman are the ones who are trying to clean up the sea, and it feels good to do so"

DAVE BAILEY

From: Tyler Kuhn
E-mail: Tylerkuhn515@gmail.com
Sent on: Thursday, February 12, 2026 9:05 AM
Subject: Crab Fishery Petition

Comment:

ODFW committee members,

My name is Tyler Kuhn, the proposed rules by the Ocean Entanglement Advisory Committee are unrealistic for myself and other small boats to conform to. The proposed rules will inherently destroy our livelihoods. I am a 200 pot Dungeness Crab permit holder. I am a dory fisherman out of Pacific City. I own a small business selling local caught crab, salmon, tuna, and bottom fish here in Pacific City.

The proposed rules will make crabbing off of a small boat like my 21' boat impossible. The main concern being fishing the pots on a longline. The weight and stress it would put on the vessel would be so dangerous that it would not be worth the risk.

The effects of these proposed rules will destroy our business and shut down our part in the commercial fishery here in Pacific City. Career and Job loss will be imminent with these rules implemented. Our locally caught Dungeness crab is 60 percent or more of our income not only on our vessels but for our retail and wholesale markets. We are the last two full time commercial fishermen out of this long standing commercial port. Again accepting these proposed rules will make it impossible for us to continue to operate at all.

Thank you for taking the time to read my email. Please, before you make a decision know that you will be destroying many of our livelihoods. If you do not stand up for us, the small commercial crab fisherman, a huge part of the heritage that makes the Oregon Coast amazing will be lost.

Respectfully,
Tyler

From: Jocelyn Mulkey
E-mail: jr.mulkey7@gmail.com
Sent on: Wednesday, February 11, 2026 8:09 PM
Subject: Crab Fishery Petition
Comment:

February 11, 2026

Dear Oregon Fish and Wildlife,

I am writing to formally request that the proposed petition regarding Oregon's commercial Dungeness crab fishing gear policies be halted and not advanced in its current or future form.

While the stated intent of the petition—to reduce entanglement risk and establish new reporting and gear authorization processes—may appear well-intentioned, the practical consequences of the proposed policy would be devastating to Oregon's Dungeness crab fleet and the coastal communities that depend on it.

Under the proposed policy framework, it is estimated that fishermen could lose up to 40% of their crab pots. Such a loss is not a minor operational inconvenience; it would fundamentally undermine the ability of fishermen to continue operating. Fishing with a loss of this magnitude is simply not feasible from an economic or logistical standpoint. Crab pots represent a significant financial investment, and replacing or operating without nearly half of one's gear would place an unsustainable burden on fishermen.

The resulting impacts would extend far beyond individual permit holders. A reduction of this scale would have drastic consequences for fishing families, businesses, processors, and coastal communities throughout Oregon. Businesses, such as: Pacific Rubber, Eugene, OR, Prolift, Boring, OR, Hudson Pacific, Coos Bay, OR, Westcoast metals, Portland, OR, Custom Crab Pots, Eureka, CA, Fleet Pride, Salem, OR and Trilogy Crab Pots, Bellingham, WA and many, more! The economic ripple effects would be felt statewide, including reduced landings, loss of income, job impacts, and decreased availability of Oregon Dungeness crab for consumers.

Additionally, the proposed approach does not adequately reflect the realities of fishing operations, ocean conditions, or the cumulative costs already borne by the fleet through existing regulations and conservation measures. Oregon fishermen have a long history of responsible stewardship and compliance, and further restrictions that jeopardize the viability of the fishery are neither reasonable nor justified.

In the current regulations of the May 1st closure, there has been NO entanglements with Spring fishing tags. The fishermen are not impeding the growth of the whale population. Regulators are telling us that there is an 8-9% growth in whale stocks.

For these reasons, I strongly oppose the establishment of any policy that supports or advances this petition. I respectfully request that this **action be stopped** and that any future discussions meaningfully involve the fishermen and communities who would be directly affected.

I started this fishing business 52 years ago; my son and his son are in the photo. Currently, my two sons and family along with crew members include- Trevor Henderson, Keiffer McEldowney, Dillon Gross. It is decisions like this that could have such a drastic impact on the future of so many like those in this photo.

Thank you for your time and consideration of the serious concerns raised by this proposal.

Jeff Mulkey,
Jorgen Mulkey,
Waylon Mulkey,
F/V Pearl J and Pacific Marit



From: Theresa Dursse
E-mail: tdursse@clatsopcounty.gov
Sent on: Thursday, February 12, 2026 9:42 AM
Subject: Crab Fishery Petition
Comment:

Good morning,

I was wanting to submit this letter for public comment on the rulemaking for the Oregon Commercial Dungeness Crab Fishery. I don't see where I can add public comment on your rulemaking page. Can you assist?

*Theresa Dursse
Senior Administrative Supervisor
Clatsop County Manager's Office
800 Exchange St., Ste. 410
Astoria, OR 97103
Office: 503-338-3621
Mobile: 503-298-8559*

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Clatsop County
Board of Commissioners

800 Exchange St., Suite 410
Astoria, OR 97103
503-325-1000
commissioners@ClatsopCounty.gov
www.clatsopcounty.gov

February 12, 2026

Oregon Fish and Wildlife Commission
C/O Oregon Department of Fish and Wildlife
4034 Fairview Industrial Drive SE
Salem, OR 97302

Re: Petition for rulemaking for the Oregon Commercial Dungeness Crab Fishery

Dear Members of the Commission,

The Clatsop County Board of Commissioners supports the continued viability of the commercial Dungeness crab industry in our community. As you consider the petition submitted on December 11, 2025, consider the economic significance of this fishery on working families in our north coast community.

The Dungeness crab fishery is the largest and most valuable commercial fishery in the state of Oregon. Last season, it generated an ex-vessel value of \$96 million across the state before any economic multiplier is applied. For Astoria, the value of this fishery is substantial. Recent ex-vessel revenues were \$26.1 million during the 2023 to 2024 season, and more than \$16 million so far this season with the fishery still active.

In Clatsop County, the crab season drives business suppliers, gear shops, fuel docks, welders, machine shops, seafood processors, local restaurants, and many other small businesses. These are local individuals and families, whose livelihood is directly linked to the productivity and sustainability of this fishery.

Clatsop County is supportive of efforts to reduce the risk of marine life entanglements, and we understand the importance of responsible fishery management. The industry has taken many meaningful steps to improve safety, reduce risk, and participate in research and monitoring efforts. As you consider new measures, we request that the economic impacts on fishing families and coastal communities be given full consideration. We are confident this fishery can be protected and sustained while working collaboratively to reduce entanglements.

The County remains committed to working with ODFW, the fishing fleet, processors, community partners, and all involved parties to ensure the continued success of this essential Oregon fishery.

Sincerely,

Mark Kujala, Chair
Clatsop County Board of Commissioners

C: Clatsop County Board of Commissioners

From: Andrew Goergen
E-mail: Shadowfishingco@gmail.com
Affiliation or Stakeholder Type Commercial fisherman
Sent on: Thursday, February 12, 2026 10:40 AM
Subject: Crab Fishery Petition

Comment:

Oregon commercial fishermen are not the enemy of whale conservation. Our livelihoods depend on a healthy marine ecosystem. We see these animals firsthand and we respect them. We are not faceless big corporations with endless capital. We are individual people who care about the ocean because it is both our workplace and our livelihood.

For decades we have worked and cooperated with state regulators, scientists, and conservation groups to reduce entanglement risk. We've changed how we fish, when we fish, and where we fish. Those changes weren't always easy, but we made them because we understand that a sustainable fishery depends on sustainable wildlife populations.

It's also important to recognize what the data shows: Whale populations on the west coast have rebounded significantly over the past several decades, all while commercial crabbing continued. And Oregon has one of the lowest entanglement rates on the west coast. This is evidence that current conservation efforts are already working. And while more whales in the water is a conservation success story, it also means that the chances of entanglements will never be zero.

We support continued risk reduction, but these proposals put the small family-run operation at risk for an issue that we are already actively a part of solving. Given the lack of evidence that existing measures are failing, I staunchly do not support these proposed regulations.

From: Mark Landauer
E-mail: Mark@mjlconsulting.com
Sent on: Thursday, February 12, 2026 11:40 AM
Subject: Crab Fishery Petition

Comment:

Please accept the attached letter regarding the petition to change crab pot regulations.

Thank you,

Mark Landauer

Executive Director

Oregon Public Ports Association

OREGON PUBLIC PORTS ASSOCIATION

A CHAPTER OF THE SPECIAL DISTRICTS ASSOCIATION OF OREGON



February 12, 2026

Oregon Fish and Wildlife Commission
Oregon Department of Fish and Wildlife

Via email: odfw.commission@odfw.oregon.gov

RE: Opposition to Petition Seeking Rule Changes to Oregon Commercial Dungeness Crab Fishery

Dear Commissioners:

The Oregon Ports Association writes to respectfully urge the Commission to reject the petition filed by conservation groups on December 11, 2025, seeking substantial changes to the Oregon commercial Dungeness crab fishery. While we recognize the importance of protecting marine wildlife, this petition threatens to devastate not only Oregon's fishing fleet but also the port infrastructure that serves as the economic backbone of our coastal communities.

Port Infrastructure at Critical Risk

Oregon's ports are not merely places where fishing vessels dock. They are complex economic enterprises that depend heavily on seafood processors as major facility tenants and revenue sources. Processors rent substantial warehouse space, cold storage facilities, and dock access from ports throughout the coast. These lease agreements generate critical operating revenue that allows ports to maintain infrastructure, provide services, and employ staff.

If the proposed rules force processors out of business—whether through a 40% gear reduction, mandatory expensive and unproven pop-up gear technology, or effective seasonal closures—the cascading economic impact on ports and the communities they serve will be immediate and severe. Without processor tenants, ports face:

- Loss of rental/lease income from processor facilities
- Reduced vessel traffic and associated moorage fees as fishing activity declines
- Elimination of jobs in port operations, maintenance, and administration
- Diminished ability to maintain docks, channel dredging, and safety infrastructure

Small Ports Face Disproportionate Harm

The proposed rules would particularly devastate smaller ports such as Port Orford, Garibaldi, Winchester Bay, and others that depend heavily on late-season crab fishery activity. These ports have:

- Limited economic diversification compared to larger ports
- Smaller vessels that cannot afford expensive pop-up gear retrofits estimated at tens or hundreds of thousands of dollars per vessel

- Greater reliance on April-through-June fishing when crab quality and market prices are historically strong
- Fewer alternative revenue sources to offset the loss of crab-related port activity

For these communities, the petition's proposed April 1 gear restrictions and mandatory pop-up gear requirements by 2028 we fear could end commercial crabbing operations, triggering the closure of processing facilities and the financial collapse of port operations.

Unproven Technology and Inadequate Timeline

The petition demands implementation of pop-up (ropeless) fishing gear technology that remains largely experimental and unproven at commercial scale. Requiring this technology after only one year of experimental use—and then mandating it coast-wide by 2028—ignores fundamental operational and economic realities:

- Pop-up gear systems cost tens to hundreds of thousands of dollars per vessel
- The technology has not been proven reliable in Oregon's specific ocean conditions
- Gear conflicts and retrieval failures could result in substantial lost catch and revenue
- No demonstrated reduction in actual whale entanglement risk compared to current best practices

Forcing adoption of unproven technology on such an aggressive timeline places Oregon fishermen and ports in an impossible position: comply with mandates that may not work or cease operations entirely.

Scientific Questions and Data Gaps

The petition assumes that entanglements in Oregon waters involve endangered humpback whale populations (distinct population segments). However, scientific data does not clearly establish which whale populations are being impacted. Implementing drastic restrictions based on worst-case assumptions, rather than verified science, represents poor policy that could cause enormous economic harm without corresponding conservation benefit.

Moreover, whale populations along the Oregon coast have increased by over 8% in recent years, suggesting that current management practices are working. The petition seeks to replace a functioning, adaptive management system—developed through collaboration between ODFW and industry—with rigid, prescriptive rules driven by out-of-state environmental groups with no stake in Oregon's coastal economy.

Broader Economic Consequences for Coastal Oregon

The Dungeness crab fishery generates millions of dollars in annual economic activity for Oregon's coastal communities. Beyond vessel owners and crew, the fishery supports:

- Processors employing hundreds of workers in family-wage jobs
- Port staff and infrastructure maintenance crews
- Restaurants and retailers serving fresh, locally caught seafood to tourists
- Marine supply businesses, fuel suppliers, and vessel repair services

- Tourism industries built around Oregon's fishing heritage and fresh seafood

These rule changes would threaten over hundreds if not thousands of family-wage jobs across the Oregon coast and destabilize the economic foundation of communities from Astoria to Brookings.

The Commission Faces a Critical Choice

We understand the Commission faces pressure from environmental organizations threatening litigation. However, we urge you to consider the human and economic costs of capitulating to demands that lack scientific justification and would devastate Oregon's coastal economy.

The choice before you is stark: uphold science-based, collaborative management that has successfully balanced conservation and economic sustainability or surrender to outside pressure that would threaten a century-old industry and negatively impact the ports that serve as gateways to Oregon's coastal communities.

Request for Action

On behalf of Oregon's ports and the communities they serve, we respectfully request that the Commission:

1. Reject this petition in its entirety
2. Maintain ODFW's current science-based, adaptive management approach developed in collaboration with industry
3. Require thorough economic impact analysis before considering any major rule changes affecting the commercial crab fishery
4. Ensure meaningful consultation with Oregon's fishing industry and coastal communities before implementing any new restrictions

Oregon's ports stand with our fishing families, processors, and coastal communities. We urge you to stand with us as well.

Respectfully submitted,



Mark J Landauer
Executive Director
Oregon Public Ports Association

cc: Oregon Legislative Coastal Caucus
Oregon Coast Crab Association
Coastal Port Managers

From: Kevin Leahy
E-mail: KLeahy@clatsopcc.edu
Sent on: Thursday, February 12, 2026 11:45 AM
Subject: Crab Fishery Petition

Comment:

As the Executive Director of Clatsop County's Economic Development organization, CEDR (Clatsop Economic Development Resources), I am submitting a letter expressing deep concern to the Dungeness Crab petition requesting additional regulatory changes to the Oregon Dungeness Crab Fisheries, attached.

I am available to respond to any questions you have, and appreciate your consideration of this request.

Kevin

Kevin Leahy
Executive Director,
Clatsop Economic Development Resources (CEDR)

Associate Vice-President- Clatsop Center for Business, Community & Professional Development: Small Business Development Center, (SBDC), Clatsop WORKS, CWE, Community Ed, Workforce Development.
Clatsop County Enterprise Zone Manager

1455 North Roosevelt
Seaside, OR. 97138
Office 503-338-2402
Direct 503-338-2342

CEDR Website: <https://www.clatsopbusiness.com/>



February 12, 2026

Debbie Colbert, Director, Oregon Department of Fish and Wildlife
& ODFW Commission Members

Director Colbert & Commission Members,

On behalf of Clatsop Economic Development Resources (CEDR), Clatsop County's economic development organization, I am writing to express our deep concern regarding the December 11, 2025 petition requesting additional regulatory changes to the Oregon Dungeness crab fishery to further reduce the risk of whale entanglement.

The Dungeness crab fishery is not simply another sector of our coastal economy — it is one of its primary economic engines. With a recent ex-vessel value of approximately \$96–97 million statewide, it is the largest and most valuable commercial fishery in Oregon. When economic multipliers are applied, the total impact to coastal communities grows substantially, supporting thousands of jobs and generating significant traded-sector revenue that flows through our local businesses year-round.

In Clatsop County and throughout the North Coast, this fishery has been foundational for generations. Many of these operations are small, family-owned businesses with limited financial margins. They do not have the flexibility to absorb sudden, sweeping, or costly regulatory changes without serious consequences. Even incremental restrictions, when layered onto an already complex regulatory framework, can have outsized impacts in rural economies like ours.

Clatsop County already faces significant socioeconomic challenges, including persistently high poverty rates and the highest rate of homelessness in the state. The Dungeness crab fishery remains one of the few bright spots in our local economy — a dependable source of income and stability in an otherwise constrained economic landscape. Any action that substantially restricts this fishery risks deep and lasting harm to coastal communities that are already vulnerable.

We fully recognize the importance of marine conservation and responsible resource management. The long-term health of Oregon's fisheries depends on strong stewardship. At the same time, sustainable management must balance environmental objectives with the economic realities facing working waterfronts. Conservation and community viability must go hand in hand.

As you consider the petition and any potential rulemaking, we respectfully urge the Department and Commission to carefully evaluate the full economic consequences to fishing families, local businesses, and rural coastal economies. Decisions of this magnitude warrant a comprehensive understanding of both ecological and socioeconomic impacts.

I am a fourth-generation resident of Clatsop County and know firsthand the importance of this foundational fishery as a key economic contributor to the health of our regions economy, and the devastating impact it would have if more modifications were initiated.

Sincerely,

Kevin Leahy

Kevin Leahy
Executive Director, Clatsop Economic Development Resources (CEDR)
& Associate Vice-President Clatsop Community College
[kleahy@clatsopcc.edu](mailto:k Leahy@clatsopcc.edu)
Office: 503-338-2342

From: Debbie Scacco
E-mail: debbie.scaddo@portofoledo.org
Sent on: Thursday, February 12, 2026 2:56 PM
Subject: Crab Fishery Petition

Comment:

Please find attached a letter in opposition to the Commercial Dungeness crab fishery rules petition being considered by the Oregon Fish and Wildlife Commission on February 20, 2026.

Debbie Scacco, Port Manager

Port of Toledo
P.O. Box 428
496 NE Hwy 20, Unit 1
Toledo, OR 97391
541.336.5207
www.portofoledo.org



Lorna Davis, President
Mike Kriz, Vice President
Zack Dahl, Secretary & Treasurer
Charles G Cyphert, Commissioner
Chuck Gerttula, Commissioner
Debbie Scacco, Port Manager

February 11, 2026

Oregon Fish and Wildlife Commission
Oregon Department of Fish and Wildlife
Via email: odfw.commission@odfw.oregon.gov

RE: Opposition to Petition Seeking Rule Changes to Oregon Commercial Dungeness Crab Fishery

Dear Commissioners:

The Port of Toledo writes to respectfully urge the Commission to reject the petition filed by conservation groups on December 11, 2025, seeking substantial changes to the Oregon commercial Dungeness crab fishery. While we recognize the importance of protecting marine wildlife, this petition threatens to devastate not only Oregon's fishing fleet but also the port infrastructure that serves as the economic backbone of our coastal communities, including Toledo and the broader Yaquina River basin.

Port of Toledo's Critical Role in Oregon's Fishing Industry

The Port of Toledo has served Lincoln County and Oregon's central coast since 1910. Located seven miles inland from the Oregon Coast on Depot Slough near the Yaquina River, our port encompasses 443 square miles including the cities of Toledo and Siletz. Most critically, since 2008, when we purchased a privately-owned boatyard to support the local fishing fleet, the Port of Toledo has become the primary shipyard serving Newport's commercial fishing fleet—the largest working fishing fleet on the entire Oregon Coast.

Our facilities include:

- An 85-ton mobile lift and a 660-ton mobile lift (added in 2014 with \$4.6M in Connect Oregon V funding)
- Ship repair facilities serving both local and distant water fishing vessels
- Industrial space leased to marine-dependent businesses
- Critical infrastructure supporting the Dungeness crab fishery and other commercial fishing operations

This infrastructure does not exist in isolation. It represents decades of public investment and community partnership. The fishing industry—particularly the Dungeness crab fishery—generates the vessel traffic, repair work, and moorage revenue that allows us to maintain these facilities and employ skilled marine trades workers.

Serving Since 1910

PO Box 428, 496 NE Hwy 20, Unit 1, Toledo, Oregon 97391 Telephone (541) 336-5207
info@portoftoledo.org www.portoftoledo.org

Economic Devastation for Toledo and Lincoln County

The proposed rules would directly threaten the Port of Toledo's financial stability and our ability to serve Oregon's fishing industry. Our business model depends on:

Fishing Fleet Activity: Our shipyard services vessels from the Newport fleet and beyond. If crab fishing is effectively eliminated through a 40% gear reduction, mandatory expensive and unproven pop-up gear technology, or seasonal closures during the most profitable months (April-June when crab quality and prices peak), vessel traffic to our facilities will plummet. This means:

- Dramatic reduction in haul-out and repair revenue
- Loss of moorage fees as vessels leave the fishery or relocate
- Underutilization of our 660-ton lift—a major capital investment justified by fishing industry needs
- Potential layoffs of skilled shipyard workers and marine trades apprentices

Processor and Tenant Relationships: While our port transformed from primarily shipping lumber to supporting the fishing industry, we maintain critical lease relationships with seafood processors and marine-dependent businesses. If processors close due to insufficient crab landings, we face:

- Loss of rental income from processing facilities
- Abandoned infrastructure requiring ongoing maintenance without revenue
- Reduced economic activity throughout our 443-square-mile port district
- Elimination of family-wage jobs in processing, transport, and support services

Community Programs at Risk: The Port of Toledo has invested heavily in community engagement and workforce development, including our Toledo Community Boathouse program (offering boatbuilding, water safety education, and free family boating), our annual Wooden Boat Festival, high school marine trades internships, and youth boatbuilding programs. These programs depend on a vibrant, working waterfront. Without the economic foundation provided by commercial fishing, these community benefits disappear.

For the City of Toledo (population approximately 3,458) and surrounding unincorporated areas, the loss of crab fishery activity would be catastrophic. We have limited economic diversification compared to larger coastal cities. The fishing industry and our port facilities represent essential employment and tax revenue that supports schools, emergency services, and community infrastructure.

Unproven Technology Threatens Port Operations

The petition's demand for mandatory pop-up (ropeless) gear by 2028—after only one year of experimental use—creates impossible operational and financial concerns for both fishermen and ports:

- Pop-up gear systems cost tens to hundreds of thousands of dollars per vessel—our smaller fishing vessels cannot afford these expenditures, and lenders will not finance unproven technology
- The technology remains unreliable in Oregon's specific ocean conditions, risking gear loss and creating navigational hazards
- Gear conflicts and retrieval failures could strand expensive equipment on the ocean floor, creating both economic loss and new environmental problems
- No demonstrated reduction in actual whale entanglement risk compared to current best management practices already adopted by Oregon fishermen
- Implementation timeline ignores the reality that shipyards like ours would need to retrofit dozens of vessels simultaneously—a physical and logistical impossibility

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info@portoftoledo.org www.portoftoledo.org

Scientific Uncertainty Does Not Justify Economic Catastrophe

The petition relies on assumptions about whale entanglement risks that are not supported by clear scientific evidence specific to Oregon waters. Whale populations along the Oregon coast have increased by over 8% in recent years, demonstrating that current collaborative management between ODFW and industry is working.

Oregon's commercial crabbers have voluntarily adopted best management practices, modified gear to minimize whale interactions, and worked in good faith with regulators. They deserve decision-making based on sound science and economic analysis—not worst-case speculation promoted by out-of-state environmental groups with no stake in Toledo's economy or Oregon's coastal communities.

The Broader Economic Ripple Effect

Beyond direct impacts on fishing vessels and port revenue, these proposed rules would devastate Toledo's broader economy:

- Our Wooden Boat Festival and waterfront parks attract tourism built around Oregon's working waterfront heritage—this disappears if there is no working waterfront
- Marine supply businesses, fuel suppliers, welders, and vessel repair services dependent on fishing industry activity will close
- Restaurants and retailers in Toledo and Newport that feature fresh, locally caught Dungeness crab will lose a signature product that draws customers
- The skilled workforce we have developed through our Community Boathouse and apprenticeship programs will be forced to leave the region for employment elsewhere
- Property values and tax revenues throughout Lincoln County will decline as the economic foundation erodes

For a small community like Toledo, these losses are not abstract statistics; they represent the difference between a thriving town and economic collapse.

Request for Action

The Port of Toledo respectfully requests that the Commission:

1. **Reject this petition in its entirety**
2. **Maintain ODFW's current science-based, adaptive management approach developed in collaboration with industry stakeholders**
3. **Require thorough economic impact analysis—including specific assessment of impacts on port infrastructure and small coastal communities—before considering any major rule changes affecting the commercial crab fishery**
4. **Ensure meaningful consultation with Oregon's fishing industry, ports, processors, and coastal communities before implementing any new restrictions**
5. **Recognize that ports like Toledo represent substantial public investment that cannot survive the elimination of the industries they were built to serve**

The Port of Toledo has served Oregon's fishing industry and coastal communities for over a century. We have adapted, invested, and evolved to meet changing needs. But we cannot survive the wholesale elimination of the commercial crab fishery based on unproven assumptions and inadequate science.

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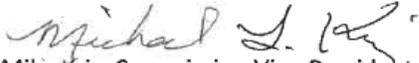
PO Box 428, 496 NE Hwy 20, Unit 1, Toledo, Oregon 97391 Telephone (541) 336-5207
info@portoftoledo.org www.portoftoledo.org

We stand with Oregon's fishing families, our shipyard workers, the processors who depend on our facilities, and the community of Toledo. We urge you to stand with us as well by rejecting this petition and maintaining the collaborative, science-based management that has successfully balanced conservation with economic sustainability.

Respectfully submitted,



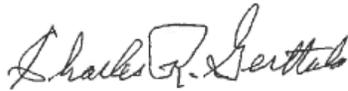
Lorna Davis, Commission President



Mike Kriz, Commission Vice-President



Zack Dahl, Secretary/Treasurer



Chuck Gerttula, Commissioner



Charles G Cyphert, Commissioner

cc:

Oregon Legislative Coastal Caucus
Oregon Coast Crab Association
Coastal Port Managers
Lincoln County Board of Commissioners
City of Toledo
Newport Fishermen's Wives

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PO Box 428, 496 NE Hwy 20, Unit 1, Toledo, Oregon 97391 Telephone (541) 336-5207
info@portoftoledo.org www.portoftoledo.org

From: Ben Enticknap
E-mail: BEnticknap@oceana.org
Sent on: Thursday, February 12, 2026 3:26 PM
Subject: Crab Fishery Petition
Comment:

Hello,

Please accept the attached document as my written public comment in support of the petition for rulemaking to reduce whale entanglements in the Oregon Dungeness crab fishery. I plan to testify at the meeting and will speak to this document as my public comment.

I also have a special request - can you please include this comment letter as formatted in color? I understand sometimes the comments are converted to black and white but because of the maps and charts, I would greatly appreciate it if you publish this as is, in color.

Thank you!

Ben Enticknap

Ben Enticknap | Fisheries Campaign Director



205 SE Spokane Street, Suite 304B | Portland, OR 97202
503.329.4465
BEnticknap@oceana.org | www.oceana.org

PREVENT WHALE ENTANGLEMENTS IN THE OREGON DUNGENESS CRAB FISHERY

Petition for Rulemaking

Petition Elements

1. Approve the use of pop-up gear that meet criteria for being detectable, retrievable, and identifiable.
2. Strengthen Oregon's existing entanglement risk reduction measures to include a 40% pot limit reduction and a 30-fathom depth restriction effective April 1 through 2028 (except if using pop-up gear).
3. Prohibit the use of conventional pot gear starting on April 1 each year, effective in 2028.
4. Require the Oregon Department of Fish and Wildlife (ODFW) to publicly report entanglements in Oregon fishing gear.
5. Establish emergency closures for conventional pot gear in the event of unauthorized ESA-listed species entanglements.

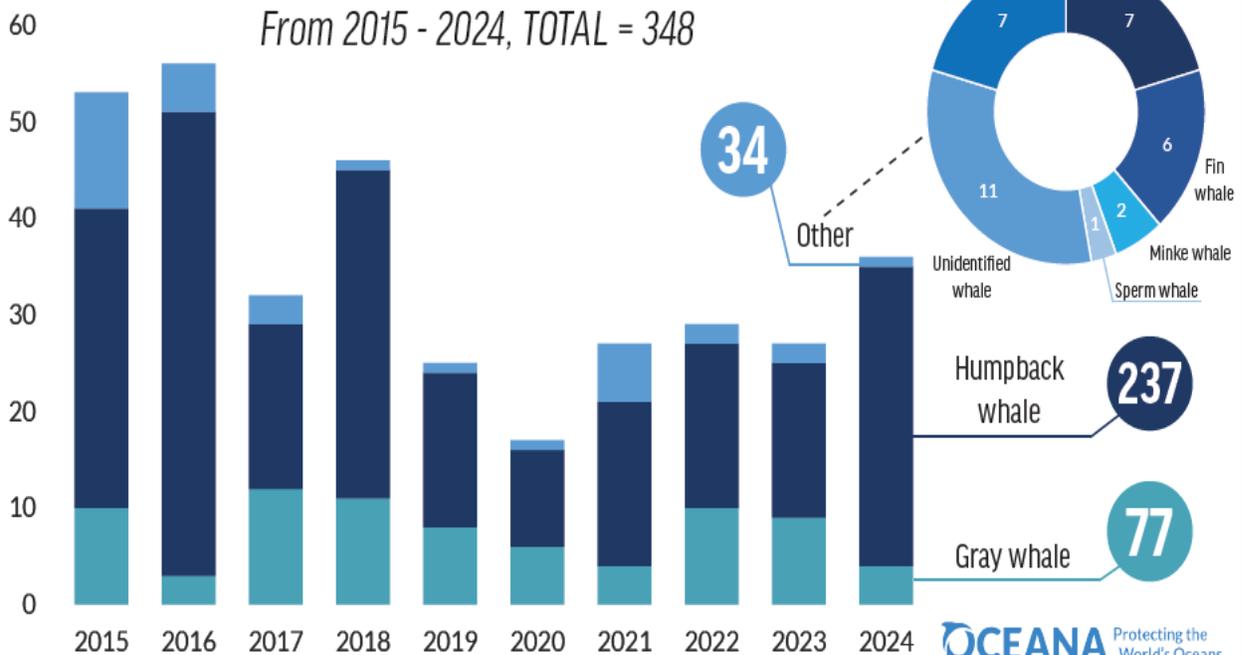
“ODFW has significant concerns about the record high rate of entanglements in the last two years.”

ODFW January 23, 2026 Commercial Crab Industry Notice



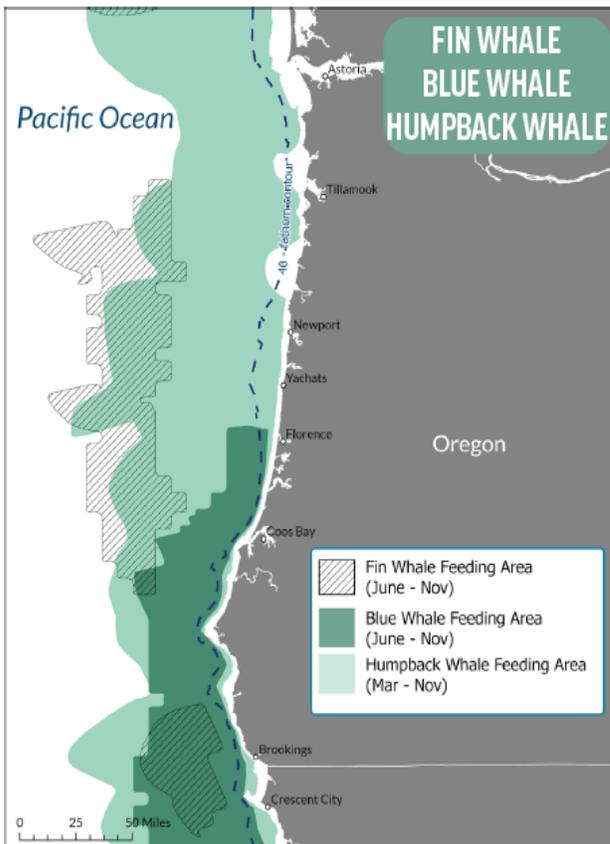
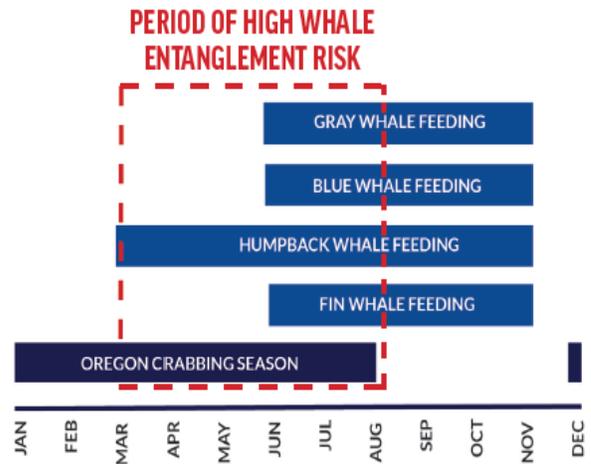
Large Whale Entanglements off the U.S. West Coast

From 2015 - 2024, TOTAL = 348



BIOLOGICALLY IMPORTANT AREAS FOR WHALES

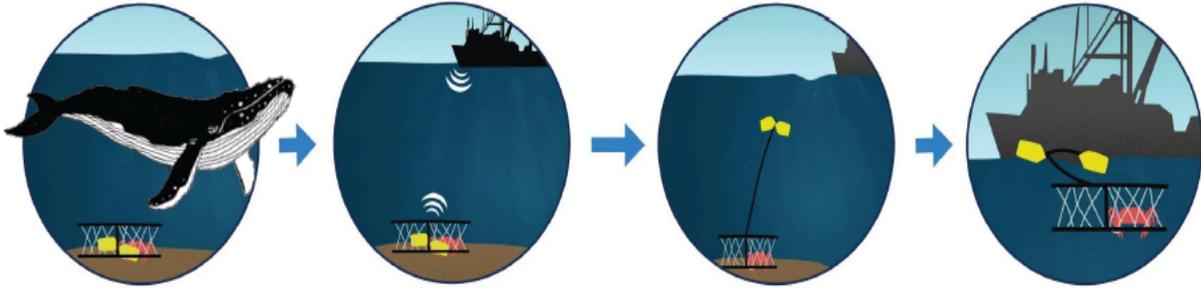
Whale entanglement risk reduction measures should be modified to align with the best available science on the timing and distribution of whales migrating and feeding off the Oregon coast. Current “late season” risk reduction measures are implemented too late, and the 40-fathom depth restriction is too far offshore.



Maps: Oceana. Data source: Calambokidis et al (2024) *Biologically Important Areas II for cetaceans within U.S. and adjacent waters - West Coast Region*. *Front. Mar. Sci.* 11:1283231. doi: 10.3389/fmars.2024.1283231



POP-UP GEAR WORKS AND IS WHALE-SAFE

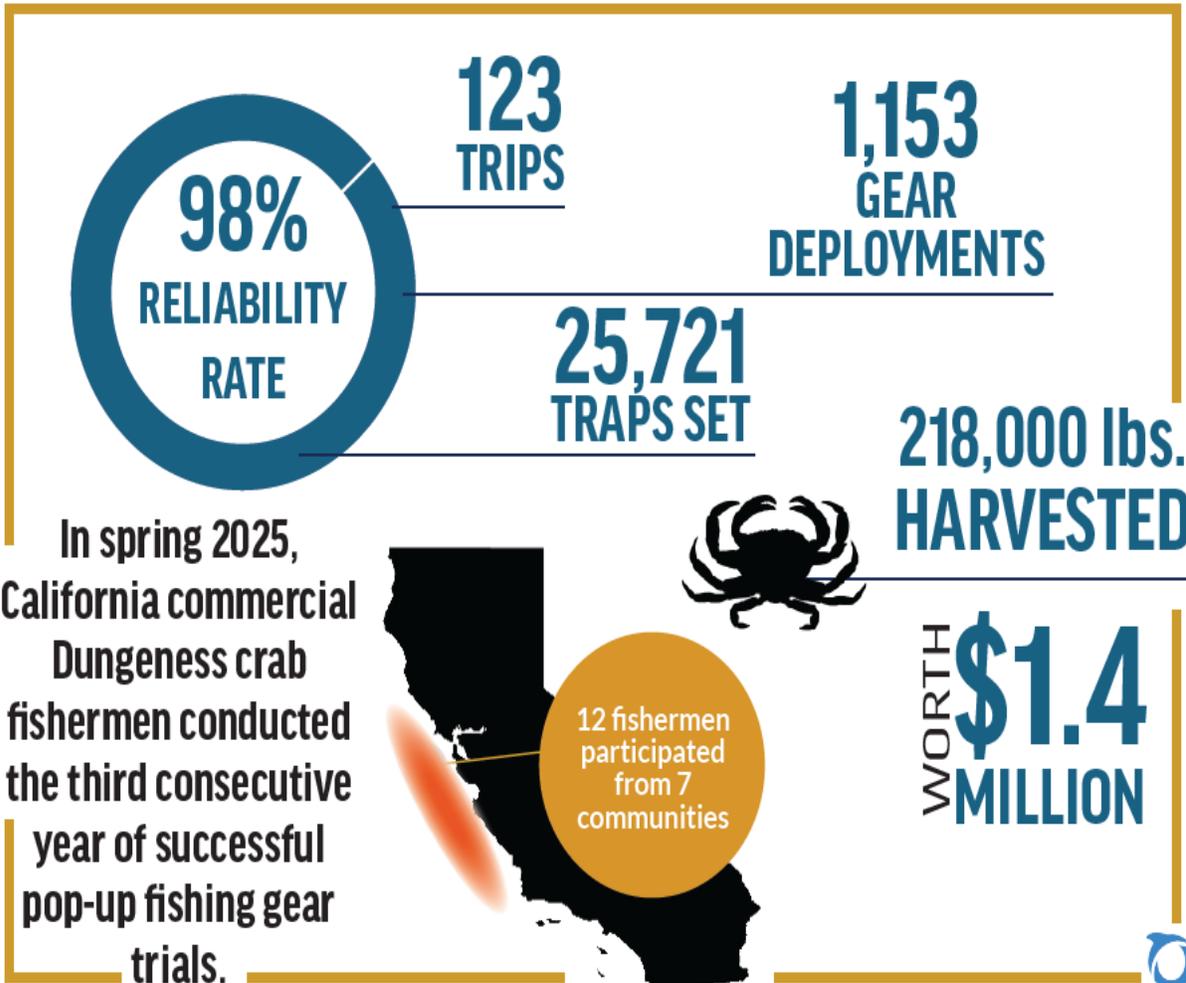


Pop-up fishing systems stay connected to a string of traps on the seafloor, allowing whales to swim by without risk of entanglement.

These pop-up systems remain on the seafloor until an acoustic signal is sent from the fishing vessel.

Once the signal is received the system releases an inflatable, which brings the buoys and line to the surface.

When the buoys reach the surface, the traps are retrieved by hauling in the line as in the traditional method.



From: Rich Huebner
E-mail: Rich.Huebner@cityoftoledo.org
Sent on: Thursday, February 12, 2026 3:29 PM
Subject: Crab Fishery Petition
Comment:

Honorable Commissioners,

Attached to this message, please find attached a letter from the City of Toledo, expressing the City's opposition to the Commercial Dungeness crab fishery rules petition being considered by the Oregon Fish and Wildlife Commission on February 20, 2026.

Respectfully Submitted,

Rich Huebner
City Manager



City of Toledo
206 N. Main Street
Toledo, Oregon 97391
Office: (541) 336-2247 x2020
Cell: (541) 270-1323
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City of Toledo



February 11, 2026

Oregon Fish and Wildlife Commission
Oregon Department of Fish and Wildlife
Via email: odfw.commission@odfw.oregon.gov

RE: Opposition to Petition Seeking Rule Changes to Oregon Commercial Dungeness Crab Fishery

Dear Commissioners:

The City of Toledo writes to respectfully urge the Commission to reject the petition filed by conservation groups on December 11, 2025, seeking substantial changes to the Oregon commercial Dungeness crab fishery. While we recognize the importance of protecting marine wildlife, this petition threatens to devastate not only Oregon's fishing fleet but also the port infrastructure that serves as the economic backbone of our coastal communities.

Port Infrastructure at Critical Risk

Oregon's ports are not merely places where fishing vessels dock. They are complex economic enterprises that depend heavily on seafood processors as major facility tenants and revenue sources. Processors rent substantial warehouse space, cold storage facilities, and dock access from ports throughout the coast. These lease agreements generate critical operating revenue that allows ports to maintain infrastructure, provide services, and employ staff.

If the proposed rules force processors out of business—whether through a 40% gear reduction, mandatory expensive and unproven pop-up gear technology, or effective seasonal closures—the cascading economic impact on ports will be immediate and severe. Without processor tenants, ports face:

- Loss of rental income from processor facilities, potentially representing 20-40% of port operating budgets
- Abandoned or underutilized port infrastructure requiring ongoing maintenance without revenue
- Reduced vessel traffic and associated moorage fees as fishing activity declines
- Elimination of jobs in port operations, maintenance, and administration
- Diminished ability to maintain docks, channel dredging, and safety infrastructure

Small Ports Face Disproportionate Harm

The proposed rules would particularly devastate smaller ports such as Port Orford, Garibaldi, Winchester Bay, and others that depend heavily on late-season crab fishery activity. These ports have:

- Limited economic diversification compared to larger ports

- Smaller vessels that cannot afford expensive pop-up gear retrofits estimated at tens or hundreds of thousands of dollars per vessel
- Greater reliance on April-through-June fishing when crab quality and market prices are historically strong
- Fewer alternative revenue sources to offset the loss of crab-related port activity

For these communities, the petition's proposed April 1 gear restrictions and mandatory pop-up gear requirements by 2028 could functionally end commercial crabbing operations, triggering the closure of processing facilities and the financial collapse of port operations.

Unproven Technology and Inadequate Timeline

The petition demands implementation of pop-up (ropeless) fishing gear technology that remains largely experimental and unproven at commercial scale. Requiring this technology after only one year of experimental use—and then mandating it coast-wide by 2028—ignores fundamental operational and economic realities:

- Pop-up gear systems cost tens to hundreds of thousands of dollars per vessel
- The technology has not been proven reliable in Oregon's specific ocean conditions
- Gear conflicts and retrieval failures could result in substantial lost catch and revenue
- No demonstrated reduction in actual whale entanglement risk compared to current best practices
- Banks and lenders are unwilling to finance unproven technology, leaving vessel owners unable to comply

Forcing adoption of unproven technology on such an aggressive timeline places Oregon fishermen and ports in an impossible position: comply with mandates that may not work, or cease operations entirely.

Scientific Questions and Data Gaps

The petition assumes that entanglements in Oregon waters involve endangered humpback whale populations (distinct population segments). However, scientific data does not clearly establish which whale populations are being impacted. Implementing drastic restrictions based on worst-case assumptions, rather than verified science, represents poor policy that could cause enormous economic harm without corresponding conservation benefit.

Moreover, whale populations along the Oregon coast have increased by over 8% in recent years, suggesting that current management practices are working. The petition seeks to replace a functioning, adaptive management system—developed through collaboration between ODFW and industry—with rigid, prescriptive rules driven by out-of-state environmental groups with no stake in Oregon's coastal economy.

Oregon Fishermen Are Proven Stewards

Oregon's commercial crabbers have consistently demonstrated their commitment to ocean stewardship. They have voluntarily adopted best management practices, participated in gear modifications, and worked collaboratively with ODFW to minimize whale interactions. They deserve a seat at the table when decisions affecting their livelihoods and our port infrastructure are being made.

This petition, filed by California-based environmental organizations, seeks to impose management changes without adequate consultation with those who will bear the economic consequences: Oregon fishermen, processors, port workers, and coastal communities.

Broader Economic Consequences for Coastal Oregon

The Dungeness crab fishery generates millions of dollars in annual economic activity for Oregon's coastal communities. Beyond vessel owners and crew, the fishery supports:

- Processors employing hundreds of workers in family-wage jobs
- Port staff and infrastructure maintenance crews
- Restaurants and retailers serving fresh, locally-caught seafood to tourists
- Marine supply businesses, fuel suppliers, and vessel repair services
- Tourism industries built around Oregon's fishing heritage and fresh seafood

These rule changes would threaten over 1,000 family-wage jobs across the Oregon coast and destabilize the economic foundation of communities from Astoria to Brookings.

The Commission Faces a Critical Choice

We understand the Commission faces pressure from environmental organizations threatening litigation. However, we urge you to consider the human and economic costs of capitulating to demands that lack scientific justification and would devastate Oregon's coastal economy.

The choice before you is stark: uphold science-based, collaborative management that has successfully balanced conservation and economic sustainability, or surrender to outside pressure that would eliminate a century-old industry and cripple the ports that serve as gateways to Oregon's coastal communities.

Request for Action

On behalf of Oregon's ports and the communities they serve, we respectfully request that the Commission:

1. Reject this petition in its entirety
2. Maintain ODFW's current science-based, adaptive management approach developed in collaboration with industry
3. Require thorough economic impact analysis before considering any major rule changes affecting the commercial crab fishery

4. Ensure meaningful consultation with Oregon's fishing industry and coastal communities before implementing any new restrictions

Oregon's ports stand with our fishing families, processors, and coastal communities. We urge you to stand with us as well.

Respectfully submitted,



Mayor Tracy Mix



City Manager Rich Huebner

cc: Oregon Legislative Coastal Caucus
Oregon Coast Crab Association
Coastal Port Managers

From: Kyle Aubin
E-mail: scoastsportfishing@yahoo.com
Sent on: Thursday, February 12, 2026 3:41 PM
Subject: Crab Fishery Petition

Comment:

To the Oregon Department of Fish and Wildlife Commission Board,

My name is Kyle Aubin, and I have been a commercial fisherman in Brookings, Oregon, for the past 30 years. From a deckhand on Charter Boats and Commercial Dungeness Boats. To own my own Charter Company and my own Commercial Dungeness Crab Boat. It has been a long three decades of experience. I have given my all to a profession that I still love to this day.

I am speaking to you in the hopes that you will hear the people most affected by this request to change the rules of our Dungeness Crab Fishery. I live in a small community on the Oregon Coast, like all Oregon fishermen, who depend on this fishery to support our families and, in turn, our communities.

We were in awe as we watched California's crab fishery decimated by the same giant that stands in front of us now. We have seen the repercussions of that state and how it ruined a fisherman's livelihood on false claims and science that was mislabeled and manipulated for their own benefit.

Just last year, the annual revenue generated from Dungeness crab being caught and sold by commercial fishing vessels was over \$89 million. This does not take into account what was made after it was taken off the boats and transported to your grocery stores and restaurants throughout the country. It feeds our families, our communities, and our state. From the bottom up, creating opportunities for any man willing to put in the work.

Allowing our rules to be changed now opens the door to more miscalculated judgments driven by ulterior motives that will only hurt us in the end. The only ones who will lose are the Oregonians who work hard to make this state the great state that it can be.

Thank you for your consideration of this very important matter.

Kyle Aubin

From: Paula Miranda
E-mail: pmiranda@portofnewport.com
Sent on: Thursday, February 12, 2026 5:30 PM
Subject: Crab Fishery Petition

Comment:

Please see letter attached. Thanks for your consideration.

Paula J. Miranda
Executive Director
600 SE Bay Blvd

Newport, Oregon 97365
Office: (541) 265-7758
Cell: (541) 961-1216



600 S.E. BAY BOULEVARD NEWPORT, OREGON 97365 PHONE (541) 265-7758 FAX (541) 265-4235 www.portofnewport.com

February 12, 2026

Oregon Fish and Wildlife Commission
Oregon Department of Fish and Wildlife
4034 Fairview Industrial Drive SE
Salem, OR 97302
Via email: odfw.commission@odfw.oregon.gov

RE: Port of Newport Opposition to Petition to Revise Commercial Dungeness Crab Fishery Rules (OAR Chapter 635, Division 5)

Dear Chair and Commissioners:

The Port of Newport, established in 1910 and home to one of the largest and most productive commercial fishing fleets on the West Coast, writes to urgently request that you reject the December 11, 2025 petition seeking substantial changes to Oregon's commercial Dungeness crab fishery regulations. While we recognize the importance of marine wildlife conservation, this petition threatens to dismantle the economic foundation of Oregon's fishing industry and the port infrastructure that has served our coastal communities for over a century.

Port of Newport's Central Role in Oregon's Fishing Economy

The Port of Newport is one of only three deep draft ports on the Oregon Coast and serves as the primary commercial fishing hub for the entire central Oregon coast. Our facilities include:

- Commercial Marina with 1,400 feet of waterfront property and over 2,180 feet of side tie moorage serving vessels up to 100 feet
- Newport International Terminal with 860 linear feet of dock space and 17 acres supporting commercial fishing operations
- Recreational Marina with 522 moorage slips and full-service fuel dock
- NOAA Marine Operations Center - Pacific (MOC-P), a \$38 million federal facility serving six research and survey ships
- Oregon State University's Hatfield Marine Science Center on 50 acres of Port-leased land

Our commercial marina is home to Newport's fishing fleet—the largest working fishing fleet on the entire Oregon Coast. The Dungeness crab fishery is not peripheral to our operations; it is central to the economic viability of our port infrastructure, our tenant businesses, and the 10,800 residents within our 59-square-mile port district.

Serving the Maritime & Recreational Communities
Newport International Terminal (541) 265-9651 Newport Marina at South Beach (541) 867-3321

The Port's mission is clear: "Build and maintain waterfront facilities, and promote/support projects and programs in cooperation with other community organizations and businesses that will retain and create new jobs and increase community economic development." This petition directly undermines that mission by threatening to eliminate the industry that justifies our infrastructure investments and generates the revenue necessary to maintain our facilities.

Catastrophic Economic Impact on Port Operations and Revenue

Just in the past three months we have lost one of our major tenants and employer with the foreclosure of Rogue Brewery. The Port of Newport and the local area just can't take another hit to our revenues and local economy. The proposed rules would devastate the Port of Newport finances and operations in multiple, compounding ways:

1. Loss of Moorage Revenue from Fishing Fleet: If crab fishing becomes economically unviable through a 40% gear reduction, mandatory expensive pop-up gear technology, or effective seasonal closures during the most profitable April-June period, vessels will either leave the fleet entirely or relocate to other ports. Our commercial marina moorage agreements—representing significant annual revenue—will evaporate as vessels are sold, scrapped, or moved out of state.

2. Collapse of Processor in Newport: Seafood processors are major piece of our economy in Newport. Some of which are also tenants at the Port of Newport at the Newport International Terminal. These lease agreements generate critical operating revenue that allows us to maintain infrastructure, provide services, and employ staff. If processors close due to insufficient crab landings—the inevitable result of a 40% reduction in fishing effort during peak season—we face:

- Immediate loss of rental income from processing facilities
- Abandoned or underutilized industrial space requiring ongoing maintenance without corresponding revenue
- Reduced vessel traffic and associated fees for fuel, haul-outs, and repairs
- Diminished ability to fund critical infrastructure projects, including the ongoing Army Corps navigation improvements to channels that haven't been significantly updated since the 1940s

3. Threat to Federal and Research Partnerships: The Port of Newport is proud to host NOAA MOC-P and OSU's Hatfield Marine Science Center. These partnerships depend on a functioning, working waterfront that demonstrates Oregon's commitment to sustainable ocean industries. Many of our fishing vessels are partners with our science tenants helping them with their ocean research. If our commercial fishing fleet disappears, it undermines the rationale for federal investment in Newport and threatens our position as the premier Oregon coast port for ocean observation and marine research support.

4. Erosion of Tourism and Community Character: Newport's identity as a working waterfront community attracts significant tourism revenue. Visitors come to Newport specifically to experience fresh, locally-caught seafood, watch fishing vessels operate, and engage with Oregon's maritime heritage. Restaurants throughout Newport feature fresh Dungeness crab as a signature attraction. If the commercial fishing fleet disappears, Newport becomes just another coastal resort town, losing the authentic character that makes it economically distinctive.

Impossible Timeline and Unproven Technology Mandates

The petition's demand for mandatory pop-up (ropeless) gear by 2028—after only one year of experimental use—demonstrates a fundamental disconnect from operational and financial realities:

Financial Impossibility: Pop-up gear systems cost tens to hundreds of thousands of dollars per vessel. For Newport's fleet—which includes dozens of family-owned vessels—this represents an insurmountable financial barrier. Banks and lenders will not finance unproven technology, and most vessel owners lack the capital reserves to self-finance such expensive retrofits. The result will be immediate fleet consolidation, with only the wealthiest operators able to continue fishing while family-scale businesses are eliminated.

Technological Uncertainty: Pop-up gear technology remains unreliable in Oregon's specific ocean conditions. Gear retrieval failures could strand expensive equipment on the ocean floor, creating both economic loss for fishermen and new environmental problems from lost gear. The technology has not been proven at commercial scale, and the petition provides no mechanism for addressing inevitable equipment failures or conflicts with other ocean users.

Infrastructure Constraints: Even if pop-up gear technology were proven and affordable, the timeline is physically impossible. Retrofitting dozens of vessels in Newport's fleet would require extensive shipyard capacity, specialized expertise, and coordinated scheduling. The Port of Newport does not have the facilities to retrofit our entire commercial fleet simultaneously, and neither does any other Oregon port. The petition ignores these logistical realities entirely.

No Demonstrated Conservation Benefit: Most critically, there is no clear evidence that mandatory pop-up gear would reduce actual whale entanglement risk compared to the best management practices already voluntarily adopted by Oregon fishermen. Whale populations along the Oregon coast have increased by over 8% in recent years, demonstrating that current collaborative management between ODFW and industry is working. Mandating expensive, unproven technology without demonstrated conservation benefit is arbitrary regulation, not science-based management.

Arbitrary 40% Gear Reduction Ignores Economic and Biological Realities

The petition's proposal to mandate a 40% reduction in fishing gear starting April 1st would effectively end commercial crab fishing during the most economically critical months of the season:

Peak Season Economics: April through June represents the period when crab quality is highest, market prices are strongest, and fishermen can maximize revenue per unit of effort. A 40% gear reduction during these months doesn't reduce income by 40%—it can reduce it by 60-80% or more, as fishermen lose access to the most productive fishing opportunities. For operations with thin margins, this income loss is fatal.

False Assumptions About Effort: The 40% reduction assumes that fishermen are fishing at maximum effort throughout the entire season. This does not reflect actual practice. Many fishermen voluntarily reduce gear or pull out of the fishery early based on market conditions, weather, and personal circumstances. The petition provides no credit for these voluntary reductions and instead imposes a one-size-fits-all restriction that ignores the diversity of fishing strategies within the fleet.

Threat of Arbitrary Closure: Perhaps most alarmingly, the petition includes language mandating "subjective conditions of sudden and unpredictable full season closures" if pop-up gear is not adopted. This creates fundamental business uncertainty that will collapse investment in the fishery even before any closures occur. No business can operate when regulators can arbitrarily end the season at any moment based on subjective criteria.

Questionable Science and Lack of Oregon-Specific Evidence

The petition relies on assumptions about whale entanglement risks that are not supported by clear scientific evidence specific to Oregon waters:

Whale Population Increases: Humpback whale populations along the Oregon coast have increased by over 8% annually in recent studies. This population growth demonstrates that current management practices are working and that Oregon's commercial crab fishery is not preventing whale recovery.

Unverified Entanglement Data: The petition does not clearly establish which whale populations (distinct population segments) are being impacted by entanglements in Oregon waters. Implementing drastic restrictions based on worst-case assumptions about endangered populations, rather than verified science specific to Oregon's fishery, represents poor policy that could cause enormous economic harm without corresponding conservation benefit.

Oregon Fishermen as Proven Stewards: Oregon's commercial crabbers have consistently demonstrated their commitment to ocean stewardship. They have voluntarily adopted best management practices, participated in gear modifications, and worked collaboratively with ODFW to minimize whale interactions. This collaborative approach has achieved measurable success, as evidenced by increasing whale populations. The petition seeks to replace this proven, adaptive management system with rigid, prescriptive rules that ignore the good-faith efforts of Oregon fishermen.

Outside Control and Circumvention of Collaborative Management

This petition was filed by California-based environmental organizations with no stake in Newport's economy, no accountability to Oregon's coastal communities, and no participation in the collaborative management process that ODFW has developed with industry stakeholders over many years.

The petition circumvents ODFW's proven collaborative management approach, transferring authority from science-based regulation developed through meaningful stakeholder engagement to litigation-driven activism imposed by out-of-state groups. This is not conservation—it is an assault on Oregon's right to manage its own natural resources based on Oregon-specific science and in partnership with Oregon communities.

Broader Impact on Newport and Lincoln County

While the unemployment in the US is at 4.3%, and Oregon at 5.2%, Lincoln County lags behind at 5.8%. The total fishing industry in Lincoln County represents about 7,400 jobs.

The crab industry is Oregon's most valuable single commercial fishery generating between \$85 to \$100 million per year, with Newport capturing 37% of that, and the total value chain running at around \$231.8 million statewide economic activity. Beyond direct impacts on fishing vessels and port revenue, these proposed rules would devastate Newport's broader economy:

- Processors employing hundreds of workers in family-wage jobs will close
- Restaurants throughout Newport and Lincoln County will lose their signature fresh Dungeness crab offerings
- Marine supply businesses, fuel suppliers, shipyards, and vessel repair services will lose critical revenue
- Tourism built around Newport's authentic working waterfront will decline as the fleet disappears
- Property values and tax revenues will decline, reducing funding for schools, emergency services, and community infrastructure
- The Port's ability to maintain critical infrastructure—including channels that require ongoing dredging—will be compromised

There are about 3,500 coastal jobs currently tied to the crab industry in Oregon. The Dungeness crab fishery generates \$35 million dollars in annual economic activity for Lincoln County. These are not abstract statistics—they represent real families, real jobs, and real communities that depend on a functioning commercial fishing industry.

Request for Action

On behalf of the Port of Newport, our fishing fleet, our tenant businesses, and the 10,800 residents of our port district, we respectfully but urgently request that the Commission:

1. Reject this petition in its entirety—it is economically catastrophic, scientifically questionable, and procedurally inappropriate
2. Maintain ODFW's current science-based, adaptive management approach developed in collaboration with industry stakeholders
3. Require comprehensive economic impact analysis before considering any major rule changes affecting the commercial crab fishery, including specific assessment of impacts on port infrastructure, processor operations, and coastal community economies
4. Require clear, region-specific scientific evidence demonstrating that endangered whale populations are being harmed by Oregon's crab fishery and that existing collaborative management measures are insufficient
5. Ensure meaningful consultation with Oregon's fishing industry, ports, processors, and coastal communities before implementing any new restrictions
6. Recognize that ports like Newport represent over a century of public investment that cannot survive the elimination of the industries they were built to serve

The Port of Newport has served Oregon's fishing industry and coastal communities since 1910. We have invested tens of millions of dollars in infrastructure to support commercial fishing, attracted federal partnerships like NOAA MOC-P, and built a working waterfront that serves as an economic engine for the entire central Oregon coast. But we cannot survive the wholesale elimination of the commercial Dungeness crab fishery based on unproven assumptions and inadequate science.

Commissioners, you face a choice between litigation threats from out-of-state advocacy groups or protecting Oregon families and communities. Conservation and community are not mutually exclusive. The existing collaborative system has achieved a balance that has successfully protected whale populations while sustaining Oregon's coastal economy. The proposed changes would destroy that balance.

We stand with Oregon's fishing families, our processors, marine businesses, and the community of Newport. We urge you to stand with us as well by rejecting this petition and maintaining the collaborative, science-based management that has successfully balanced conservation with economic sustainability for generations.

Respectfully submitted,



Paula J. Miranda, Executive Director
Port of Newport

cc:

Oregon Legislative Coastal Caucus
Senator Dick Anderson
State Representative David Gomberg
Representative Cyrus Javadi
Oregon Coast Crab Association
Coastal Port Managers
Lincoln County Board of Commissioners
City of Newport
Newport Fishermen's Wives
Port of Toledo

From: Viktoras Lescinskas
E-mail: us_victor@yahoo.com
Sent on: Thursday, February 12, 2026 6:55 PM
Subject: Crab Fishery Petition

Comment:

My name is Victor Lescinskas . I'm fishing since 1999. Start on the back deck like a crew member present time I'm the captain owner operator for the dual crab permit California – Oregon.

I see with my own eyes in California in Crab Fishery devastation/disaster of industry . WE ARE NOT SUPORTING PROPOSAL .

From: Salomeja “Sunny” Lescinskas
E-mail: sunny@century21agate.com
Sent on: Thursday, February 12, 2026 7:28 PM
Subject: Crab Fishery Petition

Comment:

Dear Representatives of the Oregon Department of Fish and Wildlife,

I am writing to respectfully express concern regarding the current petition affecting Oregon’s commercial crabbers and to share our family’s perspective.

My husband, Viktoras Lescinskas, has operated the fishing vessel *BOUNTIFUL* for the past 20 years and has spent more than 30 years working on the ocean. Commercial fishing is not simply an occupation for our family — it is a lifelong commitment, a livelihood, and a deep connection to the marine environment.

Oregon crabbers are hardworking individuals who are striving to support their families while operating under existing regulations and conservation measures. Our fishing community understands that a healthy ocean is essential for both ecological balance and economic sustainability. We are fully aware of the importance of protecting marine life and preserving ocean ecosystems for future generations.

Data shows that whale populations along the West Coast have been growing at an estimated rate of approximately 8% annually in recent years. This reflects the success of conservation efforts and demonstrates that marine protection strategies can be effective while allowing responsible commercial fishing to continue.

Our family, like many others in the industry, cares deeply about ocean life. Fishermen are on the water daily and witness firsthand the changes and health of marine ecosystems. We believe that collaboration, science-based decisions, and balanced regulation are the best path forward — rather than measures that may unintentionally jeopardize the livelihoods of working families.

We respectfully ask that the Department carefully consider the economic impact on Oregon crabbers and their communities when evaluating this petition. Protecting marine life and sustaining fishing families should not be opposing goals; they must work together.

We do not accept the petition!

Thank you for your time and consideration.

Sincerely,
Salomeja Lescinskas