

Exhibit C

**Supplemental Public Correspondence
Received as of February 19, 2026**

From: Amanda Rapinchuk
E-mail: arapinchuk@clatsopcounty.gov>
Sent on: Thursday, February 19, 2026 10:28 AM
Subject: Crab Fishery Petition
Comment:

Hello,

Attached please find written comments submitted on behalf of Clatsop County Vice Chair Courtney Bangs regarding the Petition to Amend OAR Chapter 635, Division 5.

In addition, written comments were submitted last week on behalf of the Clatsop County Board of Commissioners; however, it appears we did not receive a confirmation of receipt. For reference, a copy of that letter is also attached in the event it was not received.

At your convenience, could you please confirm receipt of both attached letters?

Thank you for your time and assistance.

Best regards,

Amanda Rapinchuk (she/her)
Management/Policy Analyst
Clatsop County Manager's Office
800 Exchange Street, Suite 420
Astoria, OR 97103
Cell: 971-418-1935
Office: 503-325-8615



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Clatsop County

Courtney Bangs
District 4 Commissioner

800 Exchange St., Suite 410
Astoria, OR 97103
503-325-1000

commissioners@ClatsopCounty.gov
www.clatsopcounty.gov

February 19, 2026

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

RE: Petition to Amend OAR Chapter 635, Division 5

Dear Members of the Commission,

My name is Courtney Bangs, Clatsop County Commissioner for District 4. I respectfully urge the Oregon Fish and Wildlife Commission to deny the December 2025 petition seeking sweeping amendments to OAR Chapter 635, Division 5 governing Oregon's commercial Dungeness crab fishery. While I support continued science-based efforts to reduce whale entanglement risk, I do not believe this petition meets the threshold necessary to justify rulemaking through a petition process. The proposed changes are premature, duplicative of current ongoing work, and inconsistent with adaptive fisheries management that has long been Oregon's way and has served our coastal communities well.

I care deeply about conservation. I also care deeply about the coastal families whose livelihoods depend on a stable, responsibly managed crab season. Those priorities are not mutually exclusive. Oregon has been working to protect both through science-based, adaptive management.

This petition asks you to adopt rigid, permanent mandates through the petition process at a time when Oregon is already engaged in active risk-reduction efforts and ongoing federal coordination.

In 2022, the National Marine Fisheries Service denied a similar petition advancing comparable arguments about West Coast whale impacts and mandatory regulatory triggers. After reviewing the best available science, NOAA concluded that whale populations were stable or increasing, that existing measures were not impeding recovery, and that the requested actions were not necessary or appropriate at that time. That precedent should carry weight here.

The Oregon Department of Fish and Wildlife and this Commission are already implementing pot reductions, depth restrictions, gear-marking requirements, derelict gear programs, and in-season adaptive measures. The Department is advancing an experimental framework for pop-up gear and continuing work on Oregon's Conservation Plan and pursuit of a federal Incidental Take Permit. Completing that Conservation Plan and moving through the federal permit process is the responsible, durable path toward long-term compliance and sustainable conservation.

The Dungeness crab fishery is Oregon's most valuable single-species commercial fishery. It supports vessels, processors, and coastal families up and down our coast. The petition's proposals would eliminate significant fishing opportunities and impose substantial costs without a credible economic analysis or resolution of safety and enforcement concerns. Policies that fundamentally reshape a fishery must be grounded in Oregon-specific data and real-world operational feasibility.

Oregon's strength has always been its ability to respond to changing ocean conditions in real time. Preserving that adaptive management framework is critical.

For these reasons, I respectfully ask you to deny the December 2025 petition and allow Oregon's ongoing, science-based process to move forward.

However, if the Commission chooses to move forward despite these concerns, I strongly urge you to do so in true partnership with industry. Bring commercial fishermen, processors, and coastal communities to the table early and often. Develop solutions collaboratively, not in isolation. Build incentives and workable timelines so compliance is achievable and does not fall disproportionately on small family businesses. Any regulatory changes should be practical, data-driven, and structured in a way that protects both conservation goals and the economic stability of our coastal communities.

We can protect whales and protect working families — but only if we work together.

Thank you for your time and consideration.

Sincerely,



Courtney Bangs, Vice Chair
Clatsop County Commissioner – District 4



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,

A handwritten signature in blue ink that reads "Mark Kujala". The signature is written in a cursive, flowing style.

Mark Kujala, Chair
Clatsop County Board of Commissioners

C: Clatsop County Board of Commissioners

From: Sen Weber
E-mail: Sen.SuzanneWeber@oregonlegislature.gov>
Sent on: Thursday, February 1, 2026 3:34 PM
Subject: Crab Fishery Petition
Comment:

Good afternoon,

In addition to the Coastal Caucus letter, please accept the attached letter signed by additional legislators from around the state. It is the same letter with these additional member so the legislature signed on:

Representative Bobby Levy
Representative Anna Scharf
Senator Christine Drazan
Representative Darcey Edwards
Representative Virgle Osborne
Senator Todd Nash
Representative Helfrich

Thank you for your time and attention to this important issue.
Katy Cvitanovich
Chief of Staff

for
Sen Suzanne Weber
Oregon Senate District 16
Rural Northwest Oregon
503-300-4493

OREGON STATE LEGISLATURE
900 COURT ST NE
SALEM, OREGON 97301



Senator David Brock Smith
Senator Suzanne Weber
Senator Dick Anderson
Representative Boomer Wright
Representative Court Boice
Representative Cyrus Javadi
Representative Bobby Levy
Representative Anna Scharf
Senator Christine Drazan
Representative Darcey Edwards
Representative Virgle Osborne
Senator Todd Nash
Representative Helfrich

February 17, 2026

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

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

Re: Petition to Amend OAR Chapter 635, Division 5 – Oregon Commercial Dungeness Crab Fishery

Dear Chair and Members of the Commission,

We respectfully urge the Commission to deny the petition filed in December 2025 requesting substantial amendments to OAR Chapter 635, Division 5 related to the Oregon commercial Dungeness crab fishery.

While we support continued, science-based efforts to reduce whale entanglement risk, we do not believe this petition meets the threshold necessary to justify rulemaking through the petition process. The proposed changes are premature, duplicative of ongoing work, and inconsistent with adaptive fisheries management that has long served Oregon and its coastal communities well.

Federal precedent is directly relevant

In April 2022, the National Marine Fisheries Service (NMFS), acting on behalf of the National Oceanic and Atmospheric Administration (NOAA), denied a petition submitted by the Center for Biological Diversity that raised arguments substantially similar to those presented in the current petition. That petition asserted urgency under the Endangered Species Act and Marine Mammal Protection Act, cited conservative biological reference points, and sought mandatory regulatory triggers.

After review of the best available science, NOAA concluded that West Coast whale populations were stable or increasing, that existing management measures were not impeding recovery, and that the requested regulatory actions were not necessary or appropriate at that time. NOAA emphasized the importance of proportional, science-based decision-making and the use of adaptive management tools rather than rigid, petition-driven mandates.

We believe this federal precedent is instructive and should be carefully considered by the Commission.

The petition duplicates and undermines ongoing Oregon processes

ODFW and the Commission are already engaged in substantial work to address whale entanglement risk, including development of an experimental or exempted fishing permit framework for pop-up gear, scheduled Commission consideration of additional risk-reduction measures in 2026, and continued coordination with NMFS to finalize Oregon's Conservation Plan and advance toward an Incidental Take Permit under ESA Section 10.

Accepting this petition would preempt these established processes, divert limited agency resources, and risk delaying completion of work that is already underway through transparent, public, and collaborative channels. From a legislative oversight perspective, bypassing these processes is neither efficient nor appropriate.

Coastal economic, safety, and enforcement impacts must be weighed

The Dungeness crab fishery is Oregon’s most valuable single-species commercial fishery and is foundational to coastal employment, port infrastructure, and year-round processing capacity. The petition does not include a credible economic or operational analysis commensurate with the scope of the proposed regulatory changes.

Concerns raised by processors and fishery participants include loss of fishing opportunity associated with proposed seasonal prohibitions, substantial unfunded capital costs related to mandatory gear conversion, safety risks associated with large-scale deployment of untested gear configurations, and unresolved enforcement and gear-conflict challenges.

From the perspective of coastal legislators, these impacts are significant. Conservation policy that destabilizes working waterfronts without demonstrated necessity is not sustainable for the communities we represent.

Adaptive management remains the appropriate framework

Oregon has already adopted a suite of risk-reduction measures through temporary and permanent rulemaking, including seasonal adjustments, pot reductions, depth restrictions, gear marking requirements, and derelict gear recovery programs. Recent actions for the 2025–26 season demonstrate that ODFW has the authority and flexibility to respond proactively to changing conditions.

We believe it is essential that the Commission retain this adaptive capacity rather than replace it with permanent, inflexible mandates imposed through petition.

Conclusion

For these reasons, including federal precedent, duplication of ongoing regulatory work, insufficient analysis of impacts, and the importance of preserving adaptive management, the undersigned Legislative Members respectfully urge the Commission to deny the December 2025 petition as submitted.

Should additional measures warrant consideration, they should proceed through established Commission rulemaking processes, informed by Oregon-specific data, experimental fisheries, and continued coordination with federal partners.

Thank you for your consideration and for your continued stewardship of Oregon’s marine resources and coastal communities.

Sincerely,


Sen. David Brock Smith


Sen. Dick Anderson


Rep. Court Boice


Rep. Bobby Levy

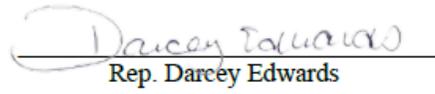

Sen. Suzanne Weber

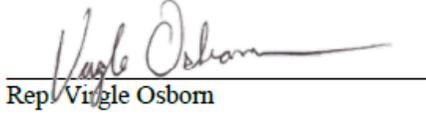

Rep. Booper Wright

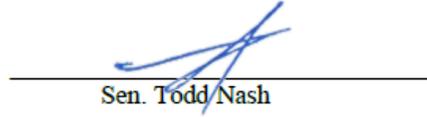

Rep. Cyrus Javadi


Rep. Anna Scharf


Sen. Christine Drazan


Rep. Darcy Edwards


Rep. Virgle Osborn


Sen. Todd Nash


Rep. Jeff Helfrich

From: Jeff Spink
E-mail: gispink57@yahoo.com>
Sent on: Thursday, February 19, 2026 5:04 PM
Subject: Crab Fishery Petition

Comment:

Sincerely Chair Wahl & Commissioners,

As a Tillamook Co. resident, General Manager and former business owner, I've seen first hand the decline within the County natural resource economy through the loss of family wage jobs, taxable income base, etc. I ask that you reject the December 11, 2025 petition seeking drastic changes to Oregon's commercial Dungeness Crab Fishery Regulations.

Businesses are been leaving Oregon in droves along with the incomes that they provide. Passing this petition would be another nail in the coffin of an already weakened Oregon Coast Economy.

I encourage you to reject this petition.

Sincerely,

George Spink
Tillamook Co.
541 992-3665



BOARD OF COMMISSIONERS
225 N. Adams Street, Coquille, Oregon 97423

(541) 396-7535
FAX (541) 396-1010 / TDD (800) 735-2900
E-mail: bbrooks@co.coos.or.us

DREW FARMER ROD TAYLOR JOHN SWEET

Oregon Department of Fish & Wildlife Commission

February 17, 2026

Dear ODF&W Commissioners:

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, we 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 the proposed 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 toward large non-local food sources who are more likely to sell to big businesses, than affordably and right off the docks.

We 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 were 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 for the consequences of this proposal on the affected fleets nor to address the resultant exacerbation of food insecurity among families in poverty in the affected regions. It comes only with the desire to implement ivory-tower policies to the detriment of the common Oregonian.

We 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 their actions will harm.

Drew Farmer, Chair
dfarmer@co.coos.or.us
541-396-7540

Rod Taylor, Vice Chair
rtaylor@co.coos.or.us
541-396-7539

John Sweet, Commissioner
jsweet@co.coos.or.us
541-396-7541

Brian Hoehn

Dear Chair Wahl, Director Colbert, and Members of the Commission.

I am here in strong opposition to accepting the current petition regarding whale entanglement, advanced by the Center for Biological Diversity and others.

Accepting this petition — even if framed as a procedural step — risks being interpreted as an admission that the Department has failed in its duties. That is not a small matter. It would set a legal precedent that petitioners will be more than willing to leverage in federal court.

Federal judges are not trained biologists. They are trained in law. In cases involving complex fishery management, courts often look to whether a science-based agency stood by its conclusions. If this Commission signals doubt in its own process by accepting a petition that is unnecessary, it weakens the Department's position and invites judicial second-guessing.

Rulemaking on this issue is already underway. The Commission and staff are actively engaged in evaluating data, risk, and management options through the proper regulatory process. There is zero need to accept a duplicative petition to address matters that are already being handled through established channels.

Please do not fall into the trap of believing you are only accepting the petition and not the substance within it. The legal and political implications will not be interpreted that narrowly. Acceptance will be portrayed as validation of the claims against the Department.

ODFW's strength lies in its credibility — as a non-biased, science-driven agency. Preserving that credibility is critical, not only for this issue, but for every management decision that may one day be scrutinized in court.

I respectfully urge you to deny the petition and allow the ongoing rulemaking process to continue without unnecessary complication.

Thank you for your time and careful consideration.