



TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION
DFW 104-2025
CHAPTER 635
DEPARTMENT OF FISH AND WILDLIFE

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Extending End Date of Previous Rule for Inseason Recreational General Marine Species Bag Limit Reduction

EFFECTIVE DATE: 10/27/2025 THROUGH 12/31/2025

AGENCY APPROVED DATE: 10/24/2025

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NEED FOR THE RULE(S):

This rule extends the end date of the previous temporary rule (DFW 83-2025) which reduced the recreational daily bag limit for the traditional bottomfish fishery to three fish per angler. The previous temporary rule was set to expire on 10/26/2025.

This rule extends the end date to 12/31/2025. Keeping the bag limit at three fish for the remainder of the year decreases the risk of (1) an early season closure or (2) a potential future reduction to a two-fish bag limit and (3) reduces complexity of changing the bag limit again in 2025.

JUSTIFICATION OF TEMPORARY FILING:

There is not adequate time to go through normal rulemaking proceedings as a change from a three-fish bag limit would cause more confusion and regulation complexity for anglers and would increase the risk of a season closure.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

1. Exhibit B: 2025 Groundfish Fisheries Regulations
2. Oregon Fish and Wildlife Commission, December 13, 2024

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

AMEND: 635-039-0090

RULE TITLE: Inclusions and Modifications

RULE SUMMARY: This rule maintains the three-fish bag limit to keep harvest rates from increasing to reduce the risk of exceeding catch limits for multiple rockfish species.

During the Oregon Fish and Wildlife Commission meeting on December 13, 2024, staff cautioned that an inseason bag limit reduction could be necessary based on pre-season models and lower harvest limits for both black rockfish and canary rockfish.

RULE TEXT:

- (1) The current annual Oregon Sport Fishing Regulations provide requirements for sport fisheries for marine fish, shellfish, and marine invertebrates in the Pacific Ocean, coastal bays, and beaches, commonly referred to as the Marine Zone. However, additional regulations may be adopted in this rule division from time to time and to the extent of any inconsistency, they supersede the current annual Oregon Sport Fishing Regulations.
- (2) For the purposes of this rule, a "sport harvest guideline" is defined as a specified numerical harvest objective that is not a quota. Attainment of a harvest guideline does not automatically close a fishery. Upon attainment of a sport harvest guideline, the Department shall initiate consultation to determine if additional regulatory actions are necessary to achieve management objectives. The following sport harvest guidelines include the combined landings and other fishery related mortality by the Oregon sport fishery in a single calendar year:
 - (a) Black rockfish, 261.1 metric tons;
 - (b) Blue rockfish and deacon rockfish combined: 64.9 metric tons;
 - (c) Other Nearshore Rockfish combined: 14.7 metric tons;
 - (d) Cabezon, 17.2 metric tons; and
 - (e) Greenling, 32.0 metric tons.
- (3) For the purposes of this rule, "Other nearshore rockfish" means the following rockfish species: black and yellow (*Sebastes chrysomelas*); brown (*S. auriculatus*); calico (*S. dalli*); China (*S. nebulosus*); copper (*S. caurinus*); gopher (*S. carnatus*); grass (*S. rastrelliger*); kelp (*S. atrovirens*); olive (*S. serranoides*); quillback (*S. maliger*); and treefish (*S. serriceps*).
- (4) In addition to the regulations for Marine Fish in the current annual Oregon Sport Fishing Regulations, the following apply for the sport fishery in the Marine Zone:
 - (a) Lingcod (including green colored lingcod): 2 fish daily bag limit.
 - (b) All rockfish ("sea bass" "snapper"), greenling ("sea trout"), cabezon, skates, and other marine fish species not listed in the current annual Oregon Sport Fishing Regulations in the Marine Zone, located under the category of Finfish Species, General Marine Species:
 - (A) January 1 through June 30: 4 fish daily bag limit in aggregate (total sum or number), of which no more than 1 may be a canary rockfish.
 - (B) July 1 through August 17: 5 fish daily bag limit in aggregate (total sum or number), of which no more than 1 may be a canary rockfish, and of which no more than 1 may be a cabezon, when retention of cabezon is allowed.
 - (C) August 18 through September 17: 4 fish daily bag limit in aggregate (total sum or number), of which no more than 1 may be a canary rockfish, and of which no more than 1 may be a cabezon, when retention of cabezon is allowed
 - (D) September 18 through December 31: 3 fish daily bag limit in aggregate (total sum or number), of which no more than 1 may be a canary rockfish, and of which no more than 1 may be a cabezon, when retention of cabezon is allowed.
 - (E) Retention of the following species is prohibited:
 - (i) Cabezon from January 1 through June 30;
 - (ii) Quillback rockfish; and
 - (iii) Yelloweye rockfish.
 - (c) Flatfish (flounder, sole, sanddabs, turbot, and all halibut species except Pacific halibut): 25 fish daily bag limit in aggregate (total sum or number).
 - (d) Except as specified in subsection (4)(d)(A), retention of all marine fish listed under the category of Finfish Species, General Marine Species, except Pacific cod, sablefish, flatfish, herring, anchovy, smelt, sardine, striped bass, hybrid bass, and offshore pelagic species (excluding leopard shark and soupfin shark), is prohibited when Pacific halibut is retained on the vessel during open days for the all-depth sport fishery for Pacific halibut when the sport fishery for general marine species (other than flatfish species) is closed outside of the 40 fathom curve as specified in subsection (4)(f).

(A) Persons must also consult all publications referenced in OAR 635-039-0080 to determine all rules applicable to the taking of Pacific halibut.

(B) When the all-depth sport fishery for Pacific halibut is open and the sport fishery for general marine species (other than flatfish species) is closed outside of the 40-fathom curve as specified in subsection (4)(f), fishing with long-leader gear is allowed on the same trip as all-depth halibut fishing as follows:

(i) When rockfish are onboard the vessel, anglers are only allowed to retain the species listed under subsection (4)(h)(A) and must use longleader gear as defined in subsection (4)(e)(F);

(ii) Pacific cod, sablefish, flatfish, herring, anchovy, smelt, sardine, striped bass, hybrid bass, and offshore pelagic species (excluding leopard shark and soupfin shark) may be retained while all-depth halibut fishing, prior to retaining any rockfish species;

(iii) It is not required to separate all-depth halibut fishing from long-leader fishing by returning to the dock and offloading fish. A long-leader fishing trip must be separated from any other fishing trip where groundfish are retained by returning to the dock and offloading fish; and

(iv) All other requirements and prohibitions contained within subsection (4)(h) apply.

(e) Harvest methods and other specifications for marine fish in subsections (4)(a), (4)(b) and (4)(c) including the following:

(A) Minimum length for lingcod, 22 inches.

(B) Minimum length for cabezon, 16 inches.

(C) May be taken by angling, hand, bow and arrow, spear, gaff hook, snag hook and herring jigs.

(D) Mutilating the fish so the size or species cannot be determined prior to landing or transporting mutilated fish across state waters is prohibited.

(E) When angling for groundfish or Pacific halibut in the Pacific Ocean or when in possession of groundfish or Pacific halibut, all watercraft shall have a functional descending device on board and shall use a descending device when releasing any rockfish outside of the 30-fathom curve (defined by latitude and longitude) as shown in Title 50 Code of Federal Regulations Part 660 Section 71. Upon request, a descending device shall be presented for inspection by any person authorized to enforce the wildlife laws or a representative of the Department. In this subsection, "descending device" means a device capable of returning a rockfish back to a depth of at least 100 feet to assist the fish in recompression and to improve the fish's chance of survival.

(F) Long-leader gear means fishing gear with the following: one fishing line, deployed with a sinker and no more than three hooks, with a minimum of 30 feet (9.14 meters) between the sinker and the lowest hook, and a non-compressible float attached to the line above the hooks. The hooks can only be equipped with artificial lures or molded soft plastic or rubber imitations of worms, eggs, insects, bait fish, crayfish, etc. 5 inches or less in length and/or artificial flies. Natural bait may not be used.

(f) Sport fisheries for species in subsections (4)(a), (4)(b) and (4)(c) and including leopard shark and soupfin shark are open January 1 through December 31, twenty-four hours per day, except as provided in subsections 4(b) and (4)(d). A 20-fathom, 25-fathom, 30-fathom, or 40-fathom curve, as shown in Title 50 Code of Federal Regulations Part 660 Section 71 may be implemented as the management line for depth-based inseason modifications as necessary. In addition, the following management lines may be used to set area-specific regulations for inseason action only:

(A) Cape Lookout (45°20'30" N latitude); and

(B) Cape Blanco (42°50'20" N latitude).

(g) The Stonewall Bank Yelloweye Rockfish Conservation Area (YRCA) is defined by coordinates specified in Title 50 Code of Federal Regulations Part 660 Section 70 (October 1, 2018 ed.). Within the YRCA, it is unlawful to fish for, take, or retain species listed in subsections (4)(a), (4)(b) and (4)(c) of this rule, leopard shark, soupfin shark, and Pacific halibut using recreational fishing gear. A vessel engaged in recreational fishing within the YRCA is prohibited from possessing any species listed in subsections (4)(a), (4)(b) and (4)(c) of this rule, leopard shark, soupfin shark, and Pacific halibut. Recreational fishing vessels in possession of species listed in subsections (4)(a), (4)(b) and (4)(c) and including leopard shark, soupfin shark, and Pacific halibut may transit the YRCA without fishing gear in the water.

(h) On any fishing trip where fishing with long-leader gear (as defined in subsection (4)(e)(F)) occurs seaward of the 40-fathom curve (defined by latitude and longitude) as shown in Title 50 Code of Federal Regulations Part 660 Section 71, the following apply:

(A) It is unlawful to retain any species in the Groundfish Group other than yellowtail rockfish (*Sebastes flavidus*), widow rockfish (*S. entomelas*), canary rockfish (*S. pinniger*), deacon rockfish (*S. diaconus*), blue rockfish (*S. mystinus*), redstripe rockfish (*S. proriger*), greenstriped rockfish (*S. elongatus*), chilipepper rockfish (*S. goodei*), bocaccio rockfish (*S. paucispinis*), or silvergray rockfish (*S. brevispinis*);

(B) The daily bag limit is 10 fish in aggregate for the species listed in section (4)(h)(A), of which no more than 1 may be a canary rockfish;

(C) A long-leader fishing trip must be separated from any other fishing trip where groundfish are retained by returning to the dock and offloading fish, except as specified in subsection (4)(d)(B)(iii);

(D) It is unlawful for an angler who retained fish on a long-leader fishing trip to retain more than 10 fish in aggregate of the species listed in subsection (4)(b) in the same day;

(E) It is unlawful to fish for any species in the Groundfish Group, including those listed in subsection (4)(h)(A), inside of the 40-fathom curve or with gear that is not long-leader gear as defined in subsection (4)(e)(F); and

(F) Federal rules governing the long-leader fishery will supersede these rules to the extent of any inconsistency, including the definition of long-leader gear.

(i) Sablefish: 10 fish daily bag limit.

(j) Take of abalone is prohibited.

(k) It is unlawful to use recreational trap, pot, or ring gear that has on any part of the gear line marks or multi-colored line required for any state or federal fishery operating in the U.S. West Coast EEZ or in the state waters of Washington, Oregon, or California, other than the fishery the gear is being used in.

(l) The daily bag limit for purple sea urchins is 35. Purple sea urchins may be taken by hand or hand-powered tools. Unwanted marine invertebrates must be immediately released unharmed.

STATUTORY/OTHER AUTHORITY: ORS 496.138, ORS 496.146

STATUTES/OTHER IMPLEMENTED: ORS 496.162