

Watts Remy

From: Brian Trotter <casey253@gmail.com>
Sent: Friday, April 5, 2019 3:32 PM
To: SENR Exhibits
Subject: Opposition to SB 1025

Senators,

I am writing this as written response to the proposed bill 1025 to limit the actions of commercial clam harvest.

My name is Brian Trotter and I reside in Rockaway Beach, Oregon, Tillamook county. I am a commercial fisherman as well as a commercial diver providing boat services and clam harvesting. I have read very closely SB 1025 and I believe that the amendment to ORS 508.116 seem minor but they have tremendous impacts on OAR 635-005-(series) which outlines and regulates the commercial harvest of bay clams in Oregon.

First I'd like to educate on the difference in Intertidal and subtidal harvest.

Intertidal harvest is the land exposed as the tide recedes. This is the area in which recreational harvesters and commercial harvesters are sharing. The two groups are using the same type of garden tools to rake or dig the 3 different species of clams.

Subtidal harvest is done with diving equipment generally from a boat with diver tethered to the boat via surface supplied air hoses.

The regulations, harvest quotas, and number of harvesters greatly differ between these two methods of harvesting. I believe the subtidal bay clam dive fishery is well regulated and the interaction between recreational and commercial harvesters is minimal so I will come back to that topic after discussing where I see and hear a tremendous conflict.

Recreational clam harvesters are sharing most of the same territory as commercial harvesters in the intertidal range. Not all of it though. It important to me to bring your attention to the fact that there are designated areas of Tillamook Bay that are off limits to commercial harvest because they are easy access for recreational harvesting. A serious problem I believe is causing most of the conflict is that the commercial intertidal clam harvest is open access. This means there is no limit to the number of harvesters that ODFW will issue the permit to. With the biomass as large as it is ODFW doesn't believe an annual harvest quota for commercial intertidal harvest is necessary. A possible scenario that the current law does not prepare for is that at any given day 1000 people could go buy the open access permit and dig as much as they could find out of one spot. The current reality is that about 15 intertidal harvesters are working very hard to harvest all they can from the popular areas of Tillamook Bay.

I highly support an immediate action to transition the open access intertidal harvest to a limited entry permit issue and an annual harvest quota for each species of each estuary based on ODFW/SEACOR surveys. This data is the only data currently available and based on scientific data collection. The memory of and statements made by recreational harvesters complaining that they can no longer get their grandchildren to find a limit of clams should not be the basis of determining whether a person can support their family and earn money in this industry.

Section 2.2.a states May not take clams: by a method other than diving;

This major change is going from an open access fishery to completely closed in the entire state because of the emotion of some recreational harvesters in Tillamook. Very few of the commercial harvesters are divers so this change will end the commercial clam harvest for many fishers.

Section 2.2.b prohibits mechanical harvest. ODFW currently has a. Rey restrictive option that a subtidal harvester may apply for but ODFW has denied all recent applications and revoked one that was issued in the past. The mechanical

means that has been recently used was a small water jet pump similar to the harvest methods of geoduck clams in Washington which has been very successful in targeting certain clams without disturbing much of the substrate. So I hope when people envision massive water monitors blasting away the earth they would understand that is not at all what was used in recent history for mechanical harvest.

Section 2.2.c prohibits the intertidal harvest on sand bars.

If this line is accepted then the legislature is saying that there will be no sharing of the natural resource between recreational and commercial harvesters in the intertidal zone. Then the only commercial harvest of bay clams would be from the very specialized group of subtidal harvesters.

Section 2.2.d prohibits harvest in the "Ghost Hole" fishing area in Tillamook Bay

This line is intended to prevent conflict of commercial clam harvesters and recreational fishing boats. I agree that we should reduce the interaction of divers underwater and boats dragging hook and lines as well as the possibility of boat propeller strikes. The Ghost Hole area is only attractive to recreational fishers for a couple months of the year. Please allow a much better dialogue between commercial and recreational users of this area before prohibiting this area to commercial subtidal harvest.

Section 3.1 and 3.2 I wholeheartedly support.

Section 3.3 puts an arbitrary number of the entire states harvest in relation to one estuary. I have read the concern and question about why is so much of the state harvest coming from Tillamook and so little from anywhere else. We have explored Yaquina Bay, Alsea Bay, Siuslaw River, and Coos Bay in the fall of 2018. These other estuaries have had very little commercial harvest as can be seen in the annual harvest report that can be supplied by ODFW. The past biomass surveys conducted by ODFW/SEACOR have shown a tremendous clam population in Coos Bay and smaller populations in other nearby estuaries but upon conducting several dives in several separate locations the subtidal commercial harvesters are very concerned that the natural flooding and or the constant dredging operations in Coos Bay have made a detrimental impact on the subtidal populations. We are desperately awaiting the results from the 2018 SEACOR surveys to learn if we still have a healthy population of clams in Coos Bay. The other smaller estuaries don't have enough of a population to support commercial bay clam dive fisheries.

Oregon doesn't currently have a clam commission established. Some of the commercial clam harvesters are banding together and would like to form a group of commercial and recreational clam harvesters to better educate and inform people of the matters at hand. We will be reaching out to odfw for assistance as well as government representatives for assistance in hopes of confidently managing this natural resource we love so much.

Thank you for your attention to these issues.

Brian Trotter