



Oregon Fish and Wildlife Commission Minutes

Tour:
March 20, 2008, 8:00 a.m.

Reception:
March 20, 2008, 5:30 p.m.
North Bend Community Center
2222 Broadway
North Bend, Oregon 97458

Meeting:
March 21, 2008, 8:00 a.m.
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North Bend, Oregon 97458

Minutes were approved at the Commission's April 17, 2008 Commission Meeting

Notice of these meetings had been made by press release of statewide media circulation. Those attending part or all of the meeting included:

Marla Rae, Chair
Dan Edge, Vice-Chair
Zane Smith, Commissioner
Skip Klarquist, Commissioner
Bill Cook, Assistant Attorney General

Bobby Levy, Commissioner
Roy Elicker, Director
Steve Sanders, Assistant Attorney General
Casaria Tuttle, Executive Assistant

TOUR

Thursday's field tour began at 8 a.m. and included a visit to Garrison Lake to discuss flood control and fisheries management and Langlois to discuss Aleutian goose management. The Commissioner also traveled to Noble Creek for an angling regulation discussion with the final stop being at the North Spit to discuss dredging, the Oregon Gateway Project and LNG.

MEETING

On Friday, March 21, 2008 at 8:00 a.m., Chair Marla Rae called the Oregon Fish and Wildlife Commission (Commission) meeting to order. Commissioners Kerns and Englund were not in attendance of the meeting due to prior engagements.

DIRECTOR'S REPORT

Field Reports (Written report is part of the Commission's official record.)

Northeast Region

Craig Ely, Northeast Region Manager, reported on travel management plans for the Wallowa-Whitman National Forest and winter conditions in the northeast region.

High Desert Region

Chip Dale, High Desert Region Manager, reported on winter range conditions in the High Desert region, Deschutes and Hood River spring Chinook regulations and sage grouse.

Northwest Region

Chris Wheaton, Northwest Region Manager, reported on Great Blue Heron surveys, wildlife damage responses in the region and wandering fish at South Santiam Hatchery.

Southwest Region

Steve Denney, Southwest Region manager, reported on a mountain quail restoration project, Columbian White-tailed deer restoration project and the 2008 elk census.

Marine Resource Program

Steve Williams, Fish Division Deputy Administrator, reported on behalf of Patty Burke, Marine Resource Program Manager, on the Marine Resource Program shellfish team rebuild effort. Steve Williams also recommended the Commissioners take a look at the ODFW MRP website to see the many improvements and new/additional information.

Oregon State Police

Lieutenant Jeff Samuels reported on behalf of Captain Walt Markee on current recruiting efforts. Commissioner Klarquist requested a tour of the trailer that houses the OSP "Wall of Shame" at a future Commission meeting.

Information and Education

Roger Fuhrman, Administrator, reported on the Conservation Strategy outreach, spring Chinook marketing effort and newly hired personnel in the Information and Education Division.

Roger Fuhrman also gave an update on the current economic survey being conducted jointly between Travel Oregon and ODFW.

Sea Lion Update

Robin Brown, Marine Mammal Program Manager, and Steve Williams, Assistant Fish Division Administrator, updated the Commission on the Section 120 process. On March 18, a letter was issued, by the National Marine Fisheries Service (NMFS), to the states authorizing lethal removal of sea lions below Bonneville Dam. Robin Brown further stated that facilities have been found to permanently house 13 sea lions.

A discussion will need to be had in the future in regards to the sea lions located on the southern Oregon Coast and central Oregon Coast Rivers.

Adopt Temporary Rules

Roy Elicker, Director, requested the Commission ratify the following 13 temporary rules. The temporary rules were previously adopted by the director under his emergency action authority.

635-017-0090

Modifications to the Recreational Spring Chinook Season in the Willamette River and Tributaries

Adopted February 15, 2008; effective March 1 through July 29, 2008

Amended rule modifies the recreational spring Chinook retention and bag limit in the Willamette River and tributaries, including the Clackamas River upstream to North Fork

Dam. Revisions are consistent with action taken February 15, 2008 by the Columbia River Compact.

635-023-0125

Modifications to the Recreational Spring Chinook Season in the Columbia River

Adopted February 15, 2008; effective February 25 through August 22, 2008

Amended rule sets the recreational spring Chinook fisheries in the Columbia River for 2008. The modifications detail areas and dates of harvest of salmon, steelhead and shad in the mainstem Columbia River from the mouth at Buoy 10 upstream to McNary Dam. Revisions are consistent with action taken February 15, 2008 by the Columbia River Compact.

635-023-0125

Modification to Recreational Spring Chinook Seasons in the Columbia River Select Areas

Adopted February 15, 2008; effective February 27 through August 22, 2008

Amended rule adds the Columbia River Select Areas to a description of areas and bag limits for recreational harvest of Chinook salmon, steelhead and shad in the Columbia River for 2008 inadvertently omitted from the filing effective February 25 above.

Revisions are consistent with action taken February 15, 2008 by the Columbia River Compact.

635-042-0110

2008 Commercial Shad Seasons for the Columbia River

Adopted February 15, 2008; effective May 12 through November 7, 2008

Amended rule sets the 2008 commercial shad seasons for the Columbia River below Bonenville Dam. Revisions are consistent with action taken February 15, 2008 by the Columbia River Compact.

635-042-0135

Modifications to the Non-Indian Commercial Gill Net Sturgeon Season in the Columbia River

Adopted February 15, 2008; effective February 21 through August 18, 2008

Amended rule adds three additional non-Indian commercial gill net fishing periods for harvest of white sturgeon, fin-clipped Chinook salmon and shad in the mainstem Columbia River from the Hayden Island Power Lines (west towers) upstream to the upper boundary of Zone 5 (Beacon Rock). Revisions are consistent with action taken February 15, 2008 by the Columbia River Compact.

635-042-0145, 635-042-0160, 635-042-0180

2008 Commercial Salmon and Sturgeon Fisheries for Columbia River Select Areas

Adopted February 15, 2008; effective March 2 through August 28, 2008

Amended rule adds fishing periods to the current season and sets area boundaries and restrictions for upcoming commercial fishing seasons for salmon and sturgeon in the Columbia River Select Area fisheries. Revisions are consistent with action taken February 15, 2008 by the Columbia River Compact.

635-041-0065

2008 Tribal Winter Commercial Gill Net Fishery for Zone 6 of the Columbia River

Adopted February 27, 2008; effective February 29 through July 28, 2008

Amended rule modifies the 2008 winter commercial Treaty Indian fisheries in the Columbia River above Bonneville Dam (Zone 6). Revisions are consistent with action taken February 27, 2008 by the Columbia River Compact.

635-041-0065

Modified 2008 Tribal Winter Commercial Gill Net Fishery for Zone 6 of the Columbia River

Adopted March 5, 2008; effective March 5 through July 28, 2008

Amended rule further modifies the 2008 winter commercial Treaty Indian fisheries in the Columbia River above Bonneville Dam (Zone 6). Revisions are consistent with action taken March 5, 2008 by the Columbia River Compact.

635-041-0065

Closure of 2008 Columbia River Zone 6 Tribal Winter Commercial Gill Net Fishery

Adopted March 7, 2008; effective March 10 through July 28, 2008

Amended rules closes the 2008 winter Treaty Indian commercial gill net sturgeon fisheries in the Columbia River above Bonneville Dam (Zone 6) effective 6:00 p.m.

Monday, March 10, 2008. Sales of fish caught prior to this closure are allowed. Revisions are consistent with action taken March 7, 2008 by the Columbia River Compact.

635-023-0095

Sport Sturgeon Fishery Closed in Columbia River between The Dalles and John Day Dams

Adopted March 11, 2008; effective March 15 through September 10, 2008

Amended rule prohibits retention of white sturgeon caught in the Columbia River and tributaries between The Dalles Dam and John Day Dam. Revisions are consistent with action taken March 11, 2008 by the Columbia River Compact.

635-003-0004

Oregon Ocean Commercial Salmon Fisheries Remain Closed

Adopted March 13, 2008; effective March 15 through September 10, 2008

Amended rule keeps closed the Oregon ocean commercial Chinook salmon fishery previously scheduled to open on March 15, 2008. Revisions are consistent with action taken by the National Marine Fisheries Service, in consultation with the Pacific Fishery Management Council.

635-013-0004, 635-013-0009, 635-014-0090

Oregon Ocean Sport Salmon Fisheries Remain Closed

Adopted March 13, 2008; effective March 15 through September 10, 2008

Amended rules keep closed the Oregon ocean recreational Chinook salmon fisheries previously scheduled to open on March 15, 2008. Revisions are consistent with action

taken by the National Marine Fisheries Service, in consultation with the Pacific Fishery Management Council.

635-018-0090

Deschutes and Hood Rivers Spring Chinook Sport Fisheries

Adopted March 15, 2008; effective April 15 through July 31, 2008

Amended rule allows the sport harvest of hatchery origin adipose fin-clipped spring Chinook salmon in the Hood and Deschutes Rivers beginning April 15, 2008. Catch limits for the Deschutes River are one adult adipose fin-clipped Chinook salmon and five adipose fin-clipped jack salmon per day. Catch limits for the Hood River are two adult adipose fin-clipped Chinook salmon and five adipose fin-clipped jack salmon per day. Non-adipose fin-clipped Chinook must be release dunharmed and other restrictions remain unchanged from those listed in the 2008 Oregon Sport Fishing Regulations.

Action:

Commissioner Smith moved to ratify the 13 temporary rules. Commissioner Levy seconded the motion, and the motion carried unanimously.

Expenditure Report:

Roy Elicker, Director, presented the financial report for the month that ended January 31, 2008.

Chair Rae gave the Commission an update on last Saturday's External Budget Advisory Committee (EBAC) meeting. She asked the Commissioners to attend, if possible, the upcoming Town Hall meetings in their individual areas.

PUBLIC FORUM

Steve Fick Salmon for All	Mr. Fick, on behalf of the mayor of Astoria and the City Commission, thanked the Oregon Fish and Wildlife Commission for listening to the public and the decisions the Commission makes. Mr. Fick also stated that interests along the coast work together to help minimize the impact on each other; the Commission should recognize the citizens along the coast for what they do.
Leo Grandmontagne 46760 Hwy 242 Myrtle Point, Oregon 541-572-5146	Mr. Grandmontagne commented on wild fall Chinook and the impact of odd water flows in the Coquille Watershed on the Chinook.
Det Mason	Mr. Mason commented on the release rule of bass in Tenmile Lake. He would like the Commission to deny the suggested rule removing the 15 inch minimum on bass in Tenmile Lake.
Gordon Ross	Mr. Ross commented on the natural production of coho salmon in south coast rivers.

Daniel Varoujean CSWCD, Chair 2269 Broadway St. Coos Bay, Oregon 541-756-6955	Mr. Varoujean commented that he is pleased with the progress the Commission has made on predation. He continued that he and his son recently watched a DVD showing how to identify Dusky Geese. He was upset with the fact that the DVD stated it is a privilege to hunt. Mr. Varoujean feels people have a right to hunt.
Frank Williams ILWU 62897 Powsy Coos Bay, Oregon 541-269-9665	Mr. Williams commented that he would like the department to discontinue fin clipping.
Scott Baird	Mr. Baird commented on the dramatic decline of fish and krill. He said now there are more sardines than ever. He also said that commercial fishermen should be fishing in the ocean, not the rivers so the salmon are not confined. He said commercial fishing is down from 5,000 boats to about 500.
Gary Wellbaum	Mr. Wellbaum thanked the local personnel and STEP program. He asked the department to be involved in the community school programs.

Exhibit A: COMMISSION MINUTES

The Commission considered approval of the February 2008 Commission minutes.

Due to the length of the February 7 and February 8 minutes the Commission deferred approval of those minutes to the April Oregon Fish and Wildlife Commission meeting on Thursday, April 17, 2008.

Action:

Commissioner Klarquist moved to approve the minutes for February 14. Commissioner Smith seconded the motion and the motion carried unanimously.

Exhibit B: PACIFIC FISHERY MARINE COUNCIL PRELIMINARY OPTIONS FOR OCEAN SALMON SEASONS

Staff Presentation:

Steve Williams, Assistant Fish Division Administrator, briefed the Commission on the range of options for sport and commercial salmon seasons in the Pacific Ocean and Columbia River areas.

Public Testimony:

Dan Varoujean CSWCD, Chair 2269 Broadway St. Coos Bay, Oregon	Mr. Varoujean withdrew his name from the testimony list.
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541-756-6955

Frank Williams
ILWU
62897 Powsy
Coos Bay, Oregon
541-269-9665

Mr. Williams testified that predation is limiting the salmon as well as regulations that don't allow the fish to get in and out of areas.

Lloyd Hall
825 Webster
Coos Bay, Oregon
541-888-3590

Mr. Hall was not present to testify.

Marvin Caldera
ILWU
PO Box 5975
Charleston, Oregon
541-888-4833

Mr. Caldera was not present to testify.

Richard Heap
95975 N. Brookside Dr.
Brookings, Oregon
541-469-7111

Mr. Heap testified that the Native Fish Conservation Plan and Hatchery Genetic Management Plans work in favor of the salmon in Oregon.

Steve Williams asked the Commission to give staff a range of options that staff can take to the Pacific Fishery Management Council meeting in April. He asked for any feedback on the ranges that have been presented.

Commissioner Edge said the options are so grim he can not give any real guidance. Retaining the GSI would be extremely important from the standpoint of forming this fishery in the future.

Commissioner Klarquist wants the Commission to leave staff with as much flexibility as possible.

Commissioner Levy stated she agreed with Commissioner Klarquist.

Action:

No action, informational presentation.

Exhibit C: DIAMOND LAKE BRIEFING

Staff Presentation:

Steve Denney, Southwest Region Manager, briefed the Commission on the status of the Diamond Lake Management Plan in preparation for rulemaking in 2009.

Public Testimony:

No members of the public signed up to testify.

Commissioner Smith would like to convince the Marine Board to lower the speed limit of Diamond Lake back to a lower speed. Steve Denney explained the process has been started by way of a letter from Director Elicker to the Marine Board requesting the speed limited be lowered.

Commissioner Levy asked if the single boat wash station is being used, how to enforce the boat washing recommendation and how to get more stations. Steve Denney said the process has begun to secure funding for a permanent station. The state is looking at check stations to avoid having invasive species come into the state.

Director Elicker stated that in the 2009 Legislative Session there will be a Legislative Concept introduced to create a boat washing and boat check station at the Oregon California border.

Action:

No action, informational presentation.

Chair Rae entered the Commission into Executive Session at 11:51 a.m.

EXECUTIVE SESSION

The Commission held an executive session and consulted with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed and to consult with counsel concerning attorney client privileged documents pursuant to ORS 192.660(2)(h).

The Commission reentered the public session at 12:26 p.m.

Adjournment

Chair Marla Rae adjourned the meeting at 12:26 p.m.