

Agenda Item Summary

BACKGROUND

Commercial Fisheries Permit Board

The Commercial Fishery Permit Board (CFPB) was established within the Oregon Department of Fish and Wildlife (ODFW) by the Oregon Legislature in 1979. Oregon Revised Statute (ORS) 508.755. The CFPB consists of members appointed by the Oregon Fish and Wildlife Commission (Commission) as follows:

- Two members to represent the Public-at-Large
- Three members to represent each of the following limited entry fisheries:
 - Columbia River Gillnet Salmon Fishing Industry
 - Ocean Troll Salmon Fishing Industry
 - Ocean Pink Shrimp and Scallop Fishing Industry
 - Yaquina Bay Roe-Herring Fishing Industry
 - Sea Urchin Commercial Fishery
 - Ocean Dungeness Crab Fishing Industry
 - Blue & Black Rockfish and Nearshore Fishing Industries (added by the 2003 Oregon Legislature)
 - Sardine Fishing Industry (added by the 2007 Oregon Legislature)
 - Bay Clam Dive Fishing Industry (added by the 2007 Oregon Legislature)
 - Brine Shrimp Fishing Industry (added by the 2007 Oregon Legislature)
 - Developmental Fishing Industry (added by the 2007 Oregon Legislature)

The Commission adopted rules in 1996 (OAR 635-006-1200) further describing the CFPB and its members. Board members must be in good standing within the community, serve staggered three year terms, not serve more than two consecutive three year terms and they serve at the pleasure of the Commission. Members representing the commercial fisheries must hold a valid permit or license for the fishery they represent. When issues are pending before the CFPB, the CFPB is required to meet not less frequently than once every calendar quarter to review those issues. The ODFW provides an Administrative Hearings Officer through the Hearings Officer Panel of the Oregon Employment Department to conduct contested case proceedings on behalf of ODFW and prepare Proposed Orders.

The purpose of the CFPB is to review the contested case proceedings and Proposed Orders in cases where limited entry permit applicants have requested a hearing because they were denied a permit or transfer of a permit by ODFW. The CFPB may ask ODFW to modify the Proposed Order. However, if the modification is substantial in nature, (i.e., when the effect of the modification is to change the outcome or the basis for the order), the CFPB must identify modifications and explain why they are asking ODFW to make them.

Developmental Fisheries Board

Under Oregon Revised Statute (ORS) 506.450, 506.455, 506.460 and 506.465, the Oregon Fish and Wildlife Commission (Commission) is directed to establish a Developmental Fisheries program by rule. The program is designed to allow for controlled development of new commercial fisheries. ORS 506.465 outlines qualifications of members of the Developmental Fisheries Board. Membership of the board is designed to represent a broad range of the fishing industry. Members of the commercial fishing industry are appointed based on the size of the vessel they operate, the size of the fish processor they are employed with or any individual having general commercial fishing interests. The Developmental Fisheries Board consists of members as follows:

- Two members to represent each of the following positions:
 - Small Vessel Operators (60 feet or less)
 - Large Vessel Operators (larger than 60 feet)
 - Ex-officio - non-voting member

- One member to represent each of the following positions:
 - Commercial fishing interest in general
 - Fish processor with fewer than 50 employees
 - Fish processor with more than 50 employees
 - Oregon Department of Fish and Wildlife
 - Oregon Department of Agriculture

PUBLIC INVOLVEMENT

Commercial Fisheries Permit Board

A news release was distributed in mid-February soliciting applications (Attachment 2) from those interested in serving on the Board. Resumes or interest forms describing career and public service history were requested from interested persons.

Developmental Fisheries Board

The Marine Resources Developmental Fisheries Program sent a letter (Attachment 3) and Board member application form to past (back to 2002) and current Developmental Fisheries Board members and permit holders soliciting applications from those interested in serving on the Developmental Fisheries Board. We asked all interested parties to submit a completed board member application form (Attachment 4) as a way to acquire standardized information on each interested party in order for the Commission to select a diverse and effective working Board to assist in the re-evaluation of the program. Many candidates expressed interest in serving on the board, but as of March 20, 2008, were unable to return a completed application. All applications received prior to the April 2008 Commission meeting will be appended to Attachment 4.

BOARD MEMBERS

ANALYSIS

At Large Members representing the Public: (appoint only two)
Thomas Donohue, Director of Pacific City Doryman's Association

Jeff Salo, Licensed agent and consultant
Dan Hyduchak, Doctor of Optometry
(all 1st term)

Nominees for the individual fisheries submitted by the Fish Division:
(appoint only 3)

Columbia River Gillnet Salmon Fishing Industry-John North,
Biologist

Frank D. Tarabochia, Astoria (2nd term)
Gary Soderstrom, Clatskanie (2nd term)
Dan Marvin, Newport (1st term)

Ocean Troll Salmon Fishing Industry:

John M. Alto, Sherwood (2nd term)
Mark Newell, Toledo (2nd term)
Barry Nelson, Winchester Bay (2nd term)

Ocean Pink Shrimp/Scallop Fishing Industry:

Rex Leach, Coos Bay (2nd term)
Ted Gibson, Newport (2nd term)
Brian Peterson, Dallas (2nd term)

Yaquina Bay Roe-Herring Fishing Industry:

Robert Schones, Siletz (2nd term)
Ira Koker, Toledo (2nd term)
Ted Gibson, Newport (2nd term)

Ocean Dungeness Crab Fishing Industry:

Thomas R. Nowlin, Coos Bay (2nd term)
Eugene L. Law, Toledo (2nd term)
Doug Westerlund, Astoria (2nd term)

Blue/Black Rockfish & Nearshore Fishing Industry:

Craig Wenrick, Pacific City (2nd term)
Paul Meyer, Garibaldi (1st term)
Jeffrey Miles, Port Orford (1st term)

Sardine Fishing Industry:

Nick Jerkovich Jr., Gig Harbor (1st term)
Ryan Kapp, Bellingham (1st term)
Dana Furgeson, Astoria (1st term)

Bay Clam Dive Fishery – Jean McCrea, Biologist

Duane Edwards, Newport (1st term)

Brine Shrimp Fishery – Jean McCrea, Biologist

Sea Urchin Fishery – Scott Groth, Biologist

Tim Foley, Roseburg (1st term)
Tom Butterbaugh (1st term)
Kevin Hiersche (1st term)

Developmental Fisheries- Gway Kirchner, Biologist

Paul Meyer, Garibaldi (1st term)
Duane Edwards, Newport (1st term)
Leonard VanCurler, Newport (1st term)

OPTIONS

1. Approve all appointments as recommended by staff.
2. Approve some of the appointments and solicit for additional applicants.
3. Approve none of the appointments and solicit for additional applicants.

**STAFF
RECOMMENDATION**

Option 1.

ISSUE 2

APPOINTMENT OF DEVELOPMENTAL FISHERIES BOARD MEMBERS

ANALYSIS

Small Vessel Operator (less than 60 feet): (appoint only two)

Doug Alm, Garibaldi
Mike Ashdown, Port Orford
David deBelloy, Depoe Bay
Duane Edwards, Newport
Mike Erdman, Charleston
Jerome Grant, Siletz
Eric Hooper, Brookings
Al Pazaar, Florence

Large Vessel Operator (greater than 60 feet): (appoint only two)

Mike Erdman, Charleston
Scott Hartzell, Florence
Ryan Kapp, Bellingham
Stan Schones, Newport

Commercial fishing interest in general: (appoint only one)

Leesa Cobb, Port Orford
Eric Hooper, Brookings
Al Pazaar, Florence

Fish processor with fewer than 50 employees: (staff recommends the Commission appoint the following candidate)

Brett Hamrick, Toledo

Fish processor with greater than 50 employees: (staff recommends the

Commission appoint the following candidate)
Mike Erdman, Charleston

Oregon Department of Fish and Wildlife: (staff recommends the Commission appoint the following candidate)
Patty Burke, Newport

Oregon Department of Agriculture: (staff recommends the Commission appoint the following candidate)
Dalton Hobbs, Salem

Ex-officio – non-voting member: (staff recommends the Commission appoint the following candidates:

Brad Pettinger, Oregon Trawl Commission
Nick Furman, Oregon Dungeness Crab Commission

OPTIONS

1. Approve all appointments as recommended by staff with the exception of the four positions operating commercial vessels, one position of a fish processor with more than 50 employees and the general commercial fishing interest position where the Commission will need to appoint the appropriate number of persons from each group of candidates to fill the available positions.
2. Approve some of the appointments and solicit for additional applicants.
3. Approve none of the appointments and solicit for additional applicants.

STAFF RECOMMENDATION

Option 1.

DRAFT MOTION	Developmental Fisheries Board I move to approve the appointments as recommended by staff. For the smaller vessel operators, I nominate (fill in the two names to appoint.) For the larger vessel operators I nominate (fill in the two names to appoint.) For the commercial fishing interest in general I nominate (fill in one name). For the fish processor with more than 50 employees I nominate (fill in name).
EFFECTIVE DATE	

DRAFT MOTION	Commercial Fishery Permit Board I move to approve the appointments for the Commercial Fishery Permit Board as presented by staff. For the at large members representing the public, I move to appoint (fill in the two names to appoint.)
EFFECTIVE DATE	