



# Oregon Fish and Wildlife Commission Minutes

Tour:  
July 17, 2008 – 7:30 a.m.  
Depart Sisters Inn

Reception:  
July 17, 2008 – 5:30 p.m.  
Five Pine Lodge Conference  
Center - *South Sister Room*  
1021 Desperado Trail  
Sisters, OR 97759

Meeting:  
July 18, 2008 – 8:00 a.m.  
Five Pine Lodge Conference  
Center – *Middle Sister Room*  
1021 Desperado Trail  
Sisters, OR 97759

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*Commission minutes are considered draft until approved by the Commission at its next 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             | Roy Elicker, Director                     |
| Dan Edge, Vice-Chair         | Curt Melcher, Deputy Director             |
| Zane Smith, Commissioner     | Tom Ruddiman, Deputy Director             |
| Jon Englund, Commissioner    | Steve Sanders, Assistant Attorney General |
| Skip Klarquist, Commissioner | Teri Kucera, Executive Assistant          |
| Carter Kerns, Commissioner   |   |

## **MEETING**

On Friday, July 18, 2007 at 8:00 a.m., Chair Marla Rae called the Oregon Fish and Wildlife Commission (the Commission) meeting to order. She reported that the day before Commission toured the Metolius River Basin and climbed to the top of Black Butte. She thanked High Desert Region Manager Chip Dale and Amy Stuart for coordinating and providing excellent information during the tour.

## **DIRECTOR'S REPORT**

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

### Northeast Region

Bruce Eddy, Northeast Region District Manager, reported on three fishing opportunities in Northeast Oregon: perch in Phillips Reservoir; spring Chinook in Powder River below Phillips Reservoir; and spring Chinook fisheries on the Imnaha and Wallowa rivers. Eddy discussed the spring survey of Rocky Mountain Bighorn Sheep Lamb Survival in Hells Canyon, which is improving.

### High Desert Region

Chip Dale, High Desert Region Manager, reported on efforts to reduce Caspian Tern predation of juvenile salmonids in the Columbia River Estuary by constructing alternative Tern nesting islands in Lake County. He reported on the popular Free Fishing/Youth Angling Events. He reported that volunteers removed about 15 miles of noxious Scotch thistle off the west bank of the Deschutes River, surpassing previous years. He discussed a Lower Deschutes Wildlife Area fire contained by firefighters.

1 Southwest Region

2 Steve Denney, Southwest Region Manager, reported on Watchable Wildlife programs in  
3 Oregon funded by several million dollars from the Bob Mace Trust. He also reported on  
4 public health closures caused by toxic blue-green algae blooms at Lemolo Lake eight  
5 miles north of Diamond Lake.

6  
7 Northwest Region

8 Chris Wheaton, Northwest Region Manager, reported on bear problems in coastal and  
9 valley areas. A suspected poor berry crop and human feeding of bears are blamed for  
10 the worst-year ever for bear damage. He reported that the official dedication of the new  
11 Sauvie Island Bridge was attended by 600 people. ODFW staffed a booth to provide  
12 information on the wildlife area, recreational opportunities and the Oregon Conservation  
13 Strategy. He also discussed concern over the low run of spring Chinook in the  
14 Willamette Basin.

15  
16 Roy Elicker invited the Commission, on behalf of Ducks Unlimited, to a dedication event  
17 of Sauvie Island on September 16. He asked Michelle Dennehy to report next.

18  
19 Information and Education

20 Michelle Dennehy, Wildlife Communications Coordinator, reported that about 100  
21 Hunter Education instructors were being trained on conducting field days associated  
22 with the new on-line Hunter Education course. Students must successfully complete  
23 the on-line course or student workbook and participate in a hands-on field day. To earn  
24 a hunter education card, students must pass the final certification test at the field day.

25  
26 Oregon State Police

27 Walt Markee, Captain, Oregon State Police Fish and Wildlife Division, reported on  
28 OSP's collaborative efforts with the Foundation for North American Wild Sheep, Oregon  
29 Hunters Association, the Oregon Sportsman Coalition and 15 other organizations to  
30 raise \$25,000 to fund a two-year pilot project in a bi-state agreement with the Idaho  
31 Department, who has a wildlife forensics laboratory in Caldwell, Idaho. The OSP will  
32 save about \$300,000 the cost to start its own program and enhance the ability to hold  
33 poachers accountable for their actions.

34  
35 Conservation Strategy

36 Holly Michael, Conservation Strategy Leader, reported on ODFW's growing  
37 collaboration on a number of proposed projects with the Oregon Parks and Recreation  
38 Department. ODFW is providing technical assistance for management of Luckiamute  
39 Natural Area, a potential pilot for future projects. She reported that a project on two  
40 conservation easements next to the Zena Timber property, a 2,000 acre area lying  
41 within a Conservation Opportunity area and the "working landscape" model, is receiving  
42 national recognition. The on-line Conservation Registry database is up and running in  
43 coordination with Oregon, Washington and Idaho. Holly invited Commission members  
44 to the Oregon Global Commission's Wildlife, Fish and Habitats Subcommittee  
45 Workshop scheduled August 5, 1:00-5:00 pm at ODFW Headquarters in Salem.  
46 Director Elicker reported that Mike Carrier would nominate Holly Michael to represent  
47 Oregon on the Western Governors' Association Wildlife Habitat Council. While at the

1 recent Western Association of Fish and Wildlife Agencies annual conference in South  
2 Dakota, the Western Governors Association reported on the importance of the Wildlife  
3 Habitat Council. He noted that Oregon's conservation strategy is far ahead of other  
4 states and commended Holly Michael and Ron Anglin for their hard work.

5  
6 Chair Marla Rae noted that the Wildlife Habitat Council was a huge and critically  
7 important project.

8  
9 Roy Elicker also recognized the hard day-to-day work of Steve Marx, South Willamette  
10 Watershed District Manager, and asked him to report on public access.

11  
12 Steve Marx highlighted activities in the South Willamette Watershed and the Northwest  
13 Region. He reported on public access to Zena, Lonestar and other projects, and  
14 ODFW's work with local watershed councils by providing technical assistance to meet  
15 conservation goals. He complemented the ground work of Mike Pope and Mary Myers.

### 16 17 **Spring Chinook Season Wrap-Up Report / Columbia River Process**

18 Steve Williams reported on the Columbia River and Willamette fisheries and  
19 summarized final numbers of Spring Chinook passing over Bonneville Dam and caught  
20 on the Willamette, lower river tributary and Select Area adults. The upriver and  
21 Willamette forecasts represented the fourth highest and third lowest predicted returns  
22 for these two stocks since at least 1985. Williams summarized the catch rates at each  
23 site and closure dates. Williams reported the final upriver run of 178,700 was 66  
24 percent of the 2008 preseason forecast. The total allowable Endangered Species Act  
25 impact limit for upriver spring Chinook dropped to 1.9 percent.

26  
27 Chair Rae noted the initial idea behind the bi-state Lower Columbia River Salmon  
28 Fishery Stakeholder Group was to bring together recreational and commercial fishers to  
29 discuss how to co-exist on the river and find areas of common ground. Commissioner  
30 Dan Edge represented the commission on the group.

31  
32 Curt Melcher reported on the stakeholder's progress and noted that recently five  
33 recreational parties withdrew from the process. Chair Rae sent a letter to Washington  
34 Chair Jerry Gutzwiler suggesting an alternative approach to proceed with a  
35 subcommittee of three Oregon and three Washington commissioners and two directors  
36 to help develop a plan. The subcommittee would present its recommendations at the  
37 joint Oregon and Washington Commission meeting scheduled December 12 for  
38 approval. There is still interest in looking at a long term fishery management plan.  
39 Melcher discussed Chair Jerry Gutzwiler's draft, *Columbia River Regional Management*  
40 *Plan Development Process*. He summarized proposed alternatives by the Washington  
41 Commission.

42  
43 Commissioner Dan Edge noted that he supported the subcommittee approach as a way  
44 to move forward and to continue with a long term allocation agreement.

45  
46 Chair Marla Rae reported there was a perception that individuals were appointed based  
47 on their membership or representation of certain organizations. If advisors are

1 appointed, it will be clarified their appointment is based on that person's knowledge and  
2 not based on their membership in any particular organization. The immediate issue is  
3 the decision for next year's allocation that the Oregon and Washington Commissions  
4 will face in a joint meeting on December 11. The other part is to meet in September,  
5 October, and November and consider the longer term, which pulls in not just the  
6 commercial/recreational splits, but everything else that is critical in the Lower Columbia  
7 River Management Plan developed with the State of Washington.

8  
9 Director Elicker agreed that this was a very important and critical process that the  
10 Commission is facing. The more both states can come together through a joint  
11 Commission process and agree on a long term allocation formula, the more both  
12 departments can present that process to their prospective legislatures. He stated that  
13 Curt Melcher and Steve Williams would lead the process.

14  
15 Chair Marla Rae added that the Washington Governor asked the Washington  
16 Department to look at the economic benefits. She asked Director Elicker to work with  
17 Washington on bi-state economic benefits on the Lower Columbia River. She proposed  
18 doing an RFP through an independent consulting firm.

19  
20 Chair Marla Rae named as Oregon's delegation Curt Melcher and Steve Williams, staff,  
21 and Vice Chair Dan Edge, Jon Englund and Skip Klarquist as the three Commission  
22 members with Dan Edge as the delegation chief.

23  
24 Commission took a break at 9:45 a.m., and reconvened at 9:54 a.m.

### 25 26 **Western Mallard Model Update**

27 Ron Anglin, Wildlife Division Administrator, reported that the U.S. Fish and Wildlife  
28 Service (USWS) is responsible for setting the season frameworks for all four Flyways  
29 for water fowl regulations. This is done based on reading bird surveys conducted in  
30 Alaska, Canada and other regions. What was found from these banding studies is that  
31 the seasons set for the Pacific Flyway are set based on five percent of the birds that are  
32 harvested. Ninety-five percent of the birds harvested in the Pacific Flyway actually are  
33 produced in the Pacific Flyway, but were not being accounted for in any of the modeling  
34 effort. He referred to "*Informational Notes 1 – Western Mallard Implementation History*"  
35 and reported that in the 1940's, Western States identified the need to conduct surveys  
36 and banding studies that center within the western United States. ODFW developed in  
37 conjunction with USWS a Western Mallard Population Model. The U.S. Fish and  
38 Wildlife Service recently adopted the Pacific Flyway Western Mallard Model. The  
39 Pacific Flyway will now be able to start moving ahead with setting regulations based on  
40 birds that are actually produced within the Flyway and harvested within the Flyway.

41  
42 Roy Elicker congratulated Ron Anglin and Brad Bales, ODFW Migratory Game Bird  
43 Program.

44  
45 Chair Marla Rae thanked both men for their work. She moved to the adoption of  
46 temporary rules and noted, for the record, that Commissioner Bobby Levy was excused  
47 from the votes for the balance of the day.

1 **Adopt Temporary Rules**

2 Roy Elicker, Director, requested the Commission ratify the following temporary rules.  
3 The twenty temporary rules were previously adopted by the director under his  
4 emergency action authority.  
5

6 **635-005-0055**

7 **Fishing Gear**

8 Adopted June 10, 2008; effective June 11, 2008 through August 28, 2008.

9 Amended rule needed to facilitate retrieval of commercial ocean Dungeness crab gear  
10 remaining in the ocean. Any gear remaining in the ocean may continue to ghost fish,  
11 resulting in crab mortality and wastage of the resource. Also, derelict gear poses  
12 navigational and safety hazards to vessels transiting the area or participating in other  
13 fisheries. Current rule allows a vessel with an Oregon Dungeness crab permit to  
14 possess up to six derelict pots. Increasing the number of derelict pots a single vessel  
15 may retrieve during the summer, when concerted efforts are made towards gear  
16 recovery, will decrease the amount of gear left in the ocean after the season is closed.  
17

18 **635-042-0027**

19 **Summer Salmon Season**

20 Adopted June 12, 2008; effective June 24, 2008 through July 31,, 2008.

21 Amended rule needed to implement the commercial gill net summer salmon fishery in  
22 the Columbia River.  
23

24 **635-041-0076**

25 **Summer Salmon Season**

26 Adopted June 12, 2008; effective June 16, 2008 through August 31, 2008.

27 Amended rule necessary to allow commercial sales of fish caught during Tribal Treaty  
28 fisheries in the Columbia River and tributaries during the Summer salmon season.  
29

30 **635-023-0128**

31 **Summer Sport Fishery**

32 Adopted June 12, 2008; effective June 16, 2008 through July 31, 2008.

33 Amended rule needed to open the recreational steelhead fishery in the Columbia River  
34 below the I-5 Bridge.  
35

36 **635-023-0134**

37 **Snake River Fishery**

38 Adopted June 17, 2008; effective June 21, 2008 through July 31, 2008.

39 Amended rule needed to close the ongoing recreational spring Chinook salmon fishery  
40 in the Snake River from the Dug Bar boat ramp upstream to the deadline below Hell's  
41 Canyon Dam.  
42

43 **635-003-0085**

44 **Extended Commercial Season**

45 Adopted June 16, 2008; effective September 1, 2008 through December 31, 2008.

46 Rule modifications needed to allow commercial Chinook salmon seasons in the Oregon  
47 ocean terminal areas consistent with guidelines established by the Pacific Fishery  
48 Management Council and enacted by Federal Regulations.  
49

1 **635-013-0007, 635-013-0009, 635-014-0090, and 635-016-0090**

2 **Sports Angling, Ocean Salmon, Regulations**

3 Adopted June 17, 2008; effective August 1, 2008 through December 31, 2008.

4 Rule modifications are needed to allow sport salmon seasons in the Oregon ocean,  
5 terminal areas, and the Marine, Northwest and Southwest zones consistent with  
6 guidelines established by the Oregon Fish and Wildlife Commission, the Pacific Fishery  
7 Management Council and enacted Federal Regulations.

8  
9 **635-023-0128, 635-041-0076, 635-042-0027, and 635-042-0110**

10 **Columbia River Zone**

11 Adopted June 19, 2008; effective June 21, 2008 through November 7, 2008.

12 Amended rules are needed to: extend, by two days, the commercial shad season in the  
13 Columbia River; allow retention of sockeye salmon caught during sport summer salmon  
14 fisheries in the Columbia River; and allow sales of sockeye salmon caught during the  
15 non-Indian and treaty Indian commercial summer salmon fisheries in the Columbia  
16 River mainstem and tributaries.

17  
18 **635-003-0004; 635-003-0077; and 635-013-0004**

19 **Sport Ocean Salmon and Commercial Troll Salmon Regulations**

20 Adopted June 20, 2008; effective June 21, 2008 through October 31, 2008.

21 Amended rules needed to reflect in-season action taken by the National Oceanic and  
22 Atmospheric Administration (NOAA Fisheries Service) to modify both the sport ocean  
23 salmon and commercial troll salmon regulations on June 19-20, 2008.

24  
25 **635-004-0016**

26 **Harvest Guidelines**

27 Adopted June 23, 2008; effective June 24, 2008 through December 20, 2008

28 Rule needed to conform Oregon's regulations to federal management measures,  
29 including a harvest guideline and seasonal allocation formula for the Pacific sardine  
30 fishery held offshore from the west coast of the United States.

31  
32 **635-004-0033**

33 **Ground Fish Restrictions**

34 Adopted June 25, 2008; effective July 1, 2008 through December 27, 2008.

35 Rule needed to implement revisions to cumulative trip limits for commercial harvest of  
36 Black and Blue rockfish under the authority of Black/Blue Rockfish Limited Entry permits  
37 with or without a Nearshore endorsement. The Oregon Fish and Wildlife Commission  
38 established cumulative trip limits and commercial nearshore harvest and landing caps  
39 for 2008 to limit total catch in this fishery to sustainable levels. Rule modifications are  
40 needed to limit opportunity and access based on current projections for an early  
41 attainment of the annual harvest cap before the end of the year.

42  
43 **635-023-0095**

44 **Sturgeon Season**

45 Adopted June 27, 2008; effective July 10, 2008 through December 31, 2008.

46 Amended rule adds three new periods, where retention of white sturgeon is allowed, to  
47 the recreational sturgeon fishery in the Columbia River and tributaries from the Wauna  
48 power lines downstream to the mouth at Buoy 10, including Youngs Bay.

1 **635-023-0128, 635-041-0076, and 635-042-0025**

2 **Commercial Sockeye Season**

3 Adopted June 27, 2008; effective June 30, 2008 through August 31, 2008.

4 Amended rules needed to: implement a commercial sockeye salmon season in area 2S  
5 of the Columbia River; close a portion of the mainstem Columbia River to the retention  
6 of adult Chinook salmon; and add two new 60-hour fishing periods to the ongoing  
7 Treaty tribal gill net fishery in the mainstem Columbia River, as well as, removing the  
8 minimum gill net mesh size restriction.

9  
10 **635-039-0090**

11 **Inclusions and Modifications – 2008 Oregon Sport Fishing Regulations**

12 Adopted June 30, 2008; effective July 7, 2008 through December 31, 2008.

13 Amended rule needed to reduce the aggregate daily sport bag limit for rockfish;  
14 cabezon; skates and "other fish" marine species from six to five and to prohibit fishing  
15 for these species and lingcod outside of 20-fathoms. Current projections based on the  
16 previously established aggregate daily bag limit indicate a possible early attainment of  
17 sport harvest and landing caps. Closing the ocean to harvest outside of 20-fathoms will  
18 reduce the impact on yelloweye rockfish and help to avoid an early attainment of the  
19 harvest target for that species.

20  
21 **635-021-0090**

22 **Inclusions and Modifications- 2008 Oregon Sport Fishing Regulations**

23 Adopted on July 3, 2008 Effective July 4, 2008 through September 1, 2008.

24 Amended rule needed to provide the sport fishing public with an opportunity to harvest  
25 adipose fin-clipped adult and Jack Chinook salmon in the Willowa and Imnaha rivers  
26 that are in excess of ODFW's natural production needs.

27  
28 **635-021-0090**

29 **Inclusions and Modifications- 2008 Oregon Sport Fishing Regulations**

30 Adopted on July 3, 2008 Effective July 9, 2008 through September 1, 2008.

31 Amended rule is needed to restore language previously altered in error when the wrong  
32 rule division was chosen for amendment.

33  
34 **635-042-0027**

35 **Summer Salmon Season**

36 Adopted on July 3, 2008 Effective July 7, 2008 through July 31, 2008.

37 Amended rule needed to extend the commercial salmon gill net season in the Columbia  
38 River below Bonneville Dam (zone 1 through 5) with an additional 10-hour fishing period  
39 Monday July 7 from 7:00 PM to 5:00 AM July 8, 2008.

40  
41 **635-019-0090**

42 **Inclusions and Modifications- 2008 Oregon Sport Fishing Regulations**

43 Adopted on July 3, 2008 Effective July 9, 2008 through September 1, 2008.

44 Amended rule needed to provide the sport fishing public with an opportunity to harvest  
45 adipose fin-clipped adult and Jack Chinook salmon in the Willowa and Imnaha rivers  
46 that are in excess of ODFW's natural production needs.

1 **635-023-0095**

2 **Sturgeon Season**

3 Adopted on July 8, 2008 Effective July 12, 2008 through December 31, 2008.  
4 Amended rule needed to close the recreational sturgeon fishery in the Bonneville Pool  
5 between Bonneville Dam and the Dalles Dam due to the preseason guidelines being  
6 achieved.

7  
8 **635-006-0212, 635-006-0215 and 635-006-0225**

9 **Commercial Fisheries, Licenses, Records and Reports**

10 Adopted on July 9, 2008 Effective July 10, 2008 through December 31, 2008.  
11 Amended rule needed to allow commercial sales of gilled and gutted Columbia River  
12 salmon and steelhead caught by tribal members to wholesale fish dealers, canners and  
13 buyers. Amendments are also needed to require wholesale fish dealers, canners and  
14 buyers to report totals of fish in round weights on the Fish Receiving Ticket using a  
15 conversion factor 1.17.

16  
17 *Action:*

18 Commissioner Dan Edge moved to ratify the temporary rules. Commissioner Zane  
19 Smith seconded the motion, and the motion carried unanimously.

20  
21 **Expenditure Report:**

22  
23 *Staff Presentation:*

24  
25 Tom Ruddiman, Deputy Director for Administration, presented the report for the  
26 accounting month ended May 31, 2008. Department wide, the revenue and  
27 expenditures are within the budget.

28  
29 Chair Marla Rae inquired about status of the 2009-2011 budget development process.

30  
31 Tom Ruddiman answered that staff were finishing policy option packages. He noted  
32 staff was on track to submit the Agency Request Budget by the September 1 deadline.

33  
34 **PUBLIC FORUM**

35 *Note: This part of the agenda is for comments on topics not scheduled elsewhere on the*  
36 *agenda. The Commission is unable to take action on items brought to their attention in*  
37 *this forum.*

38  
39 Dennis Michael Jackson Eugene, OR Mr. Jackson, a bow hunter, reported he had been an ODFW  
40 customer for over 40 years and formerly was an ODFW  
41 hunter safety instructor. An error was made when he applied  
42 for the SE Metolius (139 R1) bow hunt, but instead drew the  
43 Metolius Unit (139) rifle hunt. He took full responsibility for  
44 not reviewing his documents when he applied for the hunt.  
45 He noted that Curt Melcher sent him a letter denying his  
46 request pursuant to OAR 635-060-0023 (5), which makes no  
47 allowances for Preference Points to be restored due to  
48 errors made during the application process. He asked the



1 Commission to reinstate 10 buck deer preference points for  
2 himself and his hunting partner for next year's drawing  
3

4 Chair Marla Rae thanked Mr. Jackson for his past volunteer  
5 work with ODFW. She noted the Commission did not like  
6 these types of stories, but if the Commission made an  
7 exception for him there would be a long line behind him with  
8 a similar, compelling story to make. While she appreciated  
9 his honesty in admitting he had not looked at his paperwork,  
10 under those circumstances the Commission was hard  
11 pressed to make an exception for him. Chair Marla Rae  
12 asked Director Elicker to work with Mr. Jackson to discuss  
13 system processes.  
14

15 Troy Neimann  
16 Bend, OR

17 Mr. Neimann instructs public lands hunting seminars. After  
18 hunting in the Maury and Ochoco units the last two years, he  
19 noted a significant drop in cow and deer numbers due to  
20 multiple causes. He expressed concern that there was no  
21 reduction in tag allocations to help manage the Oregon  
22 Management Plan objective for regeneration of the herds.

23 Rance Kaster  
24 Post, OR

25 Mr. Kaster expressed concern over the reduction in deer  
26 herds the last 3 years. He noted in recent public hearings  
27 reduction of hunting tags was not discussed. He invited the  
28 Commission to tour the Maury and Ochoco Units with him.

29 Don Ratliff  
30 Madras, OR

31 Mr. Ratliff, Sr. Fish Biologist with PGE, gave a PowerPoint  
32 presentation on the New Selective Water Withdrawal at  
33 Round Butte Dam. He reported on the construction progress  
34 that would reinitiate fish passage to the Deschutes Basin.  
35 He discussed the planning and reintroduction of anadromous  
36 stocks upstream. Completion date for the project is April  
37 2009. More information at [www.Deschutespassage.com](http://www.Deschutespassage.com).

### 35 **Exhibit A: COMMISSION MINUTES**

36  
37 The Commission considered approval of the June 2008 Commission minutes.  
38

#### 39 *Action:*

40 Commissioner Dan Edge moved to approve of the June 5 and 6 minutes.

41 Commissioner Zane Smith seconded the motion, and the motion carried unanimously.  
42

### 43 **Exhibit B: KLAMATH BASIN FISH MANAGEMENT PLAN AMENDMENT**

#### 44 45 *Staff Presentation:*

46  
47 Roger Smith, Klamath Watershed District Manager, reported on proposed amendments  
48 to the Klamath River Basin Fish Management Plan (the Plan) to authorize initiation of

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1 efforts to re-introduce anadromous fish in the Oregon portion of the Upper Klamath  
2 River Basin. He noted this opportunity came about during the re-licensing process for  
3 four mainstem Klamath River Hydroelectric Project dams owned by PacifiCorp, and  
4 other water and power supply negotiations between stakeholders contingent upon dam  
5 removal. Smith reported on a two-phased approach. In Phase 1, ODFW and other  
6 stakeholders will prepare a Re-Introduction Implementation Plan. After the Plan is  
7 completed, Chinook salmon will be released in the Upper Klamath Lake and tributaries.  
8 Staff will monitor the natural re-colonization of salmon, steelhead and lamprey  
9 downriver in the Oregon Portion Klamath River and tributaries while fish passage is  
10 being re-established. Once fish are self-sustaining, an Anadromous Fish Conservation  
11 Plan (AFCP) will be drafted. Phase 2 will provide management direction provided by  
12 the AFCP that will be adopted by Commission and used by Oregon and also provide  
13 guidance to Pacific Fisheries Management Council.

14  
15 *Public Testimony:*

16  
17 Malena Marvin Ms. Marvin of Klamath Riverkeeper distributed written  
18 Klamath Falls, OR comments that supported ODFW's draft Plan to re-introduce  
19 anadromous fish in Upper Klamath Basin. She asked that  
20 ODFW go easy on the natural recolonization and not to be  
21 replaced by heavy-handed anthropogenic management, and  
22 prevent construction of permanent hatcheries which threaten  
23 water quality. She emphasized that water quality in the  
24 Upper Klamath basin be addressed, and that DEQ staff be  
25 on the implementation team to help address water quality  
26 issues.

27  
28 Joe Hobbs Chair Marla Rae announced that Mr. Hobb had left the  
29 Chiloquin, OR meeting. She referred to The Klamath Tribes Natural  
30 Resource Department's letter, and stated that The Klamath  
31 Tribes continued to be a valuable resource and partner.

32  
33 Frank P. Conte Mr. Conte had left the meeting.  
34 Camp Sherman, OR

35  
36 *Action:*

37 Commissioner Skip Klarquist moved to adopt the proposed Klamath Basin Plan  
38 Amendments. Commissioner Zane Smith seconded the motion and the motion was  
39 carried unanimously.

40  
41 **Exhibit C: FISH RESTORATION AND ENHANCEMENT (R&E) PROGRAM**

42  
43 *Staff Presentation:*

44  
45 Laura Tesler, R&E Program Coordinator, reported that the R & E Board recommended  
46 17 projects totaling \$420,894 be approved for funding at their May 30 meeting in Hines,  
47 OR. This is the fifth cycle of proposals for the 2007-09 Biennium. During her PowerPoint

1 presentation, Laura described in detail the 17 projects, which included 2 access, 1  
2 habitat, 1 hatchery maintenance, 4 miscellaneous, 1 passage, 1 propagation, and 7  
3 passage projects. If the Commission approved these 17 projects, a total of \$2.7 million  
4 would be allocated for 2007-09, and leaving a remaining balance of \$425,702.

5  
6 Public Testimony:

---

7  
8 No public testimony was given.

---

9 Discussion and questions followed on the specifics of various projects.

10  
11 Chair Marla Rae asked when the 2008 STEP Conference was scheduled.

12  
13 Laura Tessler promised to send the Commission information on the 2008 STEP  
14 Conference scheduled October 3-5 at Mt. Hood Community College in Gresham, OR.

15  
16 *Action:*

17 Commissioner Jon Englund moved to approve the recommendations of the Fish  
18 Restoration and Enhancement Board. Commissioner Skip Klarquist seconded the  
19 motion and the motion was carried unanimously.

20  
21 Carter Kerns asked if Exhibit E could be moved up on the agenda to accommodate  
22 visitors in the audience who wished to testify.

23  
24 **Exhibit E: OREGON FURBEARER TRAPPING AND HUNTING REGULATIONS FOR**  
25 **2008-2010.**

26  
27 *Staff Presentation:*

28  
29 Don Whittaker, Furbearer Coordinator, reported on staff proposals for the 2008-09 and  
30 2009-10 Furbearer Harvest and Pursuit Season Regulations. He gave an overview of  
31 harvest and populations for fur bearing species from the 2006-07 and 2007-08 seasons.

32  
33 He discussed Fur Market Price Trends and Bobcat Season Trends and noted prices  
34 were up for bobcat (\$300-\$400 per pelt), the highest on record. Given the increase in  
35 bobcat pelt price, license sales, and takes, staff recommended reducing the Eastern  
36 Oregon bag limit from seven to five. He reported no changes in season dates and bag  
37 limits for gray and red foxes, marten, muskrat, mink, and raccoon. He reported on a  
38 Coastal Beaver Trapping Survey restarted this year in Coho habitat in coastal counties  
39 and noted no changes in season dates. He also reported the river otter was open  
40 statewide except for Grant County, an area closed to beaver trapping. He added they  
41 were closed concurrently because beaver and otter are caught in very similar traps.  
42 ODFW did not want otters inadvertently caught in the beaver traps. He reported that  
43 the season for Unprotected Species (badger, coyote, nutria, opossum, porcupine,  
44 skunks and weasels) would remain open all year. The season for Protected Species  
45 (fisher, ringtail cat, wolverine, kit fox and sea otter) would remain closed.

1 Whittaker reported two other recommendations added two closures to the regulations in  
2 the North Bank Habitat Management Area northeast of Roseburg, and the Metolius  
3 Wildlife Refuge just southeast of Sisters. He noted this was not a new closure but an  
4 addition and clarification to the regulations. Whittaker reported that Pursuit Season  
5 Trends were steady but staff recommended no year-round season for these species.  
6

7 Public Testimony:  
8

9 Jim Soares  
10 Wallowa, OR

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Mr. Soares represented the Oregon Trappers Association. He asked the Commission to maintain the current seven bobcat limit in Eastern Oregon. He discussed the three reasons given for the proposed decrease in the bobcat bag limit. He noted that increase in bobcat prices produced new trappers with a lower success of trapping. He discussed declining trends in adult cats harvested. The third reason was fear of over harvest due to high prices. He noted the Oregon Furtaker Association and their district biologist were not informed in advance of the proposal to reduce the bobcat limit and not afforded time to do their research.

21 Curtis Mattson  
22 Elgin, OR

Mr. Mattson, President of Northeast Oregon Trappers Association, urged the Commission to retain the current seven bobcat limit. In 2004, his organization proposed the increase in bag limit from five to seven bobcats. At that time, they were told that a stable increasing population would be indicated by more kittens in the harvest. He referred to ODFW's 2004-06 proposal for stable or increasing bobcat population, where younger age animals should dominate the harvest because a high proportion of adult animals in the harvest could be indicative of a population decline or excessive harvest. In reading the current proposal, one could believe that preponderance of young animals in the population would be a problem; not the indication of high productivity that it actually is.

36 Tim Cook  
37 North Plains, OR

Mr. Cook, representing the Oregon United Sporting Dog Association (OUSDA), reported that their members were seeing a decline in numbers despite the last winter. OUSDA supported decreasing the limit from seven to five. They wanted to see a Western Oregon one card limit of 15 bobcats, and would like to see a year-around Pursuit Season for raccoon. For coyote and rabbit, they would like year-round access with dogs. He read for the Furbearer regulations and stated that OUSDA proposed that language be added to make it illegal to remove animals out of another trapper's trap, and language to make it illegal to shoot an animal from a tree where another trapper's dogs were tied

1 below, unless given permission from the dog owner. OUSDA  
2 proposed a tag sale deadline for bobcat to prevent deer  
3 hunters from filling those tags during deer season.  
4

5 Clay Rhoden  
6 Prineville, OR

7 Mr. Rhoden supported the OUSDA and ODFW proposals.  
8 He discussed card sales deadlines and said it was hard to  
9 put a limit on those when people can continue to buy cards  
10 for their wives, kids and grandkids throughout the year.  
11 Given the amount of hounds men and fur prices, the  
12 numbers need to be managed. Last winter, he rode a  
13 snowmobile but did not find the cat tracks as in past years.  
14 Although trappers say their numbers are down, they're still  
15 out there, and the hounds men are not finding the cats.

16 David Walp  
17 Springfield, OR

18 Mr. Walp discussed private timber lands locked up on the  
19 west side of the state with bobcat reserves. Regarding  
20 beavers, staff needs to find out what it takes to create habitat  
21 before initiating a take reduction on the coast range. It is not  
22 the trappers removing them but beavers leaving due to loss  
23 of habitat. He proposed that trap check be increased to 72-  
24 hours due to high fuel costs. He also talked about cougar  
25 management plans and foot snares.

26 Terry Sawyer  
27 Prineville, OR

28 Mr. Sawyer, President of Central Oregon Trappers  
29 Association, wanted the bobcat limit to stay the same until  
30 good biological evidence indicated a change. Last year  
31 nearly 1,400 fewer cats were caught statewide from the year  
32 before because the weather made the country inaccessible.  
33 He talked about beaver closures in the Ochoco National  
34 Forest and Bridge Creek in Wheeler County. If trappers are  
35 the problem, why are there fewer beavers in these areas  
36 where closures were put in to place 40 years ago in the  
37 Ochoco Forest? He noted that beaver trapping is open in  
38 Grant County but otter trapping is closed. He supported  
39 opening the otter season with the beaver season.

40 Ray Jordan  
41 Joseph, OR

42 Mr. Jordan, Vice President of Oregon State Trappers  
43 Association (OSTA), asked the Commission to reject the  
44 bobcat limit from seven to five; it was not based on good  
45 science. He referred to Don Whittaker's earlier presentation  
46 and noted it was not the OUSDA that proposed the increase  
47 from five to seven in 2004, it was OSTA. The catch per unit  
is not a scientific tool to measure bobcat populations; it  
measures trappers and hunters. Also, the current age  
structure is different than what they were told in 2004. He  
noted that OSTA was not given enough time to respond to  
the bobcat proposal.

1  
2 Bob Gilman  
3 Albany, OR

Mr. Gilman, OSTA President, reported that in 2007 their statewide chapters reorganized into one chapter totaling about 400 members statewide. OSTA does not support reducing the limit of bobcats in Eastern Oregon, but supports the other recommendations. OSTA's priorities are: 1) youth trapper education; 2) represent trappers statewide on trapping laws and regulations; 3) promote and protect the conservative use of furbearing species; and 4) promote involvement in OSTA.

11  
12 Commissioner Carter Kerns stated he had not heard any suitable compelling scientific  
13 testimony that the bobcat bag limit should be reduced from seven to five. He accepted  
14 staff's recommendations except for the reduction in the bobcat take.

15  
16 Discussion followed about why Grant County was closed to otter trapping.

17  
18 Don Whitaker responded when it was initially closed, it remained closed and there had  
19 never been any demand for reopening it.

20  
21 Commissioner Skip Klarquist referred to OAR 635-050-1500, "Open seasons are in the  
22 entire state except Grant County and all areas closed to beaver trapping" (on page 8).

23  
24 Discussion followed about public involvement in the process, and also about  
25 establishing a tag sale deadline for bobcats and whether there were any abuses that  
26 should be addressed.

27  
28 Lt. Dave Cleary, Oregon State Police (OSP), reported OSP would pursue and look into  
29 the issues. OSP favors tag deadlines in order to eliminate hunters from getting a tag for  
30 someone else so they could still hunt. He believed the current regulation was sufficient  
31 on the removal of animals from a trap. If a trapper contacted OSP regarding removal of  
32 an animal from a trap, OSP will pursue that. If OSP can prove an animal was illegally  
33 taken from a trapper, theft charges would be filed instead of a game violation. He  
34 believed the incidences of someone shooting over another trapper's dogs to be rare.

35  
36 Chair Marla Rae asked staff to address these issues and let the Commission know if  
37 there was something urgent they needed to address.

38  
39 Larry Cooper, Deputy Administrator Wildlife Division, stated that staff would look at the  
40 two issues and develop a proposal to be brought back to the Commission. He promised  
41 if it was very urgent, staff will be back next year; otherwise if not urgent, staff will not  
42 make recommendations until the following year.

43  
44 Chair Marla Rae and the Commission agreed. Chair Rae announced she was just  
45 informed of an amendment that needed to be made in the Supplemental Draft Rule that  
46 Commission received in the packet. The introduction on Administrative Rule 635-050-  
47 0210 regarding the change in Section (21) to Section (22), it should be Section (23).

1  
2 *Action:*  
3 Chair Marla Rae moved to amend the Administrative Rule change Chapter 635, Division  
4 050, as proposed by staff and as amended by the Supplemental Rule 635-050-0080 (3)  
5 and 635-050-0210 with the noted Section 23 to set regulations in seasons for the  
6 harvest of Pursuit of Furbearing Mammals. Commissioner Dan Edge seconded the  
7 motion and the motion was carried by five votes. Commissioner Carter Kerns opposed  
8 the motion.

9  
10 Chair Rae adjourned the meeting for lunch. She reconvened the meeting at 1:25 p.m.

11  
12 **Exhibit D: SUMMARY OF TWO DRAFT WILDLIFE AREA MANAGEMENT PLANS:**  
13 **E.E. WILSON AND COLUMBIA BASIN WILDLIFE AREAS**

14  
15 *Staff Presentation:*

16  
17 Chair Marla Rae congratulated Mike Moore for his recent promotion as the permanent  
18 area manager for the E.E. Wilson Wildlife Area.

19  
20 Nancy Breuner, Habitat Biologist, introduced Cameron Sponseller and Mike Moore.  
21 She talked about the Plan Review Process that will go through a public process and be  
22 presented in final draft form before the Commission at their October 10 meeting. Two  
23 draft plans have been drafted.

24  
25 Cameron Sponseller, Senior Fish and Wildlife Technician, reported on the Wildlife Area  
26 Overview of the Columbia Basin Wildlife Areas. He discussed the draft goals and  
27 objectives: 1) protect, enhance and manage wetland habitats to benefit fish and wildlife  
28 species; 2) protect, enhance and manage upland habitats to benefit a wide variety of  
29 wildlife species; and 3) provide a variety of wildlife oriented recreational and educational  
30 opportunities to the public. A public review meeting will be held on July 29, 7:00-9:00  
31 pm, at the Stokes Landing Senior Center in Irrigon, Oregon.

32  
33 Mike Moore discussed the draft Management Plan for the E.E. Wilson Wildlife Area and  
34 the Columbia Basin Wildlife Area. He discussed the draft Goals and their objectives: 1)  
35 Oak woodland, upland shrub and grassland habitats will be managed consistent with  
36 conservation and enhancement priorities for native wildlife and production of game  
37 species; 2) Riparian, wetland and wet prairie habitats will be managed consistent with  
38 conservation and enhancement priorities for native wildlife and production of game  
39 species. 3) Provide variety of wildlife related recreation and education opportunities to  
40 the public using management strategies. Public review meetings will be held July 30 at  
41 ODFW in Corvallis and August 12 at ODFW in Salem.

42  
43 Commissioner Dan Edge asked staff to keep their work consistent with the conservation  
44 strategy.

45  
46 Commissioner Zane Smith provided staff with suggestions for the vision statements for  
47 each wildlife area.

1  
2 **Public Testimony:**  
3

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4 No public testimony was given.

5 **Exhibit F: PUBLIC RECORDS REQUEST**

6  
7 *Staff Presentation:*

8  
9 Curt Melcher, Deputy Director, asked the Commission to review and adopt rules  
10 amending the procedures for processing public records requests consistent with Senate  
11 Bill 554, adopted by the 2007 Oregon Legislature. This brings the agency into  
12 compliance with the new requirements.  
13

14 **Public Testimony:**  
15

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16 No public testimony was given.

17 *Action:*

18 Commissioner Dan Edge moved to approve 635-001-0321 and 635-001-0331 as  
19 proposed by staff amending the processing procedures for public records requests.  
20 Commissioner Jon Englund seconded the motion and the motion was carried  
21 unanimously.  
22

23 **OTHER BUSINESS**

24  
25 Chair Marla Rae reminded Commission that they reviewed the 2009 meeting schedule  
26 in advance due to staff preparation.  
27

28 *Action:*

29 Commissioner Dan Edge moved to adopt the 2009 Commission Meeting Schedule.  
30 Commissioner Zane Smith seconded the motion and the motion was carried  
31 unanimously.  
32

33 Chair Marla Rae announced that the Commission was required to evaluate its own  
34 performance with consideration given to Commission's best practices. She would  
35 provide information to Commission members in advance of the August 8 meeting.  
36

37 Chair Marla Rae also announced that Commission would go into an Executive Session  
38 followed by a public session at their August 8 meeting to evaluate the performance of  
39 Director Roy Elicker.  
40

41 Chair Marla Rae adjourned the meeting at 2:04 p.m.