

1 Deputy Director Ruddiman requested the Commission to ratify the following temporary
2 rules. These temporary rules were previously adopted by the director under his
3 emergency action authority.

4
5 Chair Rae read the list of Temporary Administrative Rules numbers:

6
7 **635-004-0038**

8 **Inland Waters Anchovy Season**

9 Adopted August 11, 2008; effective August 11, 2008 through January 31, 2009.

10 Adopted rule was needed to promulgate a commercial inland waters anchovy season.
11 This rule sets the season dates; defines types of gear authorized for the taking of
12 anchovies; describes methods for estimating total weight of fish taken; and describes
13 recording and reporting requirements of the fishery.

14
15 **635-039-0085**

16 **Ocean Sport Pacific Halibut - North of Cape Falcon, Oregon**

17 Adopted August 11, 2008; effective August 11, 2008 through September 30, 2008.

18 Amended rule re-opened the sport fishery for Pacific Halibut in the area between
19 Leadbetter Point, Washington and Cape Falcon, Oregon at 12:01 a.m. Friday, August
20 22 through 11:59 p.m. Saturday, August 23, 2008 (2 days). Revisions are consistent
21 with regulations implemented by the federal government and the International Pacific
22 Halibut Commission for the 2008 Oregon recreational fishery for Pacific Halibut.

23
24 **635-042-0031**

25 **Early Closure of Fall Commercial Salmon Season in Columbia River Zones 1**
26 **through 5**

27 Adopted August 11, 2008; effective August 12, 2008 through December 31, 2008.

28 Amended rule rescinds the previously adopted commercial fishing period scheduled
29 from 7:00 p.m. Tuesday, August 12 through 7:00 a.m. Wednesday, August 13, 2008 in
30 the Columbia River mainstem in Zones 1 through 5. Revisions are consistent with action
31 taken August 11, 2008 by the Columbia River Compact agencies of Oregon and
32 Washington.

33
34 **635-042-0031**

35 **Two Commercial Salmon Fishing Periods Authorized in Columbia River Zones 1**
36 **through 5**

37 Adopted August 13, 2008; effective August 14, 2008 through September 30, 2008.

38 Amended rule allows two commercial gill net salmon fishing periods in the Columbia
39 River mainstem below Bonneville Dam. The first period is from 7:00 p.m. Thursday,
40 August 14 through 7:00 a.m. Friday, August 15, 2008 (12 hours) in Zones 2 through 5.
41 The second period is from 8:00 p.m. Tuesday, August 19 through 6:00 a.m.
42 Wednesday, August 20, 2008 (10 hours) in Zones 4 and 5. Revisions are consistent
43 with action taken August 13, 2008 by the Columbia River Compact agencies of Oregon
44 and Washington. **635-041-0076**

45
46 **Treaty Indian Summer Salmon Seasons in the Columbia River and Tributaries**

47 Adopted August 13, 2008; effective August 14, 2008 through September 30, 2008.

48 Amended rule extends the Tribal Indian commercial gill net salmon season in the
49 Columbia River and tributaries by adding three new fishing periods. Modifications are
50 consistent with action taken August 13, 2008 by the Columbia River Compact agencies
51 of Oregon and Washington in concert with the Columbia River Inter-Tribal Fish
52 Commission.

1 **635-013-0004**

2 **Closure of Recreational Ocean Salmon Fishery – North of Cape Falcon, Oregon**

3 Adopted August 14, 2008; effective August 15, 2008 through December 31, 2008.

4 Amended rule closed the recreational ocean salmon fishery from Leadbetter Point,
5 Washington south to Cape Falcon, Oregon effective 2:00 p.m. Sunday, August 17,
6 2008. Modifications are consistent with action taken by National Oceanic and
7 Atmospheric Administration (NOAA Fisheries) in consultation with the ODFW,
8 Washington Department of Fish and Wildlife, representatives from the recreational and
9 commercial Oregon salmon fisheries, and the Pacific Fishery Management Council
10 (PFMC).

11
12 **635-039-0090**

13 **Cabezon Retention in Oregon Ocean Boat and Estuary Boat Sport Fisheries**
14 **Prohibited**

15 Adopted August 18, 2008; effective August 21, 2008 through December 31, 2008.

16 Amended rule closed the recreational ocean boat and estuary boat fisheries to retention
17 of cabezon due to attainment of the 2008 statewide landing cap of 15.8 metric tons
18 adopted by the Oregon Fish and Wildlife Commission.

19
20 **635-005-0055**

21 **Commercial Fishing Vessels Allowed to Retrieve Any Dungeness Crab Gear from**
22 **August 29 through October 31, 2008.**

23 Adopted August 19, 2008; effective August 29, 2008 through October 31, 2008.

24 Amended rule allows commercial fishermen to retrieve any commercial Dungeness crab
25 fishing gear from the ocean and transport it to shore beginning August 29 through
26 October 31, 2008.

27
28 **635-042-0031**

29 **Two More Commercial Salmon Fishing Periods Authorized in Columbia River**
30 **Zones 1 thru 5 beginning 11:00 p.m. Sunday, August 24, 2008**

31 Adopted August 21, 2008; effective August 25, 2008 through September 30, 2008.

32 Amended rule allows two commercial gill net salmon fishing periods in the Columbia
33 River mainstem below Bonneville Dam. The first period is from 11:00 p.m. Sunday,
34 August 24 through 5:00 a.m. Monday, August 25, 2008 (6 hours). The second period is
35 from 11:00 p.m. Tuesday, August 26 through 5:00 a.m. Wednesday, August 27, 2008 (6
36 hours). Revisions are consistent with action taken August 21, 2008 by the Columbia
37 River Compact agencies of Oregon and Washington.

38
39 **635-023-0130**

40 **Close Buoy 10 Recreational Fishery to Retention of Chinook Salmon**

41 Adopted August 21, 2008; effective August 25, 2008 through December 31, 2008.

42 Amended rule closes the Buoy 10 recreational fishery to the retention of Chinook
43 salmon, effective at 12:01 a.m. Monday, August 25, 2008 in the area from Buoy 10
44 upstream to the Tongue Point/Rocky Point line. The fishery will remain open for adipose
45 fin-clipped Coho and adipose fin-clipped steelhead per permanent regulations.
46 Modifications are consistent with action taken August 21, 2008 by the Columbia River
47 Compact agencies of Oregon and Washington.

48
49 **635-039-0085**

50 **Pacific Halibut Sport Fishery Re-opens North of Cape Falcon, Oregon**

51 Adopted August 25, 2008; effective August 29, 2008 through September 30, 2008.

52 Amended rule re-opens the sport fishery for Pacific halibut in the area between
53 Leadbetter Point, Washington and Cape Falcon, Oregon at 12:01 a.m. Friday, August
54 29 through 11:59 p.m. Friday, August 29, 2008 (1 day). Revisions are consistent with

1 regulations implemented by the federal government and the International Pacific Halibut
2 Commission for the 2008 Oregon recreational fishery for Pacific halibut.

3
4 **635-042-0031**

5 **Commercial Salmon Fishing Period Rescinded in Columbia River Zones 1 thru 5**

6 Adopted August 26, 2008; effective August 26, 2008 through September 1, 2008.

7 Amended rule rescinds the commercial fall Chinook salmon gill net fishing period
8 scheduled from 11:00 p.m. Tuesday, August 26 through 5:00 a.m. Wednesday, August
9 27, 2008 (6 hours). Revisions are consistent with action taken August 26, 2008 by the
10 Columbia River Compact agencies of Oregon and Washington.

11
12 **635-042-0160**

13 **Increased Maximum Commercial Gill Net Mesh Size Allowed for Blind and Knappa
14 Sloughs Fisheries**

15 Adopted August 26, 2008; effective September 2, 2008 through October 31, 2008.

16 Amended rule modifies the maximum gill net mesh size restriction for the Select Area
17 commercial fisheries in Blind and Knappa sloughs, which are scheduled for the period
18 from September 2 through September 5, 2008. This modification correctly increases the
19 erroneously adopted maximum mesh size from 8 to 9.75 inches. Revisions are
20 consistent with action taken August 26, 2008 by the Columbia River Compact agencies
21 of Oregon and Washington.

22
23 **635-023-0130**

24 **Close Buoy 10 Recreational Fishery to Angling for Salmon and Steelhead**

25 Adopted August 28, 2008; effective August 31, 2008 through December 31, 2008.

26 Amended rule closes the Buoy 10 recreational fishery to angling for salmon and
27 steelhead, effective at 12:01 a.m. Sunday, August 31, 2008 in the area from Buoy 10
28 upstream to the Tongue Point/Rocky Point line. The fishery will remain open to angling
29 for white sturgeon per permanent regulations. Modifications are consistent with action
30 taken August 28, 2008 by the Columbia River Compact agencies of Oregon and
31 Washington.

32
33 **635-041-0075**

34 **Treaty Indian Fall Salmon Season In the Columbia River and Tributaries**

35 Adopted September 4, 2008; effective September 6, 2008 through October 31, 2008.

36 Amended rule implements the Tribal Indian fall commercial gill net salmon season in the
37 Columbia River and tributaries. Modifications are consistent with action taken
38 September 4, 2008 by the Columbia River Compact agencies of Oregon and
39 Washington in concert with the Columbia River Inter-Tribal fish Commission.

40
41 **635-039-0090**

42 **In-season Modifications to Ocean Sport Rockfish and Other Marine Species
43 Seasons**

44 Adopted September 4, 2008; effective September 7, 2008 through December 31,
45 2008. Amended rule cancels modifications adopted by temporary rule (effective July 7,
46 2008) by: 1) returning the aggregate daily sport bag limit for rockfish, cabezon, skates
47 and "other marine species" from five to six fish (as listed under "Marine Fish" on page 6
48 of the "2008 Oregon Sport Ocean Regulations for Salmon, Halibut and Other Marine
49 Fish Species," published in May 2008; and on page 98 of the 2008 Oregon Sport
50 Fishing Regulations booklet); and 2) repealing in-season closures for these species and
51 lingcod, offshore of the 20-fathom line; and for flatfish species other than Pacific halibut,
52 offshore of the 40-fathom line.

1 **635-039-0085**

2 **Oregon Sport Pacific Halibut All-depth Fishery Closes and Re-opens with Bag**
3 **Limit Change**

4 Adopted September 5, 2008; effective September 7, 2008 through December 31, 2008.
5 Amended rule closes the area between Cape Falcon and Humbug Mountain, Oregon to
6 retention of Pacific halibut effective 11:59 p.m. Sunday, September 7, 2008. Further
7 modifications re-open the Pacific halibut fishery effective 12:01 a.m. Saturday,
8 September 13 and increase the daily bag limit from one to two fish through 11:59 p.m.
9 Sunday, September 14, 2008, in the area between Cape Falcon and Humbug Mountain.
10 Revisions are consistent with regulations implemented by the federal government and
11 the International Pacific Halibut Commission for the 2008 Oregon recreational fishery for
12 Pacific halibut.

13
14 **635-042-0145; 635-042-0160; 635-042-0170; and 635-042-0180**

15 **Fall Columbia River Commercial Select Area Fisheries**

16 Adopted September 8, 2008; effective September 9, 2008 through December 31, 2008.
17 Amended rules prohibit retention of sturgeon taken in the Columbia River commercial
18 Select Area fisheries after 12:00 noon on Wednesday, September 10, 2008. Rule 635-
19 042-0160 was also modified to increase the maximum gill net mesh size allowed to 9.75
20 inches in the Blind and Knappa sloughs Select Area salmon fisheries beginning 7:00
21 p.m. Tuesday, September 9, 2008. Modifications are consistent with action taken
22 September 8, 2008 by the Columbia River Compact agencies of Oregon and
23 Washington.

24
25 **635-041-0075**

26 **Treaty Indian Fall Salmon Season Extended In Columbia River and Tributaries**

27 Adopted September 11, 2008; effective September 15, 2008 through October 31, 2008.
28 Amended rule extends the Tribal Indian fall commercial gill net salmon season in the
29 Columbia River and tributaries with an additional 60-hour fishing period beginning 6:00
30 a.m. Tuesday, September 16 through 6:00 p.m. Thursday, September 18, 2008.
31 Modifications are consistent with action taken September 11, 2008 by the Columbia
32 River Compact agencies of Oregon and Washington in concert with the Columbia River
33 Inter-Tribal fish Commission.

34
35 **635-017-0090**

36 **Returning Hatchery Coho Fishery In Eagle Creek and Clackamas and Sandy**
37 **Rivers**

38 Adopted September 15, 2008; effective September 17, 2008 through December 31,
39 2008. Amended rule allows the sport harvest of 3 hatchery Coho salmon in each of the
40 Clackamas and Sandy rivers from Wednesday, September 17 through Friday, October
41 31, 2008 and on Eagle Creek, a tributary of the Clackamas River, from Wednesday,
42 September 17 through Sunday, November 30, 2008. The bag limit of 3 Coho per day is
43 for all open waters combined. The modifications allow sport anglers opportunities to
44 harvest substantial numbers of Coho that are returning to hatchery facilities.

45
46 **635-039-0085**

47 **Oregon Sport Pacific Halibut All-depth Fishery Re-opens with Bag Limit Change**

48 Adopted September 16, 2008; effective September 16, 2008 through December 31,
49 2008. Amended rule re-opens the area between Cape Falcon and Humbug Mountain,
50 Oregon to retention of Pacific halibut effective 12:01 a.m. Saturday, September 20 and
51 retains the daily bag two fish through 11:59 p.m. Sunday, September 21, 2008, in the
52 area between Cape Falcon and Humbug Mountain. Revisions are consistent with
53 regulations implemented by the federal government and the International Pacific Halibut
54 Commission for the 2008 Oregon recreational fishery for Pacific halibut.

1 **Action:** Commissioner Edge moved to ratify the temporary administrative rules as presented in
2 the Commission agenda. Commissioner Levy seconded the motion. The motion carried
3 unanimously.

4
5 **PUBLIC FORUM**

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

9
10 No public testimony was given.

11 Chair Rae acknowledged receipt of a request from Mark Ludes of Gold Beach, Oregon,
12 for reinstatement of his 2008-2009 trapping license. She said the Commission would
13 defer the matter to the director for response as appropriate.

14
15 **Exhibit A: COMMISSION MINUTES**

16
17 The Commission considered approval of the August 8, 2008 Commission minutes.
18 Commissioner Kerns referred to page 8, lines 44 and 46, and said that Loaker was
19 misspelled; it should read Loacker.

20
21 **Action:** Commissioner Englund moved to approve the August 8, 2008 minutes, as amended.
22 Commissioner Edge seconded the motion. The motion passed unanimously.

23
24 **Exhibit B: FISH SCREENING TASK FORCE MEMBER APPOINTMENT**

25
26 *Staff Presentation:*

27
28 Suzanne Pollon, Fish Passage Engineer, said the Commission was being asked to
29 appoint a new member to the Fish Screening Task Force to replace Brad Staples. She
30 said the seven-member task force is charged with advising ODFW on fish screening
31 program development, funding, monitoring, technology, reporting and project
32 prioritization.

33
34 *Public Testimony:*

35
36 No public testimony was given.

37 Chair Rae asked the Commission for comments. Hearing none she recommended
38 appointing Ms. Lynden Brown of Lebanon, Oregon, to the Fish Screening Task Force;
39 Commissioner Edge agreed and noted that Ms Brown's residence in Lebanon provided
40 a better distribution of task force members. Chair Rae asked for a motion.

41
42 **Action:** Commissioner Kerns moved to approve the appointment of Lynden Brown to the Fish
43 Screening Task Force. Commissioner Levy seconded the motion. The motion passed
44 unanimously.

45
46 **Exhibit C: WILDLIFE INTEGRITY RULE AMENDMENTS**

1
2 *Staff Presentation:*
3

4 Martin Nugent, Wildlife Diversity Program Manager, said his purpose was to categorize
5 four species of fish under the Wildlife Integrity Rules, which are designed to protect the
6 integrity of Oregon's native fish and wildlife species in their habitat from the potential of
7 negative affects on nonnative species. This proposal would legalize the production of
8 some species of tilapia, giant river prawns, and whiteleg shrimp.
9

10 Tom Friesen, Acting Invasive Species Coordinator, asked the Commission to take
11 action on two items: 1) Adopt rule amendments reclassification of tilapia, giant river
12 prawns, and whiteleg shrimp as controlled species under the Wildlife Integrity Rules,
13 thus making a temporary rule permanent; and 2) approve changes to rule language
14 addressing the taxonomic nomenclature of fish and crustacean species, in order to clear
15 up any confusion. During a slide show, Friesen talked about the biology of these
16 species as they relate to their potential establishment in Oregon.
17

18 Public Testimony:
19

20 No public testimony was given.
21

22 Chair Rae asked for comments.

23 Commissioner Klarquist referred to page 20, Attachment 4 – Division 056, and said
24 under subparagraph (ii) it stated, "...cultured shrimp by predators..." He said it should
25 read, "...cultured fish by predators..." He noted in subparagraphs (v) and (vii) that the
26 word "permittees" was spelled two different ways and needed to be corrected.
27

28 **Action:** Commissioner Klarquist moved to adopt the staff recommendation for changes to the
29 Wildlife Integrity Rules, as amended on page 20. Commissioner Edge seconded the motion.
30 The motion passed unanimously.
31

32 Chair Rae returned to ratification of Temporary Administrative Rules and announced
33 that the Commission needed to ratify one additional Temporary Administrative Rule
34 adopted on September 18, 2008, and not included on the agenda.
35

36 **635-023-0130**

37 **Chinook Fishery Re-opens in Columbia River From Warrior Rock to Bonneville**
38 **Dam**

39 Adopted September 18, 2008; effective September 20, 2008 through December 31,
40 2008. Amended rule allows retention of Chinook salmon in the mainstem Columbia
41 River recreational fishery beginning September 20, 2008 and until further notice, in the
42 area from the Warrier Rock-Bachelor Island line (located above the mouth of the Lewis
43 River) upstream to Bonneville Dam with a combined bag limit for adult salmon and/or
44 steelhead of two fish, only 1 of which may be a Chinook. Retained Chinook do not have
45 to be fin-clipped. The area from the Warrier Rock-Bachelor Island line downstream to
46 the Tongue Point-Rocky Point line will remain closed to retention of Chinook (adults and

1 jacks) but will remain open for adipose fin-clipped coho and steelhead. Modifications
2 are consistent with action taken September 18, 2008 by the Columbia River Compact
3 agencies of Oregon and Washington.

4
5 **Action:** Chair Rae moved to ratify Temporary Administrative Rule OAR 635-023-0130.
6 Commissioner Edge seconded the motion. The motion passed unanimously.

7 8 **EXHIBIT D: SPORT FISHING ANGLING REGULATIONS**

9
10 Deputy Director Melcher thanked the Fish Division, region staff and the Review Board
11 for their hard work and for doing an exceptional job reviewing 300-400 proposals. He
12 said ODFW would review the four-year regulation setting process prior to next year to
13 streamline the process. Melcher announced that ODFW had formed a Sports Fish
14 Leaders Group who would hold its first quarterly meeting in late October 2008.

15 16 *Staff Presentation:*

17
18 Rhine Messmer, Recreational Fisheries Program Manager, said that legal counsel and
19 staff would be giving the presentations today with him.

20
21 Counsel Steve Sanders referred to Wildlife Policy ORS 496.012, and said the
22 Commission was charged with balancing both the conservation of the fish resource and
23 a fair allocation among the user groups to that resource. The determination of what is
24 fair rests in the Commission's subjective evaluation; there is no objective standard by
25 which this test is met. Sanders said within all the proposals made, all would fall well
26 within the Commission's legal statutory authority to choose among the policy choices
27 presented to them.

28
29 Ed Bowles, Fish Division Administrator, talked about three Native Fish Conservation
30 Policy Goals: 1) prevent serious depletion of native species; 2) maintain and restore
31 naturally produced native fish species, and 3) foster and sustain opportunities for sport,
32 commercial and tribal fishers consistent with conservation.

33
34 Messmer provided an overview of three issues.

35
36 Issue 1 – Technical. Messmer said staff recommends the Commission accept changes
37 to the OARs in the printed version of the 2008 Sport Fishing Regulations, make
38 universal date changes; and authorize staff to make minor edit changes.

39
40 Issue 2 – Adopt Category A Proposals. Messmer said the Commission reviewed
41 Category A and Category C proposals on August 8, and reclassified seven Category C
42 proposals to Category B proposals. He said the rule language for Category A proposals
43 was in Attachment 6 – Statewide Regulations. Messmer said the Commission had two
44 options:

- 45 • Option 1: Adopt all proposals the Commission confirmed as Category A
46 proposals on August 8, 2008 (see Attachment 6).

- 1 • Option 2: Review all Category A proposals individually, and specify which ones
2 the Commission chooses to adopt.

3 Messmer said staff recommended that the Commission adopt Option 1.

4
5 Issue 3 – Review and Adopt Category B Proposals in Attachment 4.

6
7 Messmer said the proposed rule language for all A and B proposals were shown in
8 Attachment 6 and the Addendum to Attachment 6 dated September 19, 2008. He said
9 field biologists would report on Category B Proposals.

- 10
11 • *Proposal 132P – Eliminate harvest of Coastal Cutthroat Trout in Northwest and*
12 *Southwest Zones and eliminates use of bait when angling for trout in streams.*

13
14 Bob Buckman, District Fish Biologist, talked about migratory patterns and explained the
15 different types of monitoring conducted by staff. Buckman discussed Searun population
16 estimates and Life History Types. Management improvements include habitat protection
17 and restoration, and reduced hatchery releases. He said Cutthroat trout are healthy on
18 the Oregon Coast, and that staff concurred with the Review Board assessment and
19 recommends the Commission reject 132P.

- 20
21 • *Proposal 150P – North Coast, Cutthroat Trout Harvest – 2 Trout per Day*

22
23 Robert Bradley, Assistant District Biologist in Tillamook, said 150P would restore
24 consumptive fishery to streams on the North Coast. These fish are not at risk of serious
25 depletion. He said there are concerns about impacts to other species. This is expected
26 to be a very low-intensity fishery. Long-term trends are stable. Bradley said based on
27 the 2005 Stock Status Review, recent surveys, abundance and stability of the Cutthroat
28 trout population, staff recommends the Commission adopt 150P.

- 29
30 • *Proposal 219P – Illinois River, allow wild steelhead harvest in Southwest Zone*

31
32 Dan VanDyke, Rogue District Fish Biologist, said biologists believe the Wild Winter
33 Steelhead population is very healthy in the Rogue watershed. He talked about good
34 anchor habitat and said harvest would be limited by access. Biologists would evaluate
35 harvest through tag returns, escapement through surrogate Rogue River steelhead
36 populations and through dam counts. Staff recommends the Commission adopt 219P.

- 37
38 • *Proposal 241P – Mainstem Umpqua River, reinstate 1 per day, 5 per year wild*
39 *steelhead fishery.*

40
41 Laura Jackson, District Biologist for Umpqua Watershed, said the public rationale for
42 241P is it increases angling opportunity on a healthy run of steelhead. The population is
43 healthy and gives anglers the option to keep or release fish. She said the proposed rule
44 is consistent with the Native Fish Conservation Policy and wild winter stocks are healthy
45 and can sustain limited harvest. Staff defers to the Commission on 241P.

- 1 • *Proposal 248P – North Fork Umpqua River, reinstate 1 per day, 5 per year winter*
2 *steelhead season with the traditional season.*

3
4 Jackson said 248P also increases angling opportunity on a healthy run of steelhead and
5 anglers can choose to keep or release. She said the North Fork Umpqua was open for
6 wild harvest with no detectable negative impacts for twenty plus years prior to 2008, and
7 it is easy to monitor and take adaptive management steps to protect population because
8 of Winchester Dam. Staff defers to the Commission on 248P.

- 9
10 • *251P – South Fork Umpqua River, establishes a new 1 per day and 5 per year*
11 *winter steelhead season.*

12
13 Jackson said South Umpqua has a winter steelhead hatchery program with a release
14 goal of 80,000 – 120,000 smolts per year. Wild fish continue to brood stock needs and
15 should not be targeted in a consumptive fishery. Staff recommends the Commission
16 reject 251P.

17
18 Commissioner Klarquist said, earlier in the year, the Commission adopted a rule to
19 close the harvest of the wild fish. He questioned opening harvest on the mainstem, and
20 said the Commission must consider social concerns. When people say “angling
21 opportunity,” they seem to mean “harvest opportunity.” Chair Rae noted Klarquist’s
22 comment for the record.

23 24 **Willamette Zone Category B Proposals**

- 25
26 • *269P – Lower McKenzie River, reduces use of bait and expands area where*
27 *hatchery trout can be sustained. .*
28 • *270P – Upper McKenzie River – no bait.*

29
30 Kelly Reis, Assistant District Fish Biologist, South Willamette Watershed District, said
31 both 269P and 270P are public proposals from concerns about native trout numbers in
32 stocked sections of the river. Reis said trout counts at Leaburg Dam are declining.
33 Trends are less clear on the mainstem populations. Reis said they don’t have
34 information to say what is causing the declines, or what benefits they would gain by
35 taking away use of bait. Staff hopes to collect more data on the native group
36 populations and angler use in Lower McKenzie River. She said staff recommends the
37 Commission reject both 269P and 270P, but invest in additional studies to determine
38 appropriate course and level of action.

39 40 **Central Zone Category B Proposals**

- 41
42 • *289P – Lake Billy Chinook, 2 bull trout per day; 12-inch minimum and 24-inch*
43 *maximum length*
44 • *290P – Lake Billy Chinook, 2 bull trout per day and 2 bull trout in possession; 12-*
45 *inch minimum length and only one over 24-inches.*
46 • *292P – Lake Billy Chinook, 1 or 2 bull trout per day with slot-limit; 12-inch minimum*
47 *and 24-inch maximum.*

- 1 • *293P – Lake Billy Chinook, trout daily limit, 5 trout per day, only 1 trout over 20*
2 *inches may be taken per day. Kokanee are included as part of the trout bag limit.*
3 *Eliminate rule stating it is unlawful to continue angling for any species once a bull*
4 *trout has been harvested.*

5
6 Brett Hodgson, Upper Deschutes District Biologist, said 289P increases the harvest of
7 sub-adult bull trout, and increases the survival of kokanee. 290P increases the bag limit
8 of bull trout before they eat large numbers of kokanee, and 292P increases the harvest
9 of small bull trout that eat large number of small kokanee. The current regulation allows
10 1 bull trout per day, 1 bull trout in possession, 24-inch minimum length. He said that
11 increasing the take of bull trout would require data suggesting the increased take not be
12 detrimental to the viability of the species and jeopardize conservation efforts. Hodgson
13 said staff recommends the Commission reject 289P, 290P and 292P.

14
15 Hodgson said 293P eliminates the rule stating it is unlawful to continue angling for any
16 species once a bull trout has been harvested, and would increase angling opportunities
17 for other fish species. Staff recommends the Commission adopt 293P to reduce the
18 kokanee bag limit and to reduce the impact of incidental take on bull trout.

19
20 Hodgson said Lake Billy Chinook is the only water body in Oregon with a direct harvest.
21 Bull trout responded favorably to conservation measures and high abundance during
22 the 1990s – 2000s, but adult spawner population peaked in 2004. Hodgson said data
23 from the last four years suggests the population is declining to more sustainable
24 numbers, and the kokanee population is recovering. He said that effectively monitoring
25 the impact of proposed regulation changes is beyond the District staff capabilities, and
26 that the range of outcomes resulting from increased harvest could necessitate future
27 regulation revisions.

- 28
29 • *327P – Prineville Reservoir, crappie no limit; increase size to 8-inch minimum length.*

30
31 Terry Schrader, ODFW Biologist, said a goal of ODFW’s warmwater game fish
32 management is the “optimum and equitable harvest” of warmwater game fish species.
33 He said that if ODFW restricted harvest in some waters, it would reduce the
34 “attractiveness” of affected waters and reduce the use by anglers. Schrader reported on
35 the growth rate and management of crappie in Prineville Reservoir. Staff recommends
36 the Commission reject 327P.

37 38 **Southeast Zone Category B Proposals**

- 39
40 • *335P – Agency Lake, catch and release only of Klamath Redband Trout.*

41
42 Roger Smith, District Fish Biologist, Klamath Watershed, reported the Klamath Basin
43 has the largest Native Redband Trout in Oregon and North America. After his biological
44 assessment, Smith said there is no risk to redband trout stocks and that further
45 information is needed on angler effort and harvest in Agency Lake prior to considering
46 any regulation changes. He added that a creel survey will be done in 2009 on Klamath
47 Lake. Staff recommends the Commission reject 335P.

- 1
2 • 343P – Williamson River, all sections, catch and release only of Redband Trout.
3

4 Smith said there is no indication of reduced adult redband trout escapement, and that
5 harvest is not a major limiting factor. He said staff will continue monitoring spawning
6 escapement and expand population assessments sufficient to detect any change
7 requiring management action; habitat is the big issue. Staff recommends the
8 Commission reject 343P.
9

10 **Marine Zone Category B Proposals**

11

- 12 • 369P – Pacific Ocean, public proposal to allow sport crabbing in Ocean year-round.
13 • 369S – Pacific Ocean, staff’s proposal to allow sport crabbing in Ocean Jan. 1 – Oct.
14 15 and Dec. 1 – Dec. 31. Closed Oct. 16 - Nov. 30.
15

16 Jean McCrae, Resources Program Leader for Marine Resources Program, said the
17 ocean is currently closed to sport harvest of Dungeness crab from August 15 –
18 November 30. She said 369P would enhance angler access but would also increase
19 the handling mortality of soft-shell crab, and encourage interest for commercial harvest
20 resulting in enforcement issues due to commercial prospecting. McCrae said staff
21 recommends the Commission reject 369P and adopt 369S, staff’s modified proposal to
22 close sport harvest of Dungeness crab from October 16 – November 30, because it
23 would reduce the mortality of soft-shell crab and address enforcement issues.
24

25 The Commission recessed for lunch 11:50 a.m. and reconvened at 1:00 p.m.
26

27 **Commissioner Jon Englund declared a potential conflict of interest in the issue of**
28 **“2009 Sport Fish Angling Regulations” in that his business has dealings with**
29 **both the sport and commercial fisheries.**
30

31 Chair Rae noted the potential conflict of interest for the record. She said the
32 Commission packet contained submitted written testimony, and that public testimony
33 was limited to three minutes.
34

Bob Alverts
Tigard, OR

Mr. Alverts said ODFW has seen significant refocus on its customers, and its rules are too restrictive. He asked the Commission to reinstate the consumptive harvest in all coastal streams, and to reinstate North Umpqua and Mainstem Umpqua Fishery for harvest of 1 wild steelhead, 5 per year.

Ms. Whitney Gould
Portland, OR

Ms. Gould, member of Native Fish Society, fishes for steelhead. She opposes 241P, 248P, and 251P.

Peter Tronquet

Mr. Tronquet, member of Native Fish Society,

Medford, OR

supports non-consumptive fish on Illinois River. Don't open the fishery; it doesn't make sense biologically. He said to keep the current rules in the Umpqua System place for four years and see what happens.

Shane Stewart
Hillsboro, OR

Mr. Stewart, member of Native Fish Society, opposes 150P and supports 132P. We have not seen enough of a sustained increase to warrant harvest at this time. He submitted a 500-signature petition in opposition to 150P, and asked where the abundant numbers of Coastal Cutthroat are. He would like to see children taught conservation.

Frank Bates
Netarts, OR

Mr. Bates fishes Tillamook River. There is an abundance of Cutthroat trout. He supports 150P.

George Schmader
Netarts, OR

Mr. Schmader has a pioneer license. He asked the Commission to support 150P. He would like to take his grandchildren fishing and does not believe that two fish per day is too many.

Bill Blaser
Tillamook, OR

Mr. Blaser complimented the Commission on verifying what most Tillamook County residents have known for years – you can load the boat with fish there. All local rivers are full of native fish. We will lose a generation of children if we continue catch and release. He urged adoption of 150P.

Bonita J. Blaser
Tillamook, OR

Ms. Blaser agrees with staff's recommendation to adopt 150P and reinstate consumptive harvest. These are the people that the public pays to monitor this fishery. He said trout fishing is a sport that the entire family can participate in.

Christopher Engle
Klamath Falls, OR

Mr. Engle, a long-time river guide, testified in favor of catch and release (343P). He disagrees with biologist Roger Smith about meeting the criteria of the escapement of fish in Klamath Lake. He believes there is a summer run fish, and disagrees with Smith that criteria are being met.

Ed Miranda, Jr.
Klamath Falls, OR

Mr. Miranda, a guide for 22 years, represents the Klamath County Guide Association, who support catch and release (343P). He asked the Commission to protect Wood River and raise the fish numbers, perhaps by closing fishing

completely for four years.

John Bracke
Beaver, OR

Mr. Bracke testified in favor of catch and release. The fishery today is undergoing a big change because multiple groups use the rivers. He said the trout fishery and coho and steelhead populations are in trouble. The creel surveys conducted on the North Coast were done during the winter steelhead season when the trout fishery was closed. ODFW biologists don't have the information they need; they have missed the point.

Bill Egan
On file

Mr. Egan, member of Oregon Bass and Panfish, supports 136P and 138P. He also supports 134P which limits fish to 20 at Willow Creek Reservoir in Heppner.

Nancy Gilbert
Bend, OR

Ms. Gilbert, Field Supervisor for U.S. Fish and Wildlife Service, testified on proposed angling regulations 289P, 290P, 292P, and 293P, and said they agree with ODFW staff recommendations.

William Belding
Roseburg, OR

Mr. Belding has fished the North Umpqua River for 38 years. A year ago he became involved in local fishing issues due to special interest groups. He submitted written comments proposing a return to 2006-07 regulations on catch and release, along with consumption. No one has addressed the issue of why our fish populations are declining, including out-of-control seal populations.

Dennis Richey
West Linn, OR

Mr. Richey distributed a letter from Oregon Anglers and asked the Commission to look at the Little North Fork of the Santiam River. He asked the Commission to oppose 48S and 280P that potentially threaten this run, and to support 279P.

Tom Wolf
Hillsboro, OR

Mr. Wolf, Chair of Oregon Council of Trout Unlimited, represents over 3,000 members. He opposes 150P and supports 132P. There is not enough data. He also supports 293P, and more comprehensive management program and goals on Lake Billy Chinook. He supports 280P and opposes 48S. He said Trout Unlimited supports wild fish management, and regulations need to reflect conserving wild fish populations.

Don Abing
Astoria, OR

Mr. Abing, member of Federation of Fly Fishers, asked the Commission to support 132P. He submitted written testimony, and read, "The ESU's of wild sea run Cutthroat that inhabit the lower reaches of the Columbia River are threatened with extinction. Allowing anglers to kill these fish is irresponsible."

Mike Cooley
Grants Pass, OR

Mr. Cooley, President of Middle Rogue Steelheaders, said the group is involved in fish conservation projects. He supports 219P on the Illinois River and asked that Briggs Creek to Pomeroy Dam be open January 1 - March 31, 1 fish per day, and an aggregate of 5 per year. He also supports 205P, which is supported by ODFW biologists and the chapter's biologists.

Maynard Flohaug
Eagle Point, OR

Mr. Flohaug, member of Middle Rogue Steelheaders, supports Applegate River proposals 192P, 193P and 194P. Currently, anglers have to exit their boats to fish along the river banks. He discussed safety concerns and issues with private landowners. There is a healthy wild winter steelhead population on the Applegate River.

Burton Went
Manzanita, OR

Mr. Went testified in support of 132P. He said Coastal Cutthroat are wonderful to catch but he doesn't know why larger fish are so rare now. Poor ocean conditions can cause searun populations to become very unhealthy. Searuns should not be subjected to harvest unless there is an abundance of mature adults. He opposes 150P.

Bill Bakke
Portland, OR

Mr. Bakke, member of Native Fish Society, is looking for a plan that restores wild fish populations to viable and sustainable levels. He encouraged ODFW to follow an AG's opinion (from 1997) to practice a strong conservation program. He asked the Commission to adopt 271P, 269P and 270P. He opposes 141P, 248P, and 251P regarding wild steelhead harvest on the Umpqua River. He also supports rejection of a harvest on the Illinois River. Mr. Bakke submitted a letter.

Rich Berry
Portland, OR

Mr. Berry, distributed a letter and encouraged the Commission to accept staff's recommendation to reject 264P regarding Commonwealth Lake. He

said that ODFW's 2006 Angler's Survey noted a reduction in trout angling pressure in the state. A large number of young anglers will be affected if 264P passes.

Harry Piper
Eagle Point, OR

Mr. Piper, member of Rogue Fly Fishers, submitted a letter opposing 241P, 248P, and 251P. Economically, having a fishery for big, wild fish is more important than harvesting them now. He opposes 230P that removes restrictions of artificial flies and lures on section of Rogue River in September and October.

Dr. David Wang
Medford, OR

Dr. Wang, member of Rogue Fly Fishers Club, asked the Commission to reject proposals 150P, 219P, 241P, 248P, 230P and 251P. He asked the Commission to adopt 132P, 230P, 251P, 269P, 270P and 271P. ODFW has only given the non-kill one year, which is not long enough after 40 years of kill on the Umpqua system. Access does not equate to harvest of fish.

Walt Weber
Chinook, WA

Mr. Weber, Conservation Director of Rainland Fly Casters in Astoria, said the group supports 132P and opposed 150P based on fishing experiences on the north coast and not seeing any conclusive data from ODFW that the coastal Cutthroat population is still depressed. 132P does not take away any angling opportunities. The group's goal is to get fish back to early 1980 levels.

Scott Howell
Medford, OR

Mr. Howell, a fishing guide for 20 years, supports catch and release. He submitted a signed petition in support of this. As more people recognize trophy fishery on this river, the pressure has increased exponentially. If we truly want to achieve the goals of the Conservation Policy, it is imperative to manage the fishery on the side of conservation. He talked about the collapse of fish populations on Illinois River in the 1990s.

Tom Davis
Alsea, OR

Mr. Davis, Alsea Watershed Council, opposes 132P. The reason the Commission and ODFW exist is, not only to provide the opportunity to fish, but also to take fish home. He favors allowing kids to fish with worms. All of his grandchildren fish and to take that opportunity away would be ridiculous.

Stan Steele
Corvallis, OR

Mr. Steele supports staff's recommendations on coastal Cutthroat. He believes they are doing well, even though percentage of angling has decreased drastically. The Native Fish Conservation Policy bought into the plan to recover fisheries. Overall, we are doing relatively well, but part of the conservation policy is to allow limited harvest of our successes. He asked the Commission to reject the closure on the Upper McKenzie River.

Bruce Howell
Grants Pass, OR

Mr. Howell has fished since he was 21-years old. He is a charter member of Rogue Fly Fishers, and opposes any killing of wild fish on the Illinois River and North Umpqua system. He hasn't heard in any of the proposals that people cannot go fishing. We need to make a distinction between harvest and angling opportunities. He talked about taking his children fishing, and said we have a responsibility to educate our children on the outdoors.

Russell Bassett
Molalla, OR

Mr. Bassett, a Native Fish Society River Steward Coordinator, distributed written testimony, and asked the Commission to reject 150P, 219P, 241P, 248P, and 251P. He also asked the Commission to adopt 132P, 269P, 270P and 271P. He said wild fish are too precious a resource to catch only once. He favors warm water fisheries if they are in a warm pond.

Bob Jacobson
Waldport, OR

Mr. Jacobson, former ODFW commissioner, fishes for Cutthroat trout on the Oregon coast. He testified in opposition to 132P. Native Cutthroat populations in central coast areas are thriving and healthy. The No. 1 factor in the number and size of fish returning each year is ocean conditions. He supports implementation of 150P.

Ron Walp
Maupin, OR

Mr. Walp, a pioneer license holder, distributed written testimony asking the Commission to reject 241P, 248P, 251P and 219P. Also, he asked the Commission to save the wild steelhead in Oregon by voting yes on 131P. Preserving wild steelhead in Oregon is of utmost importance.

Steve Scrimsher
Nehalem, OR

Mr. Scrimsher suggested a middle-of-the-road situation: 5-10 fish a year, two a day, over 10

inches, let the big smolts live, and put them on a tag. He said don't kill them all, the kids get to catch a few, and the adults are limited to a certain number of fish.

Bill Lackner
Newport, OR

Mr. Lackner distributed pictures and asked the previous testifiers how they manage *not* to kill fish when they are fly-fishing. He said it is imperative that the staff recommendation carry the day. There is a big division on whether to keep the fish. He prefers keeping them.

Robin Wilson
Idyllwild Park, OR

Ms. Wilson, owner of the Idyllwild Trading Post on the North Umpqua River, read written testimony from Mr. Curtis Palmer of River Seekers Guide Service. Mr. Palmer was appalled when the river was closed to harvesting winter steelhead; a huge revenue for the community. Ms. Wilson said that she sees a decline in revenues and was not asking to open the harvest of wild steelhead on the mainstem. She supports 248P.

Don Ratliff
Madras, OR

Mr. Ratliff works at PGE at Round Butte Dam and Lake Billy Chinook. He supports active management of bull trout and Kokanee in preparation for fish passage at the Pelton Dam project. He discussed key findings from a 1980's food habit study on bull trout. He supports 239P, between 12 and 24 inches.

Manual Garcia
Bend, OR

Mr. Garcia, a fisherman, talked about fishing for kokanee and bull trout at Lake Billy Chinook. In three years, he has witnessed fish go from healthy to not so healthy. He supports 239P, between 12 and 24 inches.

Greg Harlow
Newport, OR

Mr. Harlow, sits on 2009 Regulation Review Board, and is the Director of Association of Northwest Steelheaders, and Water Coordinator for the Siletz River. He also organizes the annual Kid's Fish Day in Newport. He submitted 108P, mandatory harvest card turn-in. He is discouraged that it is not moving forward. He asked the Commission to encourage staff to move a similar model forward. He also supports 19S, 369SP, and staff's recommendation, as does the Watershed Council on 132P.

Kip Wood
Newport, OR

Mr. Wood, representing the Mid-Coast Watershed Council, read a statement from Coordinator Wayne Kauffman's letter. The Council supports rejection of 132P and would like more monitoring done on these fish. Mr. Wood is a surveyor of spring Chinook and has seen population increases and decreases. The current harvest level of 2 fish, 8 inches is sufficient. He also supports the proposed October 16 date.

Ned Lynch
Toledo, OR

Mr. Lynch, a private landowner, opposes 132P. His property abuts 1.6 miles of Yaquina River frontage. He has a conservation plan in place and has replanted 60 acres of land with Douglas fir. He fishes almost daily for Cutthroat, and they are abundant.

Paul Johnson
Portland, OR

Mr. Johnson supports adoption of 150P for catch and keep of Coastal Cutthroat trout. He believes the biologists are doing their job correctly. If you could monitor that and there are any problems, deal with it then.

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The Commission took a break and reconvened the meeting at 3:30 p.m.

Commissioner Edge declared a potential conflict of interest because several of the people who testified today represent fishing organizations that provide scholarships to students in the Oregon State University program.

Chair Rae noted for the record that Commissioner Edge's declaration did not prevent him from discussing or voting on the matter. She referred to Oregon Revised Statute 496.012 Wildlife policy and reminded the Commission of their responsibility in representing the public interest and in implementing the statutory goals of wildlife management. She said the Commission strives mightily to find that balance every time they get to these kinds of issues.

Chair Rae said she would use as an outline, *Staff Report, Attachment 4*, as the Commission discussed adopting or rejecting the regulations presented by staff.

Issue 1 – Technical Changes

Chair Rae asked the Commission for a motion to adopt the 2009 Sport Fishing Regulations and Technical Changes found in Attachment 1, Issue 1. She also asked Counselor Steve Sanders if the Commission should vote on each issue separately. Sanders said that was how it had been done historically.

1 **Action:** Commissioner Edge moved to adopt the 2009 Sport Fishing Regulations for
2 Technical Changes. Commissioner Levy seconded the motion. The motion passed
3 unanimously.
4

5 **Issue 2 – Adopt Category A Proposals**

6
7 Chair Rae said the Commission will take Category A proposals in Attachment 6 as a
8 separate motion.
9

10 Commissioner Klarquist referred to page 5, Attachment 6, and said under Restrictions,
11 paragraph 2, it states, “A gaff may not be used to land legally hooked salmon...” He
12 said to remove the word “legally”. Klarquist referred to page 33, Proposal 278P, and
13 said the sentence, “No angling from a floating device upstream from a pint hat...” should
14 read “point that...” He also said on page 40, Proposal 62S, the sentence “The 5 trout
15 daily limit may include only 1 rainbow trout over 20 inches in length of which may be an
16 unmarked rainbow trout.”, was unclear to him. Messmer said it should read, “... of
17 which one may be an unmarked rainbow trout.” Klarquist suggested making two
18 sentences out of the one, and Messmer agreed.
19

20 Commissioner Klarquist asked to discuss proposals 48S, 292P and 293P. Messmer
21 provided a brief background on the three proposals.
22

23 Commissioner Klarquist referred to page 31, Proposal 44S, and said the reference to a
24 “.personnel float tube...” should be corrected to “personal”.
25

26 Chair Rae asked for a motion to adopt all Category A proposals with the previously
27 noted corrections.
28

29 **Action:** Commissioner Edge moved to adopt all Category A proposals. Commissioner Klarquist
30 seconded the motion. The motion passed unanimously.
31

32 **Issue 3: Review and Adopt Category B Proposals described in Attachment 4.**

33
34 Chair Rae said she would follow Attachment 4 starting on page 3, as the the
35 Commission reviewed consideration to approve or reject the following proposals:
36

37 The Commission rejected, per staff recommendations, 108P, 135P and 136P.
38

- 39 • *138P - Proposed statewide daily limit of 50 crappie, with no minimum time limit.*

40
41 Commissioner Edge asked whether the Warm Water Working Group has these issues
42 on their plate. Messmer said he chaired the group; their first meeting was scheduled
43 November 21. Commissioner Edge asked what the average catch on crappie is.
44 Messmer said the warm water bodies are different, but it averages five to 50 per day.
45 Chair Rae said the Commission would like the Warm Water Working Group to take up
46 this issue, and that the Commission would be open to any of their recommendations.
47

- 1 • 150P – Reestablishes Cutthroat Trout season on north Coast streams.
2 • 132P – Eliminate harvest of unmarked trout in SW and NW zones, no bait for trout.
3

4 Chair Rae said the Commission would consider both proposals at the same time. She
5 said staff recommends the Commission to adopt 150, and reject 132P.
6

7 Chair Rae said some Commissioners still have battle scars from the Native Fish
8 Conservation Policy. There are still more conservation plans to put in place. She said
9 the Commission should be proud of their successes and should have the ability to
10 harvest those successes.

11
12 Commissioner Klarquist responded, what was presented today helps him accept that
13 there is a better run that could sustain a limited and dispersed harvest. He is willing to
14 accept the proposal with the expectation that staff would monitor ocean conditions. If
15 ocean conditions reverse the population trend, he would expect staff to bring new
16 proposals to modify the regulations.
17

18 Chair Rae asked for a motion to accept 150P.
19

20 **Action:** Commissioner Edge moved to accept 150P. Commissioner Levy seconded the
21 motion. The motion passed unanimously.
22

23 Chair Rae said the staff recommendation is to reject 132P. She said it would be in
24 conflict with the motion that the Commission just passed.
25

- 26 • 164P – Expand Kilchis River steelhead season.
27

28 Chair Rae said staff recommended the Commission adopt 164P. Steve Sanders said
29 164P was subject to a slight wording change on page 1 of Addendum to Attachment 6,
30 Exhibit D. He said it should read, “Upstream to North Fork...”, and to delete “Upstream
31 from North Fork...” This recommendation would be as amended.
32

33 **Action:** Commissioner Edge moved to adopt 164P as recommended by staff with the
34 amended Attachment. Commissioner Kerns seconded the motion. The motion passed
35 unanimously.
36

- 37 • 73S – Eliminates North Fork Nehalem angling closure and allows angling above
38 Highway 53 for fall Chinook, hatchery Coho salmon and steelhead.
39

40 **Action:** Commissioner Klarquist moved to adopt 73S as proposed by staff. Commissioner
41 Levy seconded the motion. The motion passed unanimously.
42

- 43 • 189P – Vernonia, limit crappie of 10 per day.
44

45 **Action:** Commissioner Englund moved to adopt 189P. Commissioner Levy seconded the
46 motion. The motion passed unanimously.
47
48

- 1 • 17S – Increases striped bass harvest opportunity.
2

3 **Action:** Commissioner Edge moved to adopt 17S. Commissioner Kerns seconded the
4 motion. The motion passed unanimously.
5

- 6 • *192P, 193P and 194P – Applegate River proposals concerning fishing from a
7 floating device. Staff recommends deferring to the Commission.*
8

9 Chair Rae said all three were Applegate River proposals. She said 192P does not
10 specify a season, 193P proposes the river be open to angling from a floating device
11 year-round, and 194P specifies a season of January 1 – March 31 which covers the
12 winter steelhead season.
13

14 Commissioner Edge asked which proposal would keep the current regulation plus allow
15 angling from a boat. Messmer said it would be proposal 193P.
16

17 Chair Rae asked for a motion to accept 193P to allow fishing from boats on the
18 Applegate River. There is no motion, and no action was taken.
19

- 20 • *19S – Restricting angling from Green Acre Tide Gates. Staff recommended
21 adoption.*
22

23 **Action:** Commissioner Levy moved to adopt 19S. Commissioner Klarquist seconded the
24 motion. The motion passed unanimously.
25

- 26 • 18S – Changes the upper salmon angling deadline South Fork Coquille.
27

28 **Action:** Commissioner Edge moved to adopt 18S. Commissioner Klarquist seconded the
29 motion. The motion passed unanimously.
30

- 31 • *219P – Illinois River, establishes a consumptive season for wild winter steelhead.*
32

33 **Action:** Commissioner Kerns moved to adopt 219P for consumptive season of winter
34 steelhead on the Illinois River. Commissioner Englund seconded the motion. The motion
35 passed 4-2. Those in favor: Edge, Englund, Kerns, Levy. Opposed: Chair Rae and
36 Commissioner Klarquist.
37

- 38 • *241P – Mainstem Umpqua, reestablish the 1-in-5 wild steelhead fishery*
39

40 **Action:** Commissioner Edge moved to reject 241P; Commissioner Klarquist seconded the
41 motion. Those in favor: Commissioners Edge, Klarquist, Levy, Englund. Opposed:
42 Commissioner Kerns and Chair Rae. Motion passed 4-2.
43

- 44 • *248P – North Umpqua, reinstates the consumptive wild steelhead fishery. Staff
45 recommends deferring to the Commission.*
46

1 **Action:** Commissioner Levy moved to reject 248P. Commissioner Klarquist seconded the
2 motion. Those in favor: Commissioners Edge, Klarquist, Levy, Englund. Opposed:
3 Commissioner Kerns and Chair Rae. Motion passed 4-2.
4

- 5 • *251P – South Fork Umpqua River, taking of wild steelhead. Staff recommends the*
6 *Commission to reject 251P.*
7

8 **Action:** Chair Rae moved to reject 251P; Commissioner Klarquist seconded the motion. The
9 motion passed unanimously.
10

- 11 • *265P – Commonwealth Lake, one bass limit per day on Commonwealth Lake.*
12

13 **Action:** Chair Rae moved to adopt 265P; Commissioner Levy seconded the motion. The
14 motion passed unanimously.
15

- 16 • *40S – Molalla River, allows harvest of naturalized stray wild steelhead.*
17

18 **Action:** Commissioner Klarquist moved to adopt 40S; Commissioner Englund seconded the
19 motion. The motion passed unanimously.
20

- 21 • *271P – Molalla River, requires use of single barbless hooks all species, year round.*
22 *Staff recommends the Commission to reject. (The Commission rejected 271P.)*
23

- 24 • *271S - Molalla River, encourages use of single barbless hooks.*
25

26 Messmer said 271P was the original proposal that requires the use of single barbless
27 hooks year round. He said that staff's alternative proposal is 271S, which simply
28 encourages the use of single barbless hooks.
29

30 **Action:** Commissioner Englund moved to adopt 271S. Commissioner Levy seconded the
31 motion. The motion passed unanimously.
32

- 33 • *34S – Mount Hood Pond, angling restricted to youth age 17 and under from April 1 –*
34 *August 31.*
35

36 **Action:** Commissioner Levy moved for adoption of 34S. Commissioner Klarquist seconded
37 the motion. The motion passed unanimously.
38

- 39 • *45S – Upper Sandy River, allows harvest of naturalized stray hatchery steelhead.*
40

41 **Action:** Commissioner Englund moved to adopt 45S. Commissioner Klarquist seconded the
42 motion. The motion passed unanimously.
43

- 44 • *280P – Little North Fork Santiam River, angling restricted to artificial flies and lures.*
45

46 **Action:** Commissioner Klarquist moved to adopt 280P. Commissioner Kerns seconded the
47 motion. The motion passed unanimously.
48

- 1 • *79S – Small Fry Lake, angling restricted to youth age 17 and under.*

2
3 **Action:** Commissioner Levy moved to adopt 79S. Commissioner Klarquist seconded the
4 motion. The motion passed unanimously.
5

- 6 • *60S – Yamhill River, restores consumptive trout angling for adipose fin-marked trout*
7 *on South Fork Yamhill River.*

8
9 **Action:** Commissioner Edge moved to adopt 60S. Chair Rae seconded the motion. The
10 motion passed unanimously.
11

- 12 • *293P – Lake Billy Chinook, harvest bull trout and continue angling for other species.*

13
14 **Action:** Commissioner Englund moved to adopt 293P. Commissioner Levy seconded the
15 motion. The motion passed unanimously.
16

- 17 • *62S – Crane Prairie Reservoir, allows 5 trout daily limit, only one rainbow trout over*
18 *20 inches in length, of which one may be an unmarked rainbow trout.*

19
20 Counselor Sanders noted on page 40, Attachment 6, there was a grammatical
21 correction that changed one sentence into two sentences.
22

23 **Action:** Chair Rae moved to adopt 62S. Commissioner Edge seconded the motion. The
24 motion passed unanimously.
25

- 26 • *63S – Deschutes River, catch and release only rainbow trout, increase daily limit of*
27 *brook trout.*

28
29 **Action:** Commissioner Klarquist moved to adopt 63S. Commissioner Englund seconded the
30 motion. The motion passed unanimously.
31

- 32 • *332P – Willow Creek Reservoir, catch and release only for largemouth bass.*

33
34 **Action:** Commissioner Englund moved to adopt 332P. Commissioner Kerns seconded the
35 motion. The motion passed unanimously.
36

- 37 • *66S – Pilcher Creek Reservoir, open trout season April 25 – October 31.*

38
39 **Action:** Commissioner Levy moved to adopt 66S. Commissioner Edge seconded the
40 motion. The motion passed unanimously.
41

- 42 • *75S - Columbia River, minimum length for salmon is 12-inches in Sections 2 and 3,*
43 *and close trout angling in Section 3.*

- 44 • *76S – Columbia River, hook size restrictions to reduce snagging in Section 4.*

- 45 • *77S – Columbia River, night angling for salmon and steelhead above McNary Dam*
46 *during August 1 – October 15.*
47

1 **Action:** Commissioner Edge moved to adopt 75S, 76S and 77S. Chair Rae seconded the
2 motion. The motion passed unanimously.
3

- 4 • 369P – *Ocean open year round to sport crabbing.*
5 • 369SP –*Staff proposal to extend ocean crabbing by two months instead of having it*
6 *year-round.*
7

8 **Action:** Commissioner Englund moved to adopt 369SP. Commissioner Levy seconded the
9 motion. The motion passed unanimously.
10

11 Chair Rae asked Counsel Steve Sanders if any further action was needed. Sanders
12 said no further action was needed to implement all the changes that the Commission
13 has already voted on, and to reject all that they did not adopt.
14

15 Receiving no motions to approve, the following regulations were rejected by the
16 Commission: 191P, 224P, 230P, 236P, 264P, 269P, 270P, 271P, 278P, 289P, 290P,
17 292P 296P, 299P, 307P, 319P, 320P, 327P, 334P, 335P, 342P, 343P, 357P, and 369P.
18

19 Chair Rae noted for the record that the *Addendum to Attachment 6, Exhibit D* is
20 included in all the adoptions.
21

22 **EXECUTIVE SESSION**

23

24 Chair Rae stated the Commission was going into Executive Session to consult with
25 legal counsel to discuss confidential legal settlement negotiations on the Carmen Smith
26 Hydroelectric Project. Director Elicker's performance evaluation is moved to the
27 Commission's October meeting.
28

29 Chair Rae reconvened the meeting after Executive Session in order to adjourn the
30 Commission's public meeting at 5:48 p.m.
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