



## Oregon Fish and Wildlife Commission Minutes

**Tour:**  
February 19, 2008 – 8:00 am  
Depart Cannery Pier Hotel  
10 Basin Street  
Astoria, OR 97103

**Public Reception:**  
February 19, 2009  
Cannery Pier Hotel  
*Union Fish Room*  
10 Basin Street  
Astoria, OR 97103

**Meeting:**  
Oregon Fish & Wildlife Commission  
February 20, 2009 8:00 a.m.  
*The Loft at the Red Building*  
20 Basin Street, Suite F  
Astoria, OR 97103

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2 Commission minutes are considered draft until approved by the Commission at its next  
3 meeting.

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

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9 Marla Rae, Chair  
10 Dan Edge, Vice-Chair  
11 Jon Englund, Commissioner  
12 Skip Klarquist, Commissioner  
13 Carter Kerns, Commissioner  
14 Zane Smith, Commissioner  
15 Bobby Levy, Commissioner  
16 Roy Elicker, Director  
17 Manny Farinas, Interim Deputy Director  
18 Steve Sanders, Assistant Attorney General  
19 Teri Kucera, Executive Assistant

8  
9 Chair Marla Rae opened the Friday, February 20, 2009 Oregon Department of Fish and  
10 Wildlife (ODFW) Commission meeting at 8:00 a.m. She said the day before the  
11 Commission toured crab and fish processing facilities, looked at safety equipment for  
12 crab boats and heard a report on sea lions. She said the public reception held the night  
13 before was well attended.

### 14 **DIRECTOR'S REPORT**

15 Field Reports

16  
17 *Northeast Region*  
18 Craig Ely, Region Manager, discussed Idaho Power's application to the Energy Facility  
19 Sighting Council to construct a 550kv power line from Boardman, Oregon to  
20 Hemmingway, Idaho. Staff is working with Baker County on the impact to sage-grouse  
21 lek habitat in Baker and Harney counties, and meetings are scheduled to consider  
22 alternative routes. Four annual Coordinated Enforcement Program (CEP) meetings  
23 were held last month for the public, and focused priorities on enforcement issues.

### 24 *High Desert Region*

25  
26 Chip Dale, Region Manager, talked about staff's response to numerous calls concerning  
27 distressed deer tangled in construction cords, nylon ropes, fences and holiday lights. He  
28 said biologists tracked a wolf that was sighted in the Suttle Lake area and reported it  
29 was a "large wolf-like canid". Dale said staff has proposed not to implement a spring  
30 Chinook sport angling season on the Deschutes River in 2009 due to predictions of  
31 extremely low wild fish returns.

### 32 *Northwest Region*

33  
34 Chris Wheaton, Region Manager, reported on the results of elk surveys in the Coast

1 Range and the Cascades. He discussed hunter success rates for waterfowl hunting on  
2 Sauvie Island Wildlife Area that concluded January 25; a record 1,365 ducks were  
3 harvested at Fern Ridge this season. He reported on coastal Coho spawner inventories  
4 and said 170,000 fish returned to the Oregon Coast this season; the 5<sup>th</sup> highest number  
5 since 1990. He said the forecast for 2009 is 210,000 wild Coho returning to Oregon.  
6

### 7 Southwest Region

8 Russ Stauff, Acting Region Manager, talked about public access on the South Fork  
9 Coquille River. The Oregon State Marine Board denied a petition to ban motors on a 20-  
10 mile reach of the South Fork. Stauff said the increasing size of the elk herd in the  
11 Medford area has resulted in safety and damage issues. He said the Rogue Watershed  
12 District is developing a conservation plan for fall Chinook in the Rogue Species  
13 Management Unit. A public advisory committee will hold meetings through June; a  
14 public draft of the conservation plan is anticipated by July 1, 2009.  
15

### 16 Marine Reserves Program

17 Dave Fox, Interim Manager, discussed the Oregon Coast Historical Baseline Study  
18 being conducted with Oregon State University, Oregon Sea Grant, the Siletz Tribe,  
19 Environmental Protection Agency, and the Oregon Institute of Marine Biology. The  
20 group will study fisheries, marine mammals, kelp, coastal geology and development,  
21 pollution, and human use of natural resources. They will analyze historical data and  
22 produce a white paper end of 2009 that policy makers will use as a guideline in  
23 interpreting changes and implications to the long-term sustainability of Oregon's ocean.  
24

### 25 Information and Education

26 Roger Fuhrman, Administrator, said Bob Swingle was hired as the new web developer.  
27 He said the Pacific Northwest Sportsman show ended February 8 in Portland. He  
28 reported that Mitch Webb, ODFW angling instructor from Canby, won an all expenses  
29 paid trip to Miami, Florida for the winning entry in the Anglers Legacy / World Fishing  
30 Network essay contest. As the grand prize winner, Webb will star in a television spot  
31 that will air on the World Fishing Network on the Dish Network. Fuhrman also noted that  
32 his staff is working with the Southwest Region office on the South Coquille River issue.  
33

### 34 Oregon State Police

35 Capt. Walt Markee said the "Trailer of Shame" was very popular at the 2009 Sportsman  
36 Show. He talked about the Governor's Recommended Budget (GRB) and said they  
37 were asked to cut 20% from their budget. He said four positions have been lost, and  
38 there are six vacancies. Troopers from the Fish and Wildlife and Criminal Divisions who  
39 lost their jobs will be displaced into the Patrol Division. He said reductions would have  
40 been much higher if not for a lot of support from people testifying before the Joint Ways  
41 and Means Committee on February 12.  
42

43 Chair Rae said OSP enforcement is critical to ODFW. She introduced Suzanne Knapp,  
44 the Governor's Natural Resources policy advisor.  
45

### 46 Klamath Basin Restoration and Hydropower Agreements

47 Suzanne Knapp reported on two Klamath Basin agreements. In January 2008, the

1 Klamath Basin Restoration Agreement (KBRA) was completed after negotiation among  
2 26 parties. In November 2008, the State of Oregon signed a negotiated Agreement in  
3 Principle (AIP) with PacifiCorp to remove the four lower hydroelectric dams on the  
4 Klamath River. Knapp said the KBRA was needed to respond to a number of issues:

- 5 • FERC Re-Licensing: Klamath Hydroelectric Project
- 6 • Klamath Basin Water Rights Adjudication;
- 7 • Increased Power Rates;
- 8 • Biological Opinions: NOAA, USFWS;
- 9 • Fishery Failures and Fish Kills;
- 10 • Litigation, Conflict and Crisis; and
- 11 • Tribal Revitalization Needs.

12  
13 Knapp talked about the location of dams on 35 miles of the Klamath River, their owners  
14 and how much power each dam produced. She said the KBRA principles basically  
15 achieved wholeness and wellness for communities, cultures and ecosystems. She  
16 described the Bargained-for-Benefits in the Restoration Agreement Programs.

17  
18 Knapp said the Klamath Hydroelectric Project Agreement in Principle (AIP) establishes  
19 a framework for resolution of the relicensing proceedings. Key elements are: protecting  
20 customers from liabilities and uncertain costs of dam removal; benefits of low-cost  
21 power; interim operations to provide beneficial river conditions for aquatic life; transfer  
22 dams for removal; and timely removal of all four dams.

23  
24 Knapp said a Final Agreement should be completed by June 30, 2009 that will specify  
25 the details to implement the dam removal. She said PacifiCorp has a target date of  
26 2020 for timely removal of the dams. She said Senate Bill 76 was introduced to provide  
27 oversight and coordination for implementation of the agreements. Knapp said the KBRA  
28 and the AIP are historic; never before has an agreement restored an entire basin and a  
29 river that was the third largest producer in salmon.

30  
31 Commissioner Edge thanked Ms. Knapp and Chip Dale for their work. He predicted this  
32 will be the classic case study for watershed restoration for many years to come.

### 33 34 Marine Reserves Briefing

35 Ed Bowles, Fish Division Administrator, said current employee Dr. Caren Braby was  
36 promoted to the new Marine Resources Program Manager; effective March 16. He  
37 thanked Bill Herber and Dave Fox for filling in as interim managers.

38  
39 Bowles reported that the Governor's Marine Cabinet took 20 proposals in nine areas  
40 before the Ocean Policy Advisory Committee's (OPAC). The Governor accepted  
41 OPAC's recommendations to move forward on two pilot sites for immediate designation  
42 and to further consider four other areas. Bowles described the two pilot sites: 1) Port  
43 Orford; and 2) Otter Rock south of Depoe Bay. He discussed the four proposed areas:  
44 1) Cape Falcon; 2) Cascade Head; 3) Cape Perpetua to Heceta Head; and 4) Cape  
45 Arago. Bowles said another \$2 million, currently requested in the Governor's  
46 Recommended Budget, is needed before additional steps can be taken by the state.

1 Chair Rae talked about the Legislature's struggle to find resources and the New Carissa  
2 settlement funds. Bowle stated staff is promoting that this is a good use of New Carissa  
3 settlement dollars which were intended for coastal matters. Bowles said in the summer  
4 staff will present two pilot sites to the Commission for their consideration. Afterwards,  
5 staff will further evaluate and encourage collaboration on the four other areas.

6  
7 Chair Rae recessed the Commission at 10:00 a.m., and reconvened it at 10:10 a.m.

8  
9 Update on Three-Year Crab Pot Limit Review

10 Steve Williams, Deputy Fish Division Administrator, Ocean Salmon Columbia River and  
11 Marine Program, reported that the Commission has to review the crab limit every year.  
12 He said the formal report is due this year and that in preparation, there will be a summit  
13 in July. Information gathered will be used to create a formal report in October.

14  
15 Commissioner Englund asked if any changes would be implemented in 2011. Williams  
16 said staff would be looking at 2010 or 2011. Commissioner Englund said he hoped  
17 safety will be part of the summit. Williams said safety education will be included.

18  
19 Chair Rae invited Nick Furman, Executive Director for Oregon Dungeness Crab  
20 Commission, to join Williams and asked Furman how the Commission could assist his  
21 commission with preparation for the summit in July. Furman said the Commission has  
22 already helped; now staff has to develop a meaningful agenda for the summit.

23  
24 Chair Rae moved the Public Forum up on the agenda to accommodate people traveling.

25  
26 **PUBLIC FORUM**

27

Michelle Longo Eder Newport, OR	Michelle Longo Eder asked the Commission to support a proposal for an administrative rule that would require vessel owners to obtain a dockside inspection as part of participating in the Dungeness Crab fishery. She said only 30% of the fleet is obtaining those voluntary exams. She said between 2000 and 2006 there were 23 vessels lost and 46 deaths along the West Coast, but only three had been inspected for safety. She said federal regulation already requires the requested safety equipment. She said she has been appointed to the National Commercial Fishing Vessel Safety Advisory Committee.
Dan Hardin	Hardin said he is the Coast Guard Commercial Fishing Safety Coordinator for the West Coast, Idaho and Montana. Chair Rae asked why the Coast Guard is in Montana. Hardin said the Coast Guard has jurisdiction in the 13 western states on navigable water. He said the Coast Guard supports Longo Eder's proposal to increase dockside exams. Commercial fishing is the most dangerous industry in the country. In 2007 across the United States, 111.8 people

	<p>were fatally injured per 100,000 in the industry. He talked about the “Deadliest Catch”, a program on the Discovery Channel about crab fisheries of the West Coast. Oregon had the highest fatality rate in 2007, losing 15 people; while Washington lost four and California lost three.</p>
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Chair Rae asked if this can be interpreted as an informal request rather than a legal petition for an administrative rule. Longo Eder said this is an “informal” request. She hoped that a proposed rule would get out prior to the July crab summit.

Chair Rae asked the Commission to keep in mind that this request was not only for the July summit, but also for when crab matters return to the Commission in October. She asked for comments.

Discussion followed about whether mandatory inspections are required in other states. While not required in California, they are required in Alaska.

Commissioner Englund asked if all the deaths on the coast were related to crab fishing, and if this data only related to crabs and not ground fish. Hardin said the statistics are only for crab vessels. Englund stated this pertains to a crab permit for delivery in the State of Oregon and then asked if they didn’t get this certification, could they still fish off of Oregon and deliver to Washington.

Longo Eder said the intent is, in order to obtain a crab permit, they would need to get the vessel voluntarily inspected. If they were fishing off the Oregon Coast, they would need an Oregon permit. If they delivered into Washington and if they were to fish off of Oregon, they would need that inspection. She said it is possible that a vessel, if it was based in Washington and fished only in Washington, would have to renew their permits or be at risk. She said if they have both permits, even if they only choose to fish out of Washington, they would still need to get the voluntary inspection in order to retain the crab permit. They have an extremely high financial incentive, given the value of crab.

Commissioner Englund said we have to be very clear when we draw this up, in our understanding of this issue, because there is always an end-run around it. He wants to make sure the dual permit issue is addressed.

Commissioner Levy said as a business owner, she was required by OSHA to obtain documented proof of regular safety needs. She supports requiring monthly safety training for crab fisheries. Hardin said they are required to conduct training monthly and for anyone new on the vessel. Levy asked if the training was documented. Hardin said that is not a requirement; but that would change in the new proposed rules. Levy said she favors doing that.

<p>Kent Martin Skamokawa, WA</p>	<p>Kent Martin, a commercial fisherman for many years, distributed a letter to the Commission and talked about selective harvest and nonselective fisheries. He said there is</p>
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	<p>an increasing drumbeat in the recreational fishing community for a mark selective fishery on the Columbia River summer Chinook to lengthen the sport season. He asked, is this appropriate? The summer Chinook run is healthy, and the 2009 projection is over 70,000 fish. He said compliance in marked selected fisheries is good when there is enforcement, but falls off where there is not enough enforcement. Martin said to adopt selective fisheries as an overall policy is way ahead of the ability of science to evaluate those outcomes and ensure compliance.</p>
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**Economic Impact of Fishing, Hunting, Wildlife Viewing and Shellfish Harvest in Oregon**

Roger Fuhrman introduced Dean Runyan, President of Dean Runyan Associates; Leon Aliski, Project Manager at Dean Runyan Associates; and Kim Royster, partner at The Pulse Group. Fuhrman said the study was a collaborative effort by ODFW and Travel Oregon to identify the economic impact of hunting, fishing, shellfish and wildlife viewing in Oregon – an important part of Oregon’s economy especially in rural areas. He said a final report in March will include detailed information and preferred methods of receiving information, and will be distributed to other interested parties.

Kim Royster discussed the scope of research conducted by mail and telephone on hunting, fishing, shellfish and wildlife viewing. She said the surveys were mailed to Oregon residents and nonresidents selected randomly from the license sales database. Resident wildlife viewers were selected through random telephone calls to Oregon telephone numbers. The surveys covered 2007 and 2008, and were completed by economists and a survey team under contract to Travel Oregon.

Leon Aliski gave a detailed report and highlighted the reported findings:

- Residents and non-residents spent \$862-million on hunting (\$105 million), fishing (\$265 million), shellfish (\$31 million), and wildlife viewing trips (\$462 million).
- Residents and non-residents spent an additional \$1.5-billion on equipment, clothing and other items associated with hunting (\$382 million), fishing (\$441 million), shellfish (\$138 million), and wildlife viewing trips (\$528 million).
- Hunting, fishing, shellfish and wildlife viewing is very important to Oregon’s economy, especially rural areas. The \$862-million spent on hunting, fishing, shellfish and wildlife viewing trips is about 10% of all travel-generated expenditures in Oregon.
- Fish and wildlife based recreation is a significant portion of all travel expenditures in some counties.
- Residents spent an additional \$146-million on “local” trips for hunting (\$32 million), fishing (\$77 million), shellfish (\$5 million), and wildlife viewing less than 50-miles one way (\$33 million).

1 Chair Rae asked that the slide presentation be emailed to the Commissioners, and then  
2 asked about the rollout when the plan is finalized in mid-March. Fuhrman said there  
3 are plans to do a presentation to the Governor's Conference on Recreation in April. The  
4 group will push it out to travel councils and put together a press kit. He said  
5 presentations will also be given to the Oregon Legislature.

### 6 7 **Oregon Habitat Joint Ventures Update**

8 Holly Michael, Conservation Strategy Leader, said The Wildlife Society held their annual  
9 conference on emerging issues February 9-12 at Gleneden Beach. The Marine  
10 Reserves Program and ODFW Fish Division helped sponsor a Wave Energy workshop.  
11 She said Suzanne Knapp participated in the Plenary Session, which was geared  
12 towards students. Michaels said ODFW is working on wind energy and developing  
13 stakeholder relationships. ODFW is also working with stakeholders to revise the  
14 conservation strategy to bring climate change to the forefront and as a second key  
15 conservation issue with land use and habitat. She introduced Bruce Taylor, Executive  
16 Director of Oregon Habitat Joint Ventures (JV).

17  
18 Bruce Taylor gave a slide presentation, "Partnerships for habitat conservation 1991-  
19 2009", and said the Habitat Joint Venture (JV) has two large regional joint ventures: 1)  
20 the Pacific Coast Joint Venture in Western Oregon; and 2) the Intermountain West Joint  
21 Venture in Eastern Oregon. JV has an extensive network of diverse partners and it is  
22 cooperatively funded by several organizations. He said JV meets to share information;  
23 their partners do the projects and JV provides support and assistance. He said JV's  
24 accomplishments include more than 200,000 acres protected or restored since 1991.  
25 He described some of their projects and said priority habitats include forests, riparians,  
26 grasslands and sagebrush. JV has been involved in the Oregon Conservation Strategy  
27 from the beginning; it reflects their priorities. He discussed ODFW and JV needs and  
28 asked that JV be recognized not as "a business", but "as a way of doing business".  
29

30 Chair Rae thanked Taylor for his presentation of JV, and asked for comments.

31  
32 Director Elicker thanked Bruce Taylor for addressing the Commission. He said JV has  
33 remained a vital partner with ODFW. Elicker referred to the Coquille Valley project and  
34 noted that Steve Denney and Curt Melcher would meet with legislators the following  
35 week to discuss that issue with them.

36  
37 Chair Rae recessed the meeting at 12:05 p.m., and reconvened it at 1:00 p.m.

### 38 39 **Mule Deer Initiative Update**

40 Larry Cooper, Wildlife Division Deputy Administrator, introduced Assistant Wildlife  
41 District Biologists Meg Eden from Prineville and Greg Jackle from John Day. Cooper  
42 said mule deer achieved maximum abundance during the 1950s and 1960s. However,  
43 mule deer have declined since the early 1990s due to the combined efforts of drought  
44 and severe winters. He said recently the production and survival of fawns have  
45 remained at depressed levels. The Mule Deer Initiative (MDI) program addresses the  
46 decline of mule deer populations in five designated Wildlife Management Units (WMU):  
47 Heppner, Maury, Warner, Steen Mountains, and Murderers Creek.

1 Meg Eden said she is involved in the MDI planning process, and that staff formed  
2 planning committees and met with county commissioners in local areas. She said the  
3 committees represent hunters, BLM, OSP, Forest Service, counties and private  
4 partners. Eden said staff's goal is to work with these planning committees and oversee  
5 the development of strategies and Action Plans to reach established population  
6 management objectives for the WMUs.

7  
8 Greg Jackle said committees have been formed for the Heppner and Maury units. He  
9 said members of the counties were pivotal as were BLM, U.S. Forest Service, and the  
10 Warm Spring Tribes. On March 2, a meeting is scheduled with representatives from  
11 Idaho who have worked on their plan for four years. Also, an Oversight Committee will  
12 start meeting mid-March and draft a plan by mid-May for each of the five units, with  
13 review by the counties. Their hope is to have a final plan for adoption by July 1, 2009.

14  
15 Commissioner Edge asked on what basis the five WMUs were selected. Cooper said  
16 they polled field staff that had differences of some of the problems they were facing,  
17 e.g., habitat issues, with major changes that staff could measure.

18  
19 Commissioner Smith asked staff to consider climate change in the development of the  
20 plans. He said it puts a lot of weight on ODFW's relationship with landowners.

21  
22 Commissioner Kerns said he was all for the plan, and asked if ODFW could accept  
23 donations. Director Elicker said yes.

#### 24 25 **Expenditure Report and Budget Update**

26 Director Elicker said on February 19, Tom Ruddiman and he testified before the Ways  
27 and Means Subcommittee on Natural Resources on budget cuts for the 2007-09  
28 biennium. He said Oregon is facing an \$855 million revenue shortfall. Effective March 1  
29 through June 30, 2009, executive and management staff pay will be affected by salary  
30 freezes, furlough days, and rollback of the top salary step. Elicker said the agency's  
31 current fee increase request and budget is based on the current level of services.

32  
33 Chair Rae talked about the seriousness of the proposed budget cuts and the economy.  
34 She discussed cutting the costs associated with Commission meetings; for instance,  
35 have staff giving reports to the Commission participate by teleconference. She  
36 discussed minimizing the need for a lot of travel time and incurring hotel costs. She  
37 suggested ways the Commissioners could reduce expenses as well.

38  
39 Commissioner Smith asked staff to work with the Oregon Watershed Enhancement  
40 Board on potential funding. Discussion followed about the financial situation of  
41 neighboring states. Director Elicker said Washington Fish and Wildlife is laying off over  
42 100 employees. Chair Rae talked about it being a balance issue. Commissioner Edge  
43 said he supports eliminating entire programs versus staff being loaded with more work.

#### 44 45 **Adopt Temporary Rules**

46 Director Elicker requested the Commission ratify the following seven temporary rules  
47 that were previously adopted by the director under his emergency action authority.



1  
2 **635-001-0050**  
3 **Amend Rules relating to License Exchanges and Refunds**  
4 Adopted January 14, 2009; effective January 14, 2009 through July 12, 2009.  
5 Rule modifications allow licensees to exchange a license purchased for a Combination  
6 Hunting and Angling license, Sports Pac license, Senior Citizen license, Pioneer license  
7 or a Disabled War Veteran license, when qualified.

8  
9 **635-041-0065 and 635-042-0135.**  
10 **2009 Commercial Winter Salmon and Sturgeon Fisheries for the Columbia River**  
11 Adopted January 29, 2009; effective February 2, 2009 through August 1, 2009.  
12 Rule modifications implement the 2009 winter commercial Treaty Indian fisheries in the  
13 mainstem Columbia River in all of Zone 6; and modify the non-Indian commercial  
14 sturgeon fishery in the mainstem Columbia River below Bonneville Dam. Modifications  
15 are consistent with the action taken January 29, 2009 by the Columbia River Compact  
16 agencies of Oregon and Washington.

17  
18 **635-039-0090**  
19 **Daily Bag Limit for Sport Caught Marine Groundfish Increased**  
20 Adopted February 2, 2009; effective February 2, 2009 through July 31, 2009.  
21 Rule modifications increased the daily bag limit for sport caught marine groundfish from  
22 5 to 6 fish as adopted by the Oregon Fish and Wildlife Commission at its September  
23 2008 meeting. This modification corrects the rule's language to be consistent with the  
24 already published 2009 Oregon Sport Fishing Regulations, page 100, under the "Daily  
25 Catch Limits" column for "Rockfish ("sea bass," "snapper"), Greenling ("sea trout"),  
26 Cabezon, Skates and other marine species not listed on pages 100-101."

27  
28 **635-017-0090**  
29 **Modifications to the Recreational Spring Chinook Season in the Willamette River**  
30 **and Tributaries**  
31 Adopted February 11, 2009; effective March 1, 2009 through August 15, 2009.  
32 Rule modifications revise recreational spring Chinook retention days and bag limits in  
33 the Willamette River and tributaries, including the lower Clackamas River downstream  
34 of the Highway 99 Bridge. Revisions are consistent with action taken February 11, 2009  
35 by the Columbia River Compact agencies of Oregon and Washington.

36  
37 **635-023-0125**  
38 **Modifications to Recreational Spring Chinook Seasons in the Columbia River**  
39 Adopted February 11, 2009; effective March 1, 2009 through June 15, 2009.  
40 Rule modifications set the Columbia River spring Chinook season regulations for 2009  
41 with a description of areas, dates and bag limits for recreational harvest of adipose fin-  
42 clipped Chinook salmon, adipose fin-clipped steelhead, and shad. Revisions are  
43 consistent with action taken February 11, 2009 by the Columbia River Compact  
44 agencies of Oregon and Washington.

45

1 **635-041-0065**

2 **2009 Treaty Indian Fisheries for the Columbia River**

3 Adopted February 13, 2009; effective February 16, 2009 through July 31, 2009.

4 Rule modifications closed the ongoing Treaty Indian winter gillnet fishery in the  
5 Bonneville Pool effective 6:00 a.m. Monday, February 16, 2009. The ongoing  
6 platform/hook-and-line fishery continues as previously scheduled. White sturgeon from  
7 38 to 54 inches in fork length in the Bonneville Pool may be kept for subsistence use  
8 only. Modifications are consistent with action taken February 13, 2009 by the Columbia  
9 River Compact agencies of Oregon and Washington.

10

11 **635-042-0145; 635-042-0160; 635-042-0170; and 635-042-0180**

12 **2009 Commercial Salmon and Sturgeon Fisheries for Columbia River Select**  
13 **Areas**

14 Adopted February 11, 2009; effective February 15, 2009 through July 31, 2009.

15 Amended rules modify seasons, area boundaries and catch restrictions for Chinook  
16 salmon and white sturgeon commercially caught in the Columbia River Select Areas of  
17 Youngs Bay; Blind and Knappa sloughs; Tongue Point Basin and South Channel; and  
18 Deep River, respectively. Modifications are consistent with action taken February 11,  
19 2009 by the Columbia River Compact agencies of Oregon and Washington.

20

21 *Action: Commissioner Levy moved to ratify the seven temporary administrative*  
22 *rules. Commissioner Edge seconded the motion. The motion passed*  
23 *unanimously.*

24

25 **Exhibit A: COMMISSION MINUTES**

26 Chair Rae asked if there were any questions or edits to the Commission minutes of the  
27 Joint Oregon and Washington Fish and Wildlife Commissions on December 11, 2008,  
28 and the minutes of the Oregon Fish and Wildlife Commission meetings on December  
29 12, 2008, January 9, 2009, and the January 23, 2009 conference call.

30

31 *Action: Commissioner Edge moved to adopt the minutes of the last four*  
32 *Commission meetings. Commissioner Smith seconded the motion. The motion*  
33 *passed unanimously.*

34

35 **Exhibit B: FISH SCREENING TASK FORCE MEMBER APPOINTMENT**

36 Alan Ritchey, Fish Screens State Coordinator, asked the Commission to appoint a new  
37 member to the Fish Screening Task Force for a two-year term. He said the task force  
38 consists of seven members: three agricultural; three fishing or fish conservation  
39 representatives and one public representative. Alan explained the duties of the task  
40 force and said four applicants had applied to be considered.

41

42 Commissioner Kerns declared a potential conflict of interest because Dr. Summers was  
43 supported by some of his relatives. Chair Rae said there was no conflict of interest as  
44 the term relates to "financial interests", and asked for a motion.

45

46 *Action: Commissioner Smith moved to appoint Gordon W. Summers from*  
47 *Halfway, Oregon to the Fish Screening Task Force to represent agricultural*

1 *interests. Commissioner Levy seconded the motion. The motion passed*  
2 *unanimously.*  
3

4 **Exhibit C: 2009 COLUMBIA RIVER FISHING REGULATIONS**

5 John North, Fisheries Manager, Ocean Salmon and Columbia River Program, reported  
6 on adopting modifications to the permanent rules on four key issues:  
7

- 8 1. Establish recreational fisheries for spring Chinook in the mainstem Columbia and  
9 Willamette rivers.
- 10 2. Establish recreational fisheries for white sturgeon in the mainstem Columbia and  
11 Willamette rivers.
- 12 3. Allow a non-Indian commercial eulachon smelt fishery in mainstem Columbia River.
- 13 4. Modify legal length measurement for white sturgeon in non-Indian and treaty Indian  
14 commercial fisheries.  
15

16 During a slide presentation, North provided an overview on the season and dates for the  
17 following fisheries:  
18

19 *2009 Recreational Sturgeon* - North said for the Estuary below Wauna, the proposal is  
20 for a 7 day/week fishery during January through April, 2009 with a 38-inch minimum fork  
21 length, and a 41-inch minimum fork length during May 9-June 28 and July 2-5. The  
22 Dalles 2009-11 annual quota has been raised from 100 to 300 fish.  
23

24 *2009 Recreational Spring Chinook* – North said Oregon and Washington staff set the  
25 March through April season recommendations during the February 11 Columbia River  
26 Compact. He reported on recommended seasons for the mainstem Columbia River  
27 from Hayden Island upstream to Bonneville Dam, the mainstem Columbia River below  
28 the Hayden Island power lines, and the Willamette River (downstream of Willamette  
29 Falls).  
30

31 *2009 Commercial Spring Chinook* – North said the commercial fishing plan for the  
32 mainstem Columbia River is similar to 2008. He said Tuesday, or possibly Monday,  
33 fishing periods are likely and that test fishing was scheduled to begin March 9. North  
34 said for the Select Area fisheries; the seasons and regulations were adopted at the  
35 February 11 Compact meeting and implemented as temporary rules.  
36

37 *2009 Mainstem Commercial Smelt Season* - North said since 2001, the states have  
38 managed commercial and recreational eulachon smelt fisheries in the mainstem  
39 Columbia River under the Washington and Oregon Eulachon Management Plan  
40 (WOEMP). Due to projected low abundance, the Compact adopted a conservative  
41 season at the December 18 hearing consisting of two, seven-hour fishing periods  
42 weekly in the mainstem Columbia River (Zones 1-5) during January through March  
43 2009. The joint staff believes this is a low risk fishery due to low effort and catch.  
44

45 North said staff recommends that the Commission adopt the regulations as described in  
46 the revised version of *Attachment 4 - Revised, Exhibit C, 2009 Columbia River Fishing*  
47 *Regulations for Spring Chinook, White Sturgeon and Smelt, Draft OAR's.*

1 Chair Rae asked for questions.

2

3 Commissioner Klarquist said at the reception the night before, several people asked him  
4 if there was an opportunity to have another sturgeon season similar to 2008. North  
5 said the proposed season is a version of that; in it reopens for one period and if the  
6 catch is under the guideline then staff could open it for another period. Commissioner  
7 Klarquist asked when it would be appropriate to have that discussion. North said toward  
8 the end of June when staff will be able to project the expected catch and adjust the  
9 season accordingly.

10

11 Chair Rae moved to public comments.

12

<p>Jim Wells Astoria, OR</p>	<p>Jim Wells, president of Salmon for All, talked about the public reception the previous night and the discussion about the mark rate. He said the higher the mark rate, the better the fishery. He suggested to the Commission that it would be a good time for staff to get on a guide boat to get some good hard data. He talked about the fleet being spread out and accounting for the spring salmon harvest. He had the handout from the Commission's January 23 special conference call and talked about the Willamette spring Chinook run size and the buffers for commercial catch in the SAFE area. He supports the five year agreement and hopes that is not going away.</p>
<p>Dan Marvin Warrenton, OR</p>	<p>Dan Marvin, a commercial fisherman who also does fleet management for the Pacific whiting fishery, referred to printouts from a sport fishing website where a fishing guide from Woodland, WA reported large catches in 2008. Mr. Marvin talked about the numbers of the Columbia River Gillnet Fishery, and noted on his handouts that the Total Fisherman Guide Service posted several reports on April 23, June 27, and September 15, 2008 that fishing has been great; it's been an incredible year. He talked about the methodology for arriving at the base allocation and buffer.</p>
<p>Jack Marincovich Astoria, OR</p>	<p>Jack Marincovich, a third generation commercial fisherman and member of the Columbia River Fishermen's Protective Union, attended the public reception the night before. He said the Commission was asked a lot of tough questions, including the place they will find room for commercial people in the lower area. He talked about setting seasons for the first week of March before the main run comes in. Regarding the news media, he heard talk that they're in a fish fight, but one user group is throwing all the punches but they're taking all the blows. After all the numbers, it came to 75/35 and not 60/40. He said let's stay with the numbers on</p>

	the main Columbia. He attended a Compact meeting on January 29 in Oregon City. He said the Tribes spoke and were upset they got less salmon. He asked the Commission to talk to federal agencies about the Tribes.
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1  
2 Chair Rae thanked all three gentlemen for their testimony. She asked Steve Williams  
3 and John North to comment on the recent Joint Columbia River Compact meeting. She  
4 asked the Commission to stay within their management objectives, and said she fears  
5 they are getting in to the percentages and numbers again; which are misunderstood by  
6 many and misused by some.

7  
8 Steve Williams reported that the Joint Columbia River Compact met on February 11 in  
9 Longview, Washington. He said the group shared materials in order to develop season  
10 structures for March and April on both rivers. He said Oregon adjusted those down as  
11 did Washington. He said in terms of some of the testimony just heard nothing has been  
12 decided about what happens to the 5% difference in the sport/commercial allocation of  
13 ESA impacts. He has a high level of confidence that we will be able to meet the  
14 objectives of the season adopted. Fishery assumptions for March/April reserve the 5%  
15 allocation difference for the Commissions until the May portion of the seasons, or after  
16 run size update.

17  
18 Commissioner Levy said she thought part of that buffer was going to be held upfront  
19 before the run size. Williams said that is correct. Commissioner Englund said after  
20 everything that has happened, maybe it is a good thing that things have happened the  
21 way they have.

22  
23 Chair Rae said the Commission had authorized the Director to modify the buffer five  
24 percent either way in negotiations with the State of Washington using a 60/40 base  
25 allocation, and to set seasons through May; not March and April. She said Washington's  
26 Commission had yet to delegate that authority to its professional fish managers. Chair  
27 Rae asked for further questions or comments.

28  
29 Commissioner Kerns proposed that the Commission address live boxes on board sports  
30 fishing guide boats. He said we require our commercial folks to do that, and he wanted  
31 sports fishing guides to have a live box on board, as well.

32  
33 Chair Rae said to add a public agenda item to the April 2009 meeting, did not give  
34 enough time for staff to prepare. She suggested not addressing this issue in 2009, but  
35 hearing Commissioner Kern's request, she asked the Commission for latitude to work  
36 with the Director's Office. She said in the next few weeks the Commission would have  
37 another update on the Columbia River 2009 seasons that would provide opportunity for  
38 public comment, so that item would not be in the Director's Report. Chair Rae talked  
39 about the Columbia River and breaking that stalemate. She said having public  
40 discussion about sport guides and live boxes will generate a fair amount of public  
41 comment, so staff should be prepared to look at those options in time for the 2010  
42 meetings.

1  
2 Commissioner Kerns said he would like to see the Commission discuss it separately  
3 because the allocation meetings took so long. Chair Rae said she understood and said  
4 Kerns had teed it up, so the Commission needs to figure when best to address the  
5 issue. Commissioner Edge said to be mindful of the fishing season for both sectors in  
6 order to allow folks opportunity to participate. Kerns thanked Chair Rae.

7  
8 Chair Rae asked for a motion.

9  
10 *Action: Commissioner Edge moved to adopt the 2009 Columbia River Fishing*  
11 *Regulations for Spring Chinook, White Sturgeon and Smelt regulations as*  
12 *proposed by staff in Attachment 4. Commissioner Smith seconded the motion.*

13  
14 Commissioner Klarquist noted that the motion should be made from the revised version  
15 of Attachment 4. After discussion, Commissioner Edge agreed.

16  
17 Chair Rae asked Commissioner Smith to withdraw his second. Commissioner Edge  
18 said so withdrawn. Chair Rae asked for a new motion.

19  
20 *Chair Edge moved to adopt 635-017-0090, 635-017-0095, 635-023-0095, 635-*  
21 *023-0125, 635-041-0030, 635-041-0061, 635-041-0063, 635-041-0065, 635-042-*  
22 *0110, 635-042-0130, 635-042-0135, 635-042-0145, 635-042-0160, 635-042-*  
23 *0170, and 635-042-0180 as proposed by staff in Attachment 4 – Revised.*  
24 *Commissioner Smith seconded the motion.*

25  
26 Chair Rae asked if the Commission had any questions. Both Commissioners Levy and  
27 Klarquist noted that the *revised* version of Attachment 4 in Exhibit C removed several  
28 OARs and added OARs, so the motion should reflect that change.

29  
30 Chair Rae said she would consider an amendment to that motion.

31  
32 *Commissioner Klarquist moved to adopt the amended motion.*

33  
34 *Chair Rae clarified that the amendment is to revise the motion to include OAR*  
35 *635-042-0133, and to remove from the motion OAR 635-041-0065; OAR 635-*  
36 *042-0110; OAR 635-041-0135, and OAR 635-042-0145, 0160, 0170 and 0180.*

37  
38 Commissioner Levy said yes.

39  
40 *Commissioner Edge seconded the motion. The motion passed unanimously.*

41  
42 Chair Rae thanked Mary Buckman for waiting all day to report on Exhibit D.

43  
44 **Exhibit D: 25-YEAR RECREATIONAL ANGLING ENHANCEMENT PLAN**

45 Mary Buckman, Biometrician for Recreational Fisheries Program, gave an overview and  
46 asked the Commission to support implementation of the final draft of the 25-Year  
47 Recreational Angling Enhancement Plan. The plan provides a framework, strategies,

1 actions and pilot projects that will guide ODFW's efforts to enhance recreational fishing  
2 opportunities in Oregon over the next 25 years. She said the two goals of the plan are:  
3 1) Provide diverse, stable and productive angling opportunities; and 2) increase angling  
4 participation. She talked about Oregon's increasing population and focusing on  
5 retention of anglers in the near term. Buckman highlighted the plan's strategies:

- 6 • Enhance angling opportunities throughout Oregon by indentifying and prioritizing  
7 locations and actions to improve fishing opportunities.
- 8 • Respond to increasing population.
- 9 • Promote angling through strategic marketing: developing marketing plans and  
10 improve education programs to recruit and retain anglers and reconnect Oregonians  
11 with the outdoors.
- 12 • Use the hatchery product to increase harvest opportunities.
- 13 • Form a recreational fisheries advisory committee.
- 14 • Retool the STEP Program to address recreational fishing opportunities for youth,  
15 family involvement and trout fisheries.
- 16 • Build partnerships.
- 17 • Use economics and sociology information into decisions.
- 18 • Improve ODFW staffing, organization and funding to meet current and future needs.
- 19 • Develop pilot programs to enhance recreational angling.

20  
21 Chair Rae asked for comments. Commissioner Smith asked staff to consider the  
22 Conservation Strategy in their planning. Buckman replied that species conservation and  
23 habitat management is the foundation for having recreational fisheries. Commissioner  
24 Klarquist talked about climate change. Mary Buckman said staff is aware of those types  
25 of constraints; and hopefully can anticipate those and plan around them.

26  
27 Commissioner Kerns asked how many youth only ponds are there. Rhine Messmer  
28 said in 2002 staff adopted two ponds for youth angling. Commissioner Kerns said he  
29 talked to Craig Ely about establishing two ponds for youth angling. He noted that his  
30 constituents have said the retired folks fish out the ponds and the youth don't have a  
31 chance. Buckman noted that the proposed plan does focus on family oriented fishing.

32  
33 Commissioner Edge said the given current budget situation, he believes the marketing  
34 plan is an absolute necessity in order to target and reach folks to successfully engage in  
35 recreational fishing. He encouraged staff to continue working inside and outside of the  
36 agency to put in place some of the great initiatives that are included in the plan. He said  
37 the plan implies that there is a pilot program on-going and he would be very interested  
38 in hearing about that in the future. Buckman said ODFW's Information and Education  
39 Division is marketing the plan to better implement it.

40  
41 Discussion followed about available resources to implement the plan. Chair Rae asked  
42 for further comments. Hearing none, she said the prepared motion supports  
43 implementation of the plan, but add as resources are available to the end of it.

44  
45 *Action: Commissioner Edge said the amended motion was properly worded and*  
46 *moved to support implementation of the 25-Year Recreational Angling*

1            *Enhancement Plan and encourage staff to continue working internally, with*  
2            *partners, and with the public to implement actions in the Plan as determined by*  
3            *Director, and as resources allow. Commissioner Smith seconded the motion. The*  
4            *motion passed unanimously.*

5  
6            **ADJOURN**

7  
8            Chair Marla Rae adjourned the meeting at 3:35 p.m.

9