



Oregon Fish and Wildlife Commission Agenda

Meeting:
August 7, 2009 - 8:00 am
Oregon Department of Fish and Wildlife
Commission Room
3406 Cherry Avenue
Salem, OR 97303

DIRECTOR'S REPORT

Field Reports

Staff: Captain Walt Markee, Craig Ely, Chip Dale, Chris Wheaton, Russ Stauff, Roger Fuhrman, Steve Williams

Wind Energy Update

Staff: Holly Michael, Conservation Policy and Projects Coordinator

Non-Resident Hunter Participation

Staff: Ron Anglin, Wildlife Division Administrator

Expenditure Report

Staff: Tom Ruddiman, Deputy Director for Administration

Adopt Temporary Rules

Staff: Curt Melcher, Deputy Director for Fish and Wildlife

635-014-0090

Nehalem Basin Closes to Chinook Retention from 6-15-09 through 7-31-09

Adopted June 9, 2009; effective June 15, 2009 through October 31, 2009.

Amended rule closes the Nehalem Basin (including South and North forks and associated tributaries of the Nehalem River) to the retention of summer Chinook salmon. Current permanent rule has Nehalem Bay open for spring Chinook April 1-July 31, 2009; Nehalem River open for spring Chinook May 23-July 31, 2009; and North Fork Nehalem River open for spring Chinook May 23-July 31, 2009. Rule modifications are consistent with: 1) the conservation approach being taken for management of 2009 fall fisheries in the Nehalem Basin; 2) current permanent regulations protecting wild spring Chinook in the adjacent Tillamook Bay and Nestucca basins; and 3) with the long-term management approach currently being evaluated by the District as part of the draft *Coastal Spring/Summer Chinook Conservation Plan*.

635-023-0125

Columbia River Recreational Spring Fishery Re-Opens from Tongue-Rocky Points Upstream to I-5 Bridge

Adopted June 10, 2009; effective June 12, 2009 through June 16, 2009.

Amended rule re-opens the steelhead and jack Chinook salmon fisheries in the mainstem Columbia River from Tongue Point/Rocky Point upstream to the I-5 Bridge beginning June 12, 2009. Revisions are consistent with Joint State Action taken June 10, 2009 by the Columbia River Compact agencies of Oregon and Washington.

635-023-0128

Summer Recreational Sockeye Fishery in the Mainstem Columbia River

Adopted June 10, 2009; effective June 16, 2009 through July 31, 2009.

Amended rule provides a recreational sockeye fishery in the Columbia River from Tongue Point/Rocky Point upstream to the Oregon/Washington border, upstream of McNary Dam. Modifications are consistent with action taken June 10, 2009 by the Columbia River Compact agencies of Oregon and Washington.

635-041-0076

Columbia River Treaty Tribal Summer Salmon Gill Net Fishery Opens

Adopted June 10, 2009; effective June 16, 2009 through July 31, 2009.

Amended rule allows the sales of fish caught in the Columbia River spring-summer Treaty Indian gill net fishery which begins at 6:00 a.m. Tuesday, June 16, 2009. Allowable sales include Chinook, coho and sockeye salmon; steelhead, walleye, carp, yellow perch, catfish, bass and shad. White sturgeon may not be sold but may be kept for subsistence. Two 84-hour (3.5 days) fishing periods were adopted. Revisions are consistent with action taken by the Columbia River Compact agencies of Oregon and Washington on June 10, 2009.

635-042-0027

Implementation of Columbia River Commercial Summer Chinook Gill Net Fishery

Adopted June 10, 2009; effective June 18, 2009 through July 31, 2009.

Amended rule implements a commercial summer Chinook salmon gill net fishery in the Columbia River mainstem consistent with provisions of the *US v Oregon* management agreement. Implementation is consistent with action taken by the Columbia River Compact agencies of Oregon and Washington on June 10, 2009.

635-006-0212, 635-006-0215 and 635-006-0225

Allow Commercial Sales of Dressed Salmon and Steelhead by Tribal Members to Commercial Wholesale Dealers

Adopted June 15, 2009; effective June 16, 2009 through December 12, 2009.

Amended rules allow Tribal fishers to sell gutted and gilled Columbia River salmon and steelhead to licensed commercial wholesale fish dealers, canners, and buyers. The wholesale fish dealers, canners, and buyers must report in round weight on the Fish Receiving Ticket using the conversion factor 1.17 to one.

635-016-0090

Modifications to Southwest Zone Sport Chinook Salmon Regulations for the Rogue River

Adopted June 23, 2009; effective July 1, 2009 through July 31, 2009.

Amended rule allows maximized spawning escapement of naturally produced adult spring Chinook, while continuing to allow opportunities for harvest of hatchery-produced spring Chinook and naturally-produced jack Chinook.

635-006-0215

Allow Conversion of Glazed Sablefish Processed at Sea to Round Weight Pounds

Adopted June 24, 2009; effective June 25, 2009 through December 21, 2009.

Amended rule allows fishers with Federal Groundfish Fixed Catcher Processor permits who process sablefish at sea to accurately record glazed sablefish pounds on a Fish Receiving Ticket. Wholesale fish dealers, canners, and buyers must report in round weight on the Fish Receiving Ticket using the conversion factor 0.95 to one.

635-017-0090

Additional Opportunity for Personal Use Harvest of Pacific Lamprey at Willamette Falls Allowed

Adopted June 25, 2009; effective June 30, 2009 through July 2, 2009.

Amended rule allows for three additional days for personal use harvest of Pacific lamprey by individuals with the required permit. The season modifications provide opportunity for harvest of lamprey that may become stranded due to the scheduled installation of water flow devices at Willamette Falls.

635-041-0076

Columbia River Treaty Tribal Summer Salmon Gill Net Fishery Continues

Adopted June 25, 2009; effective June 30, 2009 through July 31, 2009.

Amended rule allows the sales of fish caught in the Columbia River summer Treaty Indian gill net fishery which begins at 6:00 a.m. Tuesday, June 30, 2009. Allowable sales include Chinook, coho and sockeye salmon; steelhead, walleye, carp, yellow perch, catfish, bass and shad. White sturgeon may not be sold but may be kept for subsistence. One 60-hour (2.5 days) fishing period was adopted. Revisions are consistent with action taken by the Columbia River Compact agencies of Oregon and Washington on June 25, 2009.

635-004-0033

Cumulative Trip Limits for Greenling and Cabezon Reduced Effective July 1, 2009

Adopted June 26, 2009; effective July 1, 2009 through December 27, 2009.

Amended rule reduces the cumulative trip limits for greenling and Cabezon in the commercial fishery for black and blue rockfish with a nearshore endorsement. Cumulative trip limits are reduced from 250 to 150 pounds for greenling species and from 2,500 to 1,250 pounds for Cabezon.

635-021-0090

Sport Chinook Fishery Closes on the Imnaha River

Adopted June 29, 2009; effective July 5, 2009 through September 1, 2009.

Amended rule closes the Imnaha River to the recreational harvest of adipose fin-clipped adult and jack Chinook salmon effective at 11:59 p.m. Saturday, July 5, 2009 when the allowable wild Chinook impacts in this fishery are expected to have been reached.

635-004-0017

Directed Sardine Fishery Allocations Reduced Effective July 1, 2009

Adopted June 30, 2009; effective July 1, 2009 through December 27, 2009.

Amended rule reduces the directed sardine fishery allocations for the second and third periods by 750 metric tons and 450 metric tons respectively to conform with changes made to federal rules published in the Federal Register Vol. 75, No. 124 June 30, 2009.

635-023-0134

Recreational Spring Chinook Fishery Closes In the Snake River Below Hells Canyon Dam

Adopted June 30, 2009; effective July 1, 2009 through July 17, 2009.

Amended rule closes the recreational spring Chinook salmon fishery on the Snake River in the area from the Dug Bar Boat Ramp upstream to the deadline below Hells Canyon effective at 11:59 p.m. on July 2, 2009 to coincide with the State of Idaho's closure of this fishery.

635-004-0019

Inseason Actions Implemented by the Federal Government for Commercial Groundfish Fisheries

Adopted July 1, 2009; effective July 2, 2009 through December 28, 2009.

Amended rule adopts in-season actions implemented by the federal government on July 1, 2009 for commercial groundfish fisheries, including changes to cumulative trip limits and RCA boundaries.

635-041-0076

Columbia River Treaty Tribal Summer Salmon Gill Net Fishery Extended

Adopted July 6, 2009; effective July 8, 2009 through July 31, 2009.

Amended rule allows the sales of fish caught in the Columbia River summer Treaty Indian gill net fishery which begins at 6:00 a.m. Wednesday, July 8, 2009. Allowable sales include Chinook, coho and sockeye salmon; steelhead, walleye, carp, yellow perch, catfish, bass and shad. White sturgeon may not be sold but may be kept for subsistence. One 84-hour (3.5 days) fishing period was adopted. Revisions are consistent with action taken by the Columbia River Compact agencies of Oregon and Washington on July 6, 2009.

635-023-0095

Columbia River Sport Sturgeon Fishery Re-opens Below Wauna Powerlines

Adopted July 7, 2009; effective July 9, 2009 through December 31, 2009.

Amended rule allows retention of white sturgeon in the Columbia River and tributaries from the Wauna powerlines downstream to the mouth at Buoy 10, including Youngs Bay from Friday, July 10 through Sunday, July 12 (3 days) and from Friday, July 17 through Sunday, July 19 (3 days). Revisions are consistent with Joint State Action taken by the states of Oregon and Washington on July 7, 2009.

635-041-0076

Extension of Columbia River Treaty Tribal Summer Salmon Commercial Gill Net Fishery

Adopted July 13, 2009; effective July 15, 2009 through July 31, 2009.

Amended rule allows the sales of fish caught in the Columbia River summer Treaty Indian gill net fishery which begins at 6:00 a.m. Wednesday, July 15, 2009. Allowable sales include Chinook, coho and sockeye salmon; steelhead, walleye, carp, yellow perch, catfish, bass and shad. White sturgeon may not be sold but may be kept for subsistence. One 60-hour (2.5 days) fishing period was adopted. Revisions are consistent with action taken by the Columbia River Compact agencies of Oregon and Washington on July 13, 2009.

635-004-0017

Directed Sardine Fishery Closes Effective July 18, 2009

Adopted July 17, 2009; effective July 18, 2009 through December 31, 2009.

Amended rule closes the second period of the directed sardine fishery effective July 18 through September 14, 2009. Rule modifications include reductions to the directed fishery allocations for the second and third periods by 750 mt and 450 mt respectively and conform with changes made to federal rules, published in the Federal Register on June 30 and July 17, 2009.

635-023-0095

Columbia River Sport Sturgeon Fishery Extended Below Wauna Powerlines

Adopted July 21, 2009; effective July 24, 2009 through December 31, 2009.

Amended rule allows retention of white sturgeon in the Columbia River and tributaries from the Wauna powerlines downstream to the mouth at Buoy 10, including Youngs Bay from Friday, July 24 through Sunday, July 26 (3 days). Revisions are consistent with Joint State Action taken by the states of Oregon and Washington on July 21, 2009.

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

Oregon Ocean, Terminal Area, and Coastal Zone Sport Salmon Fisheries

Adopted June 5, 2009; filed July 27, 2009; effective August 1, 2009 through December 31, 2009.

Amended rules implement Oregon ocean sport fisheries for mixed stock, terminal areas, and coastal streams within the Marine, Northwest and Southwest angling zones beginning August 1, 2009.

635-042-0031, 635-042-0145, 635-042-0160, 635-042-0170 and 635-042-0180

Fall Commercial Seasons Set for Columbia River Mainstem and Select Area Fisheries

Adopted July 29, 2009; effective August 4, 2009 through December 31, 2009.

Amended rules set the 2009 fall commercial salmon seasons for the Columbia River mainstem in Zones 1 thru 5 and the Columbia River Select Areas. Fall Select Area fisheries implemented include: Youngs Bay; Blind and Knappa sloughs; Tongue Point/South Channel and Deep River.

635-041-0063 and 635-041-0075

Treaty Indian Fall Fisheries for Columbia River Above Bonneville Dam

Adopted July 31, 2009; effective August 1, 2009 through December 31, 2009.

Amended rules allow the commercial sales of fish caught during the Treaty Indian sturgeon setline and the fall salmon platform and hook-and-line fisheries in the Columbia River above Bonneville Dam (Zone 6). The setline fishery begins at 6:00 a.m. Monday, August 3, 2009 and runs through 6:00 p.m. Saturday, August 15, 2009 or until the guideline is reached. The fall platform and hook-and-line Chinook and steelhead fishery begins at 12:01 a.m. Sunday, August 1, 2009 and runs through Saturday, October 31, 2009. Implementation is consistent with action taken May 26 and July 31, 2009 by the Columbia River Compact agencies of Oregon and Washington.

PUBLIC FORUM

Note: This part of the agenda is for comments on topics not scheduled elsewhere on the agenda. Please contact the Oregon Department of Fish and Wildlife Office of the Director at least 24 hours prior to the meeting to be included in the public forum. If you bring written summaries or other materials to the meeting please provide the Commission Assistant with 20 copies prior to your testimony. The Commission is unable to take action on items brought to their attention in this forum.

Al Elkins
Oregon Hunters Association
Wilsonville, OR

Hunting Issues

Exhibit A: COMMISSION MINUTES

Approve June 5, 2009 Commission meeting minutes

Action: Approval

(NOTE: Exhibit E: Salmon and Trout Enhancement Program (STEP) Annual Progress Report (Informational) will be heard immediately following Exhibit A.)

Exhibit B: 2009-2010 OREGON GAME BIRD REGULATIONS

The Commission will be asked to review and adopt the Game Bird Season regulations for 2009-2010 and approve the 2010-2015 Upland Game Bird Framework.

*Staff: Dave Budeau, Upland Game Bird Program Coordinator
Brad Bales, Migratory Bird Program Coordinator
Brandon Reishus, Game Bird Program Assistant*

Public Testimony

Action: Adoption and Approval

Exhibit C: WIND ENERGY DEVELOPMENT AND SAGE GROUSE CONSERVATION IN OREGON

The Commission will be briefed on Wind Energy Development and Sage Grouse Conservation in Oregon.

Staff: Christian Hagen, Sage Grouse Coordinator

Public Testimony

Action: Informational

Exhibit D: EVALUATION OF COUGAR REMOVAL ON HUMAN SAFETY CONCERNS, LIVESTOCK DAMAGE COMPLAINTS, AND ELK COW RATIOS IN OREGON

Has been deferred and will be presented at the Commission's October 2 meeting in Salem.

Exhibit E: SALMON AND TROUT ENHANCEMENT PROGRAM (STEP) ANNUAL PROGRESS REPORT

The Commission will be briefed on the 2008 STEP Annual Progress Report.

Staff: Dave Dunahay, Salmon and Trout Advisory Committee (STAC) Chair

Shelly Miller, Acting Oregon Department of Fish and Wildlife STEP Coordinator

Action: Informational

Exhibit F: 2010 SPORT FISHING REGULATIONS

The Commission will be asked to review and adopt the Sport Fishing Regulations for finfish, shellfish and marine invertebrates for 2010.

Staff: Rhine Messmer, Recreational Fisheries Program Manager

Public Testimony

Action: Adoption

Exhibit G: COMMERCIAL HARVEST OF ANCHOVIES AS BAIT

The Commission will be asked to review and adopt the regulations allowing commercial harvest of anchovies as bait by albacore tuna vessels, and bait harvest in the Umpqua estuary.

Staff: Gway Kirchner, Marine Fisheries Section Manager

Public Testimony

Action: Adoption

OTHER BUSINESS

Executive Session

The Commission will hold an executive session to be briefed on a legal negotiation pursuant to ORS 192.660(2)(h), and a potential real estate transaction pursuant to ORS 192.660(2)(e).

FUTURE PROPOSED COMMISSION MEETINGS & TOPICS

September 4, 2009 – Grants Pass

- Diamond Lake Management Plan Approval
- Restoration and Enhancement Project Approvals
- Access and Habitat Projects
- Sensitive Species List and Protected Fish and Wildlife Taxonomy

October 2, 2009 – ODFW HQ, Salem

- Shikar Safari International Award
- 2010 Big Game Regulations
- License Fees
- Evaluation of Cougar Removal on Human Safety Concerns, Livestock Damage Complaints, and Elk Cow Ratios in Oregon
- Developmental and Commercial Fishing Regulations
- Marine Reserves Briefing

November 13, 2009 – Portland

December 11, 2009 – ODFW HQ, Salem

- Access and Habitat Projects
- Wildlife Area Plan Adoption; Sauvie Island Wildlife Area
- Oregon Falconry Rules; Authorizing the take of Peregrine Falcons for 2010
- 2010 Groundfish Fisheries Rulemaking
- Marine Reserves Rulemaking

PLEASE NOTE

AGENDA

The Commission meeting will begin at 8:00 AM, and proceed chronologically through the agenda. If you wish to receive written materials prepared for any of the agenda items, please contact the Director's Office in Salem at 503.947.6044 to request a packet for those items, which interest you or see the agency's website at <http://www.dfw.state.or.us/agency/commission/minutes/>.

A recess will be taken at 12:00 Noon, when the Commission will have lunch and may discuss matters of general interest. The public is welcome to attend, and an announcement will be made of the location of the lunch.

PUBLIC TESTIMONY

If you wish to give testimony on any item scheduled on this agenda, please sign up on the sheets provided the day of the meeting. You will be called to testify by the Commission Chair. The Commission places great value on information received from the public, and wants to avoid arbitrary limits on the time or attention allocated to each witness. Therefore, persons desiring to testify or otherwise present information to the Commission are encouraged to:

- (1) Provide written summaries of information to the Commission twenty (20) sets;
- (2) Limit testimony to five (5) minutes, recognizing that substance, not length, determines the value of testimony or written information;
- (3) Endorse rather than repeat testimony of other witnesses; and
- (4) Groups or organizations wishing to testify should designate one spokesperson whenever possible.

PUBLIC FORUM

If you wish to give testimony on any item not scheduled elsewhere on the agenda, please contact the Director's Office, Oregon Department of Fish and Wildlife, 503.947.6044, at least 24 hours prior to the meeting. You will be called to testify by the Commission Chair immediately following the Commissioner Items portion of the agenda. Please provide 20 sets of written summaries or other materials to the Commission Assistant prior to your testimony. The Commission is unable to take action on items brought to their attention in this forum.

Thank you for taking the time to present your views.

Materials delivered to the Director's Office sufficiently in advance of the meeting can be copied and distributed to the Commission. If you bring written materials to the hearing, please provide twenty (20) copies. If you have questions regarding this Agenda, please contact the Director's Office, Oregon Department of Fish and Wildlife, 3406 Cherry Avenue, NE, Salem, OR 97303, 503.947.6044.

PARKING

Parking is available to anyone who attends the Commission meeting.

REASONABLE ACCOMMODATION OF DISABILITIES

Reasonable accommodation, such as assistive hearing devices, sign language interpreters, and materials in large print or audiotape, will be provided as needed. In order to ensure availability, please contact the Director's Office at 503.947.6044 at least 72 hours prior to the meeting to make your request. TTY users can reach ODFW by using the Oregon Telecommunications Relay Service. Please dial 711 and ask to be connected to 503.947.6044.