



Oregon Fish and Wildlife Commission Agenda

Meeting:
October 2, 2009 - 8:00 am
Oregon Department of Fish and Wildlife
Commission Room
3406 Cherry Avenue NE
Salem, OR 97303

DIRECTOR'S REPORT

Field Reports

Craig Ely, Chip Dale, Russ Stauff, Chris Wheaton, Roger Fuhrman, Holly Michael, Tony Nigro, Captain Walt Markee

Expenditure Report

Tom Ruddiman, Deputy Director for Administration

Summary Report of Reinstatement of Preference Points and Tag Sale Deadline Extension

Deanna Erickson, Licensing Services Manager

Adopt Temporary Rules

Roy Elicker, Director

635-039-0090

Retention of Cabezon Prohibited In the Oregon Ocean Boat and Estuary Boat Sport Fisheries

Adopted September 8, 2009; effective September 13, 2009 through December 31, 2009. Amendments close both the ocean boat and estuary boat sport fisheries to retention of cabezon effective 11:59 p.m. Sunday, September 13, 2009. The 2009 statewide landing cap of 15.8 metric tons, adopted by the Oregon Fish and Wildlife Commission, has been attained.

635-067-0030

Controlled Bighorn Sheep Hunts

Effective September 9, 2009 through September 30, 2009

This rule will expand the hunt area for hunt 571A- Poker Jim. This expansion will allow hunters possessing tags for Bighorn Sheep hunt 571A to also hunt in the Hart Mountain hunt area. Because the sheep have moved from the hunt area this amendment is necessary to allow the hunters possessing unused once in a lifetime bighorn sheep tags an opportunity to continue to hunt until the end of the season.

635-041-0075

Treaty Indian Fall Gill Net Fishery Extended in Columbia River Above Bonneville Dam

Adopted September 10, 2009; effective September 13, 2009 through September 30, 2009.

Amended rule extends the ongoing treaty Indian gill net fishery in the Columbia River above Bonneville Dam (Zone 6). One 108-hour (4.5 days) fishing period was authorized to begin 6:00 a.m. Monday, September 14 through 6:00 p.m. Friday, September 18, 2009.

Modifications are consistent with action taken September 19, 2009 by the Columbia River Compact agencies of Oregon and Washington in concert with the Columbia River Treaty tribes.

635-042-0180

Fishing Days Authorized in Deep River Select Area Fishery Modified

Adopted September 10, 2009; effective September 13, 2009 through October 30, 2009. Amended rule reduces the number of days per week fishing is allowed in the fall commercial salmon Select Area fishery in Deep River from five to four. Modifications are consistent with action taken September 10, 2009 by the Columbia River Compact agencies of Oregon and Washington.

635-041-0075

Additional Fishing Period Authorized for Treaty Indian Gill Net Fishery in Columbia River Zone 6

Adopted September 17, 2009; effective September 21, 2009 through October 31, 2009. Amended rule extends the ongoing Treaty Indian gill net fishery in the Columbia River above Bonneville Dam (Zone 6). One 84-hour (3.5 days) fishing period was authorized to begin 6:00 a.m. Tuesday, September 22 through 6:00 p.m. Friday, September 25, 2009. Modifications are consistent with action taken September 17, 2009 by the Columbia River Compact agencies of Oregon and Washington in concert with the Columbia River Treaty Tribes.

635-016-0090

Non Fin-clipped Coho Closure in the Coos River and Bay Sport Salmon Fishery

Adopted September 18, 2009; effective September 18, 2009 through December 31, 2009. Amended rule closes the Coos River and Bay upstream to the Doris Place Boat Ramp at river mile 0.25 on the Millicoma River and upstream to the confluence with Besse Creek at rivermile 6.25 on the South Fork Coos River to retention of non fin-clipped adult coho salmon from 11:59 p.m. Friday, September 18 through December 31, 2009. This closure is necessary due to attainment of the 1,000 non fin-clipped adult coho allocation.

635-014-0090

Non Fin-clipped Coho Closure In the Nehalem and Yaquina River Sport Salmon Fisheries

Adopted September 21, 2009; effective September 22, 2009 through December 31, 2009. Amended rule closes all waters of the Yaquina River upstream of the confluence of Yaquina River and Big Elk Creek at rivermile 18.3 and all waters of the Big Elk Creek (Yaquina River Basin) and Nehalem Bay upstream to the Miami-Foley Bridge on the South Fork Nehalem River and upstream to North Fork Road Bridge (at Aldervale) on the North Fork for retention of non fin-clipped adult coho salmon beginning 11:59 p.m. Wednesday, September 23 through December 31, 2009. This closure is necessary due to attainment of the 1,000 non fin-clipped adult coho allocation in the Nehalem and the 500 non fin-clipped adult coho allocation in the Yaquina.

635-042-0060

Late Fall Commercial Salmon Gill Net Fishery In the Mainstem Columbia River

Adopted September 22, 2009; effective September 24, 2009 through October 31, 2009. Amended rule sets the late fall fishing periods and areas in the Columbia River for the commercial harvest, retention and sales of adult salmon and white sturgeon beginning September 24, 2009. The proposed seasons provide opportunity for the commercial gill net fleet to harvest part of their pre-season allocation. Revisions are consistent with action taken

September 23, 2009 by the Columbia River Compact agencies of Oregon and Washington.

635-004-0017

Directed Commercial Sardine Fishery Closes September 23, 2009

Adopted September 23, 2009; effective September 23, 2009 through December 31, 2009. Amended rule closes the third period of the directed commercial sardine fishery effective September 23 through December 31, 2009. Previous rule modifications included reductions to the directed fishery allocations for the second and third periods by 750 mt and 450 mt respectively; and closure of the directed sardine fishery second allocation period. These modifications conform to federal rule changes published in the Federal Register on June 30, July 17, and September 23, 2009.

635-017-0090

Bag Limit for Hatchery Coho Increased In the Lower Willamette River

Adopted September 25, 2009; effective September 28, 2009 through December 31, 2009. Amended rule allows the sport harvest of three hatchery coho in the Lower Willamette River as shown on page 55, Section 1 of the 2009 Oregon Sport Fishing Regulations. This modification allows sport anglers opportunity to harvest substantial numbers of coho that are returning to hatchery facilities.

635-041-0075

Treaty Indian Gill Net Fishing Period Authorized In Columbia River Zone Six

Adopted September 25, 2009; effective September 29, 2009 through October 31, 2009. Amended rule adopts a 60-hour (2.5 days) fishing period for the ongoing Treaty Indian gill net fishery in the Columbia River above Bonneville Dam (Zone 6). This new fishing period begins at 6:00 a.m. Tuesday, September 29 through 6:00 p.m. Thursday, October 1, 2009. Modifications are consistent with action taken September 25, 2009 by the Columbia River Compact agencies of Oregon and Washington in concert with the Columbia River Treaty Tribes.

635-042-0060

Late Fall Commercial Salmon Gill Net Fishery In the Mainstem Columbia River Extended

Adopted September 29, 2009; effective September 30, 2009 through October 31, 2009. Amended rule extends the ongoing late fall salmon fishery with four additional fishing periods in the Columbia River for the commercial harvest, retention and sales of adult salmon and white sturgeon beginning September 30, 2009. The authorized fishing periods provide opportunities for the commercial gill net fleet to harvest part of their pre-season allocation. Revisions are consistent with action taken September 29, 2009 by the Columbia River Compact agencies of Oregon and Washington.

635-042-0180

Fishing Times Authorized in Deep River Select Area Fishery Modified

Adopted September 30, 2009; effective September 30, 2009 through October 31, 2009. Amended rule expands the number of hours per day fishing is allowed in the fall commercial salmon Select Area fishery in Deep River from fourteen to seventeen. Revisions are consistent with action taken September 29, 2009 by the Columbia River Compact agencies of Oregon and Washington.

Shikar Safari International Award
Roy Elicker, Director

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.

David E. Filippi Central Oregon Irrigation District and Swalley Irrigation District
Stoel Rives LLP

Richard Wood Anchovies Bait in Yaquina Bay
Newport, OR

Exhibit A: COMMISSION MINUTES

Approve September 4, 2009 Commission meeting minutes

Exhibit B: 2010 BIG GAME REGULATIONS

The Commission will be asked to review and adopt the administrative rules for the 2010 Big Game Regulations.

*Tom Thornton, Game Program Manager
Don Whittaker, Staff Biologist
Public Testimony
Rulemaking*

Exhibit C: COMMERCIAL OCEAN DUNGENESS CRAB FISHERY MANAGEMENT

The Commission will be briefed on the crab pot limitation program and other issues in the Dungeness crab fishery, and be asked to review and adopt rules regarding permit renewal, gear requirements and fishery participation.

*Caren Braby, Marine Resources Program Manager
Public Testimony
Informational and Rulemaking*

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

The Commission will be briefed on the results of implementing administrative cougar removal to address conflict as directed by the 2006 Cougar Management Plan.

*Don Whitaker, Species Coordinator
Public Testimony
Informational*

Exhibit E: LAND ACQUISITION AT LADD MARSH WILDLIFE AREA

The Commission will be asked to review and approve the land acquisition of Rocky Mountain Elk Foundation property adjacent to the Ladd Marsh Wildlife Area.

Craig Ely, Northeast Region Manager

Public Testimony

Approval

Exhibit F: INFORMATIONAL BRIEFING ON OREGON MARINE RESERVES PROCESS AND RULEMAKING

The Commission will be briefed on the Marine Reserves process and plans for adopting rules to establish, study, monitor, evaluate and enforce a pilot marine reserve at Otter Rock, and a pilot marine reserve and protected area at Redfish Rocks.

Ed Bowles, Fish Division Administrator

Public Testimony

Informational

Exhibit G: LICENSE FEES

The Commission will be asked to review and approve the administrative rules for fees that were increased during 2009 Legislative Session.

Tom Ruddiman, Deputy Director for Administration

Christine Broniak, Economist

Public Testimony

Rulemaking

OTHER BUSINESS

Director's Reinstatement Preference Points and Appeal

The Commission will hear the first appeal of the decision to not reinstate a hunter's points.

Deanna Erickson, Licensing Services Manager

2010 Commission Dates

EXECUTIVE SESSION

The Commission will hold an executive session pursuant to ORS 192.660 (2) (i), and solely for the purpose of evaluating Director Roy Elicker.

ADJOURN

FUTURE PROPOSED COMMISSION MEETINGS & TOPICS

November 13, 2009 – Portland

December 11, 2009 – ODFW HQ, Salem

- Access and Habitat Projects
- Access and Habitat Program Rules
- Wildlife Area Plan Adoption; Sauvie Island Wildlife Area
- Oregon Falconry Rules; Authorizing the take of Peregrine Falcons for 2010
- Disposal of Wildlife Parts
- Groundfish Fisheries Rulemaking
- Marine Reserves Rulemaking
- Temporary Suspension of the Developmental Fisheries Program and Annual Review
- North Canal Dam Fish Passage Waiver
- Criminal History Background Checks
- Master Hunter Violations

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.