



Oregon Fish and Wildlife Commission Minutes

Workshop:
March 11, 2010 12:15 p.m.
Oregon Department of Fish and Wildlife
Commission Room
3406 Cherry Avenue NE
Salem, Oregon 97303

Meeting:
March 12, 2010 8:00 a.m.
Oregon Department of Fish and Wildlife
Commission Room
3406 Cherry Ave. NE
Salem, Oregon 97303

1
2 *Commission minutes are considered draft until approved*
3 *by the Commission at its next meeting.*

4
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:
7

Marla Rae, Chair	Roy Elicker, Director
Dan Edge, Vice-Chair	Curt Melcher, Deputy Director
Jon Englund, Commissioner	Debbie Colbert, Deputy Director
Skip Klarquist, Commissioner	Steve Sanders, Assistant Attorney General
Carter Kerns, Commissioner	Bill Cook, Assistant Attorney General
Bobby Levy, Commissioner	Colleen Munson, Executive Assistant
Bob Webber, Commissioner	Sandra Fixsen, Assistant Operations Manager, Fish Division
	Michelle Tate, Assistant Operations Manager, Wildlife Division

8
9 **MEETING**

10 On Friday, March 12, 2010 at 8:00 a.m., Chair Marla Rae called the Oregon Fish and
11 Wildlife Commission meeting to order. She welcomed Bob Webber who was recently
12 appointed by the Governor and confirmed by the Oregon Legislature.

13
14 Commissioner Webber gave a brief background of himself. He grew up in Tigard
15 and lives in Port Orford. He volunteers to prosecute fish and wildlife cases in Curry
16 County.

17
18 **DIRECTOR'S REPORT**

19 Director Roy Elicker called Craig Ely forward to give a special report.

20
21 **Big Horn Sheep Draft Supplemental Environmental Impact Statement (DEIS) by**
22 **Payette National Forest.**

23 Craig Ely, Northeast Region Manager, introduced Suzanne Rainville, Payette Forest
24 Supervisor; Pattie Soucek, Payette Forest Planner; and Chans O'Brien, Payette GIS
25 Analyst. He said they will brief the Commission on the decision in regard to the
26 interaction between bighorn sheep and domestic sheep. The Commission's
27 Interconnection Workshop held March 11 will be reflected in this presentation.

28
29 Suzanne Rainville provided the history and background of the DEIS. She discussed
30 the updated analysis and models used by staff. In March 2005, the Chief of USDA
31 Forest Service said Forest's 2003 Forest Plan Decision, as it pertains to bighorn

1 sheep and its habitat, did not comply with the National Forest Management Act, or the
2 Hell's Canyon National Recreation Act. Staff did a viability analysis in the Payette only,
3 in order to ensure there is viable habitat for the sheep. In October 2008, staff released
4 a DEIS document, followed by a five month comment period. She said over 14,000
5 comments were received and analyzed; what you see now is an update to that draft.

6
7 Pattie Soucek discussed the public comments. For instance, find a balance between
8 the two and keep the contact risk between the two species near zero. About 200 Tribal
9 members wrote about protecting their treaty rights. Everyone asked that they use the
10 science. Staff updated the Source Habitat Model, did a contact analysis, developed a
11 disease spread model, and expanded the economic analysis. Tribes from Idaho,
12 Washington and Oregon participated in the Environmental Justice part of the analysis.
13 She noted 90% of bighorn sheep have been lost on the Payette over the last 20 years.

14
15 Chans O'Brien discussed maps and the data of summer and winter bighorn sheep
16 habitat. He defined the core areas where the bighorn herds are found, and discussed a
17 probability model for disease transmission that results from contact between the
18 species.

19
20 Soucek discussed expanding the economic analysis to the regional level. Staff looked at
21 grazing fees and the production value of the domestic sheep. For their recreation
22 analysis, staff interviewed people to try to quantify the value of the bighorn sheep.
23 Soucek discussed gross income for sheep and lamb production, and showed the
24 influence area for recreation, manufacturing, and employment. She discussed tribal
25 rights and interests. With this information, staff developed seven EIS alternatives.

26
27 O'Brien discussed what the analyses say about the seven EIS alternatives.

28
29 Soucek said the final product of the EIS summary is an amendment to the Forest Plan
30 that contains direction on how to manage the bighorn and domestic sheep issue. There
31 is an effort to develop a vaccine that will prevent transfer of diseases among species.

32
33 Rainville said separation between the two species is the key to preventing spread of
34 disease. We are now in a 45-day comment period on this update, which will end March
35 22. Staff will issue the final decision some time in May.

36
37 Commissioner Edge asked how many grazing permittees there are. Rainville said there
38 are four permittees that are interconnected between state and federal lands.

39
40 Chair Rae acknowledged Commissioner Bobby Levy and declaration of her conflict.

41
42 Commissioner Bobby Levy declared a potential conflict of interest because her family
43 raises sheep. She asked what the actual rate of disease is between bighorns and
44 contact with domestic sheep. O'Brien said the primary disease seen is bacterial
45 pneumonia. Research shows that transmission rates have been almost 100%. We don't
46 know what they are under range conditions.

1 Commissioner Levy asked if there is vaccine for bighorn sheep. O'Brien said research
2 by Washington State University is looking to find a way to keep domestic sheep , which
3 may be healthy and carry pathogens but not be affected by them, from shedding this
4 disease.

5
6 Commissioner Levy asked how much controversy this has developed among domestic
7 sheep people if they're going to lose their allotments. Are there any alternatives to
8 quarantining them from the bighorn sheep? Rainville said they have current operations
9 going; staff is working with permittees to save both species. We are looking hard to find
10 alternative allotments.

11
12 Chair Rae thanked the group for their informational briefing and said if staff or the
13 Commission could do anything to help ease their burdens to keep Craig Ely in the loop.

14
15 **Field Reports (Written report is part of the Commission's official record.)**

16 Director Elicker rearranged the order of presentation.

17
18 Oregon State Police

19 Captain Walt Markee, Fish and Wildlife Division, reported on an investigation of a
20 vehicle dismantler business. The permit for King Salvage on Highway 20 expired in
21 2009. There have been several complaints related to water and air pollution, and
22 unlawful storage of solid waste. Drums of used oil threatened to run into Beaver Creek.
23 OSP Fish and Wildlife sited the business with 17 violations and charges. Captain
24 Markee introduced Lt. Mike Dingeman, who will take Markee's place for the next six to
25 eight months. Markee has received a temporary assignment.

26
27 Lt. Mike Dingeman said he looks forward to working with the Commission and Agency.

28
29 Sage Grouse Report

30 Director Roy Elicker asked Ron Anglin to report on the U.S. Fish and Wildlife Service's
31 (USFWS) recent decision regarding the greater sage grouse listing.

32
33 Ron Anglin, Wildlife Division Administrator, distributed a handout, *USFWS Decision*
34 *Regarding Great Sage-Grouse*, and said last week USFWS announced its decision on
35 sage grouse: "Warranted but precluded". He explained the USFWS feels sage grouse
36 should be listed; however, based on priorities of other species at greater risk, sage
37 grouse are ranked lower on the list with no action recommended at this point in time.
38 USFWS will do annual assessments. They looked at five criteria in making this decision
39 (see handout), including habitat fragmentation (Factor A) and appropriate regulatory
40 mechanisms (Factor D) in place to protect the habitat from further fragmentation. Anglin
41 said staff will continue working with external partners, and will bring forward an updated
42 version of the agency's white paper on greater sage grouse

43
44 Chair Rae referred to the handout and asked the Commission to contact Ron Anglin
45 with any questions and not Christian Hagen, currently focused on wind developments.
46 She asked the Commission if they had questions.

1 A lengthy discussion followed. Commissioner Klarquist asked what other species take
2 precedence over listing of sage grouse. Anglin said USFWS looks at this nationwide.
3 Chair Rae said there is a rating system, 1 to 12, with 1 being the most urgent; sage
4 grouse is an 8 overall. Anglin said there are higher risk rates in different states, when
5 USFWS makes a final decision it is range-wide. Chair Rae said meantime, grouse is
6 under state management? Anglin said correct. Chair Rae said the Commission should
7 direct questions to Director Elicker, since Anglin is as busy as Mr. Hagen.

8
9 Northeast Region

10 Craig Ely, Region Manager, reported on the Thief Valley Reservoir rainbow trout fishery
11 success rate; a very popular fishery with a proliferation of big fish. Ely gave an update
12 on a three-way capture in the NE Region for bighorn, moose and wolf.

13
14 High Desert Region

15 Chip Dale, Region Manager, reported on implementation of the Mule Deer Initiative
16 Cougar target areas in Warner and Steens mountains. To date, four cougars have been
17 harvested in the Warner and eight in the Steens. Dale discussed the third annual
18 release of 490,000 spring Chinook fry into the upper Deschutes Basin on March 2-5,
19 2010. These releases are part of the collaborative effort by ODFW and many
20 stakeholders to reintroduce anadromous species into their historic habitats.

21
22 Southwest Region

23 Steve Denney, Region Manager, reported on current Diamond Lake monitoring results
24 and the Oregon Conservation Study. He also discussed the Columbian white-tailed deer
25 capture and release project. He is a part of the recovery team, which will discuss and
26 recommend future actions for recovery.

27
28 Chair Rae acknowledged Steve Denney's upcoming retirement on April 1.

29
30 Northwest Region

31 Chris Wheaton, Region Manager, reported on the 6th Annual Raptor Road Trip on
32 Sauvie Island. Attendance has more than doubled, to approximately 1,600 people. He
33 discussed the McKenzie River trout management project, and reported on the Sauvie
34 Island waterfowl hunts and annual EE Wilson WA Youth Rabbit hunts.

35
36 Oregon Salmon and Columbia River Program (OSCRP)

37 Steve Williams discussed the Willamette and Columbia River spring Chinook and
38 sturgeon February sport fisheries. Mainstem Columbia River commercial fisheries have
39 not really gotten started. With regard to the Pacific Fishery Management Council ocean
40 salmon discussions, overall catches have been good, although it's early in the year.

41
42 Information and Education

43 Roger Fuhrman, Division Administrator, and Michelle Dennehy, Wildlife
44 Communications Coordinator, reported on marketing research and current research
45 projects. Projects include the mentored Youth Hunter Program, fishing competition,
46 lapsed angler survey, and fishing license sales. Research results will be used to come
47 up with a national marketing approach to understanding our customers.

1
2 Director Elicker said he has been appointed to a two-year term to the Sport Fishing and
3 Boating Partnership Council, a National Advisory Council to USFWS on fishing and
4 boating activities. The Council meets twice a year and provides the opportunity to meet
5 with the boating and fishing industry on Northwest issues. He holds the coastal states
6 seat.

7
8 **Expenditure Report**

9 Debbie Colbert, Deputy Director for Administration, presented the Financial Report for
10 the month ending January 31, 2010. Revenues and expenditures are all within
11 projected budgeted amounts. She discussed three primary impacts to the
12 Department's budget from the February Special Session as a result of HB 5100, the
13 budget reconciliation bill:

- 14
15 1. Reduction in \$355,000 of General Fund (GF); a technical adjustment because
16 legislators placed it in two places in the Department's budget and removed it
17 during the February 2009 Session. It has no net affect to our administration.
18
19 2. \$800,000 GF reduction in our Administrative budget that was shifted on to Other
20 Funds – license dollars.
21
22 3. Made a \$1,508,135 appropriation of GF into the Deferred Maintenance (DM)
23 account to replace funds that were removed during the last session in response to
24 feedback from the Federal Government that this was an inappropriate diversion of
25 license funds.

26
27 Chair Rae noted that the net is actually a net benefit for the Department overall. She
28 stated that in the state budget process, Debbie and her staff are already in the middle of
29 preparing for the next biennium.

30
31 Director Elicker said March 17, all state agency directors and budget staff will meet to
32 kick off the 2011-13 budget process at the Oregon State Fairgrounds. He said the
33 Department's first External Budget Advisory Committee (EBAC) meeting is scheduled
34 Saturday, April 3. Debbie Colbert, he and OSP staff will conduct their bi-annual
35 statewide budget tour at ten public meetings during the weeks of April 12, 19 and 26. A
36 wrap-up EBAC meeting is scheduled Saturday, May 8. Director Elicker said he would
37 provide the meeting schedule to the Commission; he encouraged their participation.

38
39 **Adopt Temporary Rules**

40 Director Elicker presented 17 Temporary Rules (15 regarding commercial and
41 recreational fisheries; two involving wildlife), starting with 635-041-0065 (page 1,
42 Agenda) through 635-042-0145 (page 4). He asked the Commission to adopt the rules.

43
44 **635-041-0065**

45 **Treaty Indian Winter Gillnet Season Closes in Bonneville Pool**

46 Adopted February 10, 2010; effective February 11, 2010 through August 1, 2010.

47 Amended rule closes the Treaty Indian winter season gillnet fishery in the Bonneville

1 Pool due to reaching the white sturgeon harvest guideline. The platform/hook-and-line
2 fishery in the Bonneville Pool will continue as previously scheduled, however, white
3 sturgeon may not be sold but those landed between 38 and 54 inches in fork length
4 may be retained for subsistence.
5

6 **635-023-0095**

7 **Bonneville Pool Recreational Sturgeon Fishery Closes February 21, 2010**

8 Adopted February 10, 2010; effective February 21, 2010 through July 31, 2010.

9 Amended rule closes the non-Indian winter recreational fishery in Bonneville Pool to
10 further retention of white sturgeon, effective 12:01 a.m. Sunday February 21, 2010.
11 Attainment of the pre-season harvest guideline for white sturgeon in the Bonneville Pool
12 is expected to occur by the closure date and time. The Dalles and John Day pools
13 remain open per permanent rule at this time. Rule revisions are consistent with the
14 action taken February 10, 2010 by the Columbia River Compact agencies of Oregon
15 and Washington.
16

17 **635-042-0160**

18 **2010 Commercial Salmon and Sturgeon Fisheries for Blind Slough and Knappa
19 Slough Selected Areas**

20 Adopted February 18, 2010; effective February 21, 2010 through June 11, 2010.

21 Amended rule sets seasons, area boundaries and gear and catch restrictions for the
22 harvest of Chinook salmon, white sturgeon, and shad for the non-Indian commercial winter
23 and spring fisheries in the Blind Slough and Knappa Slough select areas. Modifications are
24 consistent with action taken February 18, 2010 by the Columbia River Compact agencies of
25 Oregon and Washington.
26

27 **635-042-0180**

28 **2010 Commercial Salmon and Sturgeon Fisheries for Deep River Select Area of the
29 Columbia River**

30 Adopted February 18, 2010; effective February 22, 2010 through June 10, 2010.

31 Amended rule sets seasons, area boundaries and gear and catch restrictions for the
32 harvest of Chinook salmon, white sturgeon, and shad for the non-Indian commercial winter
33 and spring fisheries in the Blind Slough and Knappa Slough select areas of the Columbia
34 River. Modifications are consistent with action taken February 18, 2010 by the Columbia
35 River Compact agencies of Oregon and Washington.
36

37 **635-042-0145**

38 **2010 Commercial Salmon and Sturgeon Fisheries for Youngs Bay Selected Area
39 of the Columbia River**

40 Adopted February 18, 2010; effective February 22, 2010 through July 31, 2010.

41 Amended rule sets seasons, area boundaries and gear and catch restrictions for the
42 harvest of salmon, white sturgeon, and shad for the non-Indian commercial winter,
43 spring, and summer fisheries in the Youngs Bay select area of the Columbia River.
44 Modifications are consistent with action taken February 18, 2010 by the Columbia River
45 Compact agencies of Oregon and Washington.
46

1 **635-023-0095 and 635-023-0125**

2 **2010 Recreational Spring Chinook and White Sturgeon Seasons in the Columbia**
3 **River**

4 Adopted February 18, 2010; effective March 1, 2010 through August 27, 2010.

5 Amended rules set the 2010 Columbia River spring Chinook and white sturgeon
6 seasons regulations with a description of areas, dates, and bag limits for recreational
7 harvest of adipose fin-clipped Chinook salmon, adipose fin-clipped steelhead, white
8 sturgeon and shad. Revisions are consistent with action taken February 18, 2010 by the
9 Columbia River Compact agencies of Oregon and Washington.

10
11 **635-023-0125**

12 **2010 Recreational Spring Chinook Seasons in the Columbia River**

13 Adopted February 18, 2010; effective March 2, 2010 through August 27, 2010.

14 Amended rule corrects an unintended omission in the 2010 Columbia River spring
15 Chinook season regulations within a description of areas and dates for recreational
16 harvest of adipose fin-clipped Chinook salmon. Revisions are consistent with action
17 taken February 18, 2010 by the Columbia River Compact agencies of Oregon and
18 Washington.

19
20 **635-042-0170**

21 **Commercial Salmon and Sturgeon Fisheries for Tongue Point Basin and South**
22 **Channel Select Areas**

23 Adopted February 18, 2010; effective April 19, 2010 through June 12, 2010.

24 Amended rule sets seasons, area boundaries and gear and catch restrictions for the
25 harvest of Chinook salmon, white sturgeon, and shad for the non-Indian commercial winter
26 and spring fisheries in the Tongue Point Basin and South Channel select areas of the
27 Columbia River. Modifications are consistent with action taken February 18, 2010 by the
28 Columbia River Compact agencies of Oregon and Washington.

29
30 **635-041-0065**

31 **Treaty Indian Winter Gillnet Season Closes in the John Day and The Dalles Pools**

32 Adopted February 23, 2010; effective February 26, 2010 through April 1, 2010.

33 Amended rule closes the Treaty Indian winter season gillnet fishery in the John Day
34 Pool effective at 6:00 p.m. on February 26, 2010 and in The Dalles Pool effective at
35 6:00 p.m. on March 3, 2010 when the pre-season harvest guidelines for white sturgeon
36 harvest are projected to be met. The platform/hook-and-line fishery in the Bonneville,
37 The Dalles, and John Day pools will continue as previously scheduled, however, white
38 sturgeon may not be sold but those landed between 38 and 54 inches in fork length
39 may be retained for subsistence.

40
41 **635-018-0090**

42 **Hood River Spring Chinook Sport Fishery**

43 Adopted February 23, 2010; effective April 15, 2010 through July 31, 2010.

44 Amended rule allows the sport harvest of adipose fin-clipped spring Chinook salmon in
45 the Hood River beginning April 15, 2010.

1 **635-042-0145**

2 **Commercial Salmon and Sturgeon Fisheries for Youngs Bay Selected Area of the**
3 **Columbia River Amended**

4 Adopted February 25, 2010; effective February 26, 2010 through July 31, 2010.

5 Amended rule modifies start times for and length of some of the fishing periods
6 previously authorized for the non-Indian commercial gillnet fisheries in the Youngs Bay
7 Select Area. Modifications are to the time period from February 26 through March 5,
8 2010. Modifications are consistent with action taken February 25, 2010 by the State of
9 Oregon.

10
11 **635-065-0765**

12 **Tagging, Possession, Transportation and Evidence of Sex**

13 Adopted: February 26, 2010. Effective Dates: February 26, 2010 through August 24,
14 2010

15 In June 2003, the Fish and Wildlife Commission adopted rules banning the importation
16 of certain cervid parts from those states with documented cases of Chronic Wasting
17 Disease (CWD). The rules noted that the Department would add additional states to the
18 rules as new cases of CWD were documented. Based on new information, the Director
19 amends the rule to add Missouri to the list of states from which cervid parts may not be
20 imported.

21
22 **635-041-0065**

23 **Columbia River Zone 6 Treaty Indian Commercial Platform/Hook-and-line Season**
24 **Closes**

25 Adopted March 2, 2010; effective March 3, 2010 through April 1, 2010.

26 Amended rule closes the Treaty Indian winter commercial platform/hook-and-line
27 season in the Columbia River above Bonneville Dam and the Yakama Nation fishery
28 downstream of Bonneville Dam, effective at 6:00 p.m. on Wednesday, March 3, 2010.

29
30 **635-004-0019**

31 **Inseason Actions Implemented By the Federal Government for Commercial**
32 **Groundfish Fisheries**

33 Adopted March 2, 2010; effective March 3, 2010 through August 29, 2010.

34 Amended rule adopts federal changes to commercial, recreational and tribal
35 management measures for the Pacific Coast groundfish fishery, effective at 00:01 hours
36 (local time) February 26, 2010.

37
38 **635-065-0015**

39 **General Tag Requirements and Limits**

40 Adopted: March 3, 2010. Effective Dates: May 3, 2010 through August 29, 2010

41 This rule amendment is needed to allow a process for ODFW to sell 2009 buck/deer, elk
42 or 2010 spring bear hunting tags to hunters who miss the tag sale deadline. Hunters
43 often have invested considerable time, effort and expense preparing for a hunting
44 season only to inadvertently forget or due to exceptional circumstances not be able to
45 purchase their tag before the deadline. Some of these hunters paid for a tag as part of a
46 Sports Pac License but are not able to obtain the tag they paid for after the tag sale
47 deadline. This process will allow hunters to obtain a tag during the season.

1
2 **635-023-0090 and 635-042-0130**
3 **Close Recreational and Commercial Smelt Harvest from March 11 through March 31,**
4 **2010**

5 Adopted March 8, 2010; effective March 11, 2010 through March 31, 2010.
6 Amended rules close the recreational and commercial smelt fishing seasons in the
7 Columbia River below Bonneville Dam for a period from March 11 through March 31, 2010.
8 Revisions are consistent with action taken March 8, 2010 by the Columbia River Compact
9 agencies of Oregon and Washington.

10
11 **635-042-0145**
12 **Open Periods for Youngs Bay Select Area Commercial Fisheries Modified**

13 Adopted March 11, 2010; effective March 11, 2010 through July 31, 2010.
14 Amended rule modifies seasons from previously adopted open times to provide
15 additional harvest opportunities in the non-Indian commercial winter and spring fisheries
16 by extending the winter season in the Youngs Bay select area of the Columbia River.
17 Modifications are consistent with the action taken February 18, 2010 by the Columbia
18 River Compact agencies of Oregon and Washington.

19
20 Chair Rae asked if Commission had any questions.

21
22 Commissioner Klarquist referred to 635-065-0015, General Tag Requirements and
23 Limits, (page 4), and asked if the Department was still selling 2009 buck/deer or elk tags
24 or was this reference to a 2010 tag. Is it a typo? Larry Cooper, Deputy Administrator for
25 Wildlife Division, said the reason why it allows for purchase of 2009 buck/deer or elk
26 tags is because it is a continuation of the 2009 hunting season. They are still
27 considered 2009 tags even though they are used in 2010. He said the 2010 Season
28 starts with the spring bear and moves forward from there.

29
30 *Action: Commissioner Englund moved to ratify the 17 temporary rules beginning*
31 *with 635-041-0065 and ending with 635-042-0145. Commissioner Levy*
32 *seconded the motion. Motion passed unanimously*

33
34 **PUBLIC FORUM**

35 Chair Rae called James Schiefelbein from Vancouver, Washington to come forward and
36 discuss fee increases and the Landowner Preference Program; he was not there.

37

Justin Kay Portland, Or	Justin Kay, of the Portland Animal Defense League, expressed concerns about ODFW's removal and killing of sea lions at Bonneville Dam. This kind of management has failed in the past. The problem of salmon loss lies within the economic structure of the Pacific Northwest. He requested the killing program be ended immediately.
Rachael Walters Portland, OR	Rachael Walters, of the Student Animal Liberation Coalition PSU, opposes sea lion removal. Killing them disrupts the ecosystem. Why is that allowing humans to kill

	tens of thousands of salmon is acceptable, while allowing sea lions to take a fraction of them is not? It is the fishermen that are lowering the salmon population.
Julie Farris	Julie Farris, Sea Lion Defense Brigade, opposes killing of sea lions on the Columbia River. This method is distasteful to many. The Marine Mammal Protection Act (MMPA) has helped increase the sea lion population. She said sea lions are being scapegoated for human impact on the salmon population. The MMPA was amended in 2007, and the population increased. Killing sea lions will not save salmon.
Matt Rossell	Matt Rossell, Northwest Director for In Defense of Animals, distributed written testimony. They oppose removal of sea lions and suggested that ODFW spend more time focusing on the non-fishing and non-hunting public who enjoy wildlife in non-lethal ways. The program is not working; 14 were removed and 17 new ones have replaced them. There are other solutions including putting in an underwater barrier. Having sea lions in the river is healthy and natural. Shooting of sea lions is illegal, and it's on the increase.
Bill Kludding Monmouth, OR	Bill Kludding thanked the Department for the work they've done so far in controlling the Cormorant bird population upstream from Astoria. Oregon cannot afford to lose ½ million smolts per day. Kludding said an environmental group has filed a lawsuit against the State of Oregon. He'd hate to see Oregon lose; you never know what a federal judge will come up with.

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EXHIBIT A: COMMISSION MINUTES

Chair Rae asked for comments. Hearing none, she asked for a motion.

Action: Commissioner Edge moved to approve the February 5, 2010 minutes as presented. Commissioner Kerns seconded the motion, and the motion carried unanimously.

EXHIBIT B: 2010 REGULATIONS FOR SARDINE AND PACIFIC HALIBUT FISHERIES; PROHIBIT RETENTION OF GREEN STURGEON IN SPORT FISHERIES

Commissioner Jon Englund, noted for the record, a potential conflict of interest because his company deals with the halibut and sardine industries.

Chair Rae noted his potential conflict of interest for the record.

1 Gway Kirchner, Marine Fisheries Section Manager, gave a slide presentation on fishery
2 regulations. She said there are a wide variety of fisheries that don't seem to relate to
3 one another; staff is taking conforming action to federal regulations already adopted.
4 Kirchner discussed three issues.

- 5
6 1. Commercial Pacific Sardine Fishery. She distributed *Revised Attachment 6 – 2010*
7 *Pacific Halibut and Commercial Sardine Fishery Regulations*, and discussed annual
8 harvest specifications and management measures for the sardine fishery. Kirchner
9 said harvest levels for 2010 were set in November 2009. The State may set
10 consistent or more restrictive levels. She said the stock is declining; there is a slight
11 improvement in harvest levels since 2009.
12
- 13 2. Commercial and Sport Pacific Halibut Fisheries. Kirchner discussed harvest levels
14 and the halibut regulation process. The catch limit for the 2010 fishery was adopted
15 by the International Pacific Halibut Commission in January 2010 based on a
16 coastwide assessment. She said halibut harvest levels continue to decline.
17 Regulation changes include setting days for a spring sport fishery. She said a
18 recommended regulation change to the catch sharing plan is to open the summer
19 fishery every other Friday and Saturday in August; currently it opens every Friday.
20 She also discussed regulations to set commercial openers.
21
- 22 3. Sport Green Sturgeon Fishery. Kirchner said the North American green sturgeon
23 population is listed as threatened; the northern segment is listed as a Species of
24 Concern. She said the Commission prohibited commercial retention in December
25 2009. Staff recommends prohibiting retention of sport caught green sturgeon.
26

27 Kirchner said staff recommends that the Commission review and adopt the 2010
28 Regulations (as shown in Revised Attachment 6) for sardine and halibut fisheries and
29 prohibit retention of green sturgeon in sport fisheries. She also announced that Hagfish
30 Day is scheduled for October 20, 2010.
31

32 **Public Testimony:** No public testimony was given.
33

34 Chair Rae noted **Revised Attachment 6** and said the only change that was provided to
35 Commission previously, is at the bottom of page 1. The Administrative Rule number
36 was revised to show the appropriate Federal Register citation.
37

38 *Action: Commissioner Kerns moved to adopt the proposed 2010 Regulations for*
39 *Sardine and Pacific Halibut Fisheries; Prohibit Retention of Green Sturgeon in*
40 *Sport Fisheries, as shown in revised Attachment 6. Commissioner Klarquist*
41 *seconded the motion and the motion was carried unanimously by Commissioners*
42 *Edge, Kerns, Levy, Klarquist, Webber and Chair Rae.*
43

44 Chair Rae noted that Commissioner Jon Englund was excused from the vote.
45

46 The Commission took a 10-minute break and reconvened at 10:55 a.m.
47

1 **EXHIBIT C: 2010 PRELIMINARY OPTIONS FOR OCEAN SALMON SEASON**

2 Ron Boyce, Technical Resources Program Manager, gave a slide presentation and
3 reviewed the 2010 options adopted by the Pacific Fishery Management Council (PFMC)
4 on March 11 in Sacramento, California. In April, the PFMC will adopt the 2010 salmon
5 fishing regulations for near-shore ocean waters (from 3-200 miles off-shore; federal
6 jurisdiction); then the Commission will be asked to adopt similar regulations for state
7 waters (from 0-3 miles).

8
9 Boyce discussed the 2010 Ocean Salmon Regulations and the 2010 Abundances and
10 Constraints for Sacramento Fall Chinook, Klamath Fall Chinook, Columbia River Fall
11 Chinook, Lower Columbia and Coastal Coho.

12
13 Boyce also discussed the 2010 Salmon Regulations for Ocean and Coast Waters. He
14 talked about the 2010 Quotas and Impacts for Tribal and Non-Tribal Chinook/Coho
15 fisheries North of Falcon, sport and troll coho fisheries South of Falcon, and the Impacts
16 on Key ESA Stocks. He summarized the 2010 Commercial Troll Season Options and
17 the 2010 Ocean Sport Season Options.

18
19 Chair Rae asked if the Commission had questions.

20
21 Commissioner Kerns asked if reference to Treaty fishing meant Washington Tribes or
22 Oregon Tribes. Boyce said those are Washington Treaty Tribes and they fish primarily
23 in the northern Washington area, but their whole area is the North of Falcon area.

24
25 **Public Testimony:**

John A. Fraser Brookings, OR	John Fraser distributed written testimony and offered suggested Chinook salmon seasons. He would like to see the Chetco River opened up again. He said the sports fishermen always have the first 11-13 days of October. He suggested that the commercial fishermen start October 13 to November 5. He asked the Commission to adopt either Option 1 or 2 of the following options: 1) 1,000 fish at 25 fish per day; 2) 750 fish at 20 fish per day; and 3) 500 fish at 10 fish per day. For the South Coast Rogue River, August 15 to September 15, he suggested 1,000 Chinook salmon; 25 fish per day. He said ten fish per day if we don't get any other options to boost the economy and help us try to get some relief if possible.
James Day Brookings, OR	James Day said he didn't have anything other than what John Fraser had said.

26
27 Chair Rae said the Commission was not taking action on this matter today.

1
2 Boyce added that this issue was scheduled for the June Commission meeting. He said
3 public meetings would be held at the end of April; the date for Southern Oregon will be
4 April 26th. Concurrent meetings will be held in Gold Beach and Coos Bay. Staff is
5 developing options for the terminal areas off the Tillamook, Elk and Chetco Rivers. He
6 noted that on the Chetco last year, staff saw very improved escapements and a much
7 improved forecast for this year over last.

8
9 Commissioner Englund thanked Boyce and said along the coast there is optimism that
10 we'll get things done. He encouraged Fraser and Day to attend those meetings in the
11 Brookings area. He complemented the Department and Curt Melcher's leadership.
12 Everytime he gets calls from PFMC (from our southern sister state) they tell him they
13 appreciate Oregon and its biologists and their good sense. Chair Rae said excellent.

14
15 **EXHIBIT D: RECREATIONAL STURGEON, COMMERCIAL SHAD, AND**
16 **MISCELLANEOUS FISHING REGULATIONS FOR 2010**

17
18 ***Commissioner Englund declared a potential conflict of interest because he deals***
19 ***with the recreational fishery and commercial shad fishery. Chair Rae noted it for***
20 ***the record.***

21
22 John North, Columbia River Fisheries Manager, discussed the recommendations for
23 permanent rules for the 2010 Columbia River fisheries in the Columbia and Willamette
24 rivers. He said at the February 5 meeting, Steve Williams and Tony Nigro came before
25 the Commission for guidance. Since then staff, as part of the Columbia River Compact,
26 has set the 2010 fishery recommendations following the guidance of the Oregon and
27 Washington Commissions. North summarized the public process (14 meetings) leading
28 up to development and adoption of these fisheries, guidelines and recommendations.

29
30 North discussed proposed recommendations for: management of White Sturgeon in the
31 Columbia and Willamette Rivers; Recreational Sturgeon seasons in the Mainstem
32 Columbia River; Recreational Sturgeon Seasons in the lower Willamette River; and the
33 Commercial Shad Season in Area 2S. He said staff's recommendation is to adopt the
34 regulations as described in Attachment in the Commission packet.

35
36 **Public Testimony:** There was no public testimony.

37
38 Chair Rae asked for questions; hearing none she asked for a motion.

39
40 *Action: Commissioner Edge moved to adopt 635-017-0095; 635-023-0095; and*
41 *635-042-0110 as proposed by staff in Attachment 3. Commissioner Levy*
42 *seconded; motion approved unanimously.*

43
44 **EXHIBIT E: RESTORATION AND ENHANCEMENT (R&E) PROGRAM PROJECT**
45 **APPROVALS**

46
47 Chair Rae said the Dennis Sturgell's matter (Exhibit F) would be taken up after lunch.

1
2 Laura Tessler, R&E Program Coordinator, asked the Commission to review and
3 approve the R&E Board's February 19, 2010 recommendations for project funding. She
4 presented a map of locations of the recommended projects and said the Board
5 approved funding for 25 projects out of 38, for the fourth cycle of the 2009-11 biennium.
6 The recommended projects total \$611,000, which leaves about \$1.2 million for the rest
7 of the biennium. Staff recommends Commission approval of the R&E Board
8 recommendations.

9
10 **Public Testimony:** There was no public testimony.

11
12 Chair Rae: Asked Tessler to describe the upcoming budget squeeze, and the dynamics
13 of the last R&E board meeting.

14
15 Tessler said the Board agonized over cutting projects and funding, and tried to spread
16 the money as far as possible. Many of the 22 state-funded hatcheries are having
17 problems due to reduced funds; the need is huge. The Board received a \$5.2 million
18 allocation; there is only \$1.2 million left.

19
20 Commissioner Edge asked if the Board is thinking of putting a cap on projects that they
21 would consider or telling the hatcheries to not submit new projects. Tessler responded
22 there will be a prioritization process; there are no cap limits defined. The Board has
23 given her direction that they want the money to last the rest of the biennium, so projects
24 are being asked to keep their grant requests below \$50,000.

25
26 Commissioner Klarquist asked that the Board present a priority list to the Commission
27 for funding projects. Chair Rae noted that it is the Board's responsibility to set the
28 priority level and the amounts with appropriate recommendations from staff. She said
29 further discussion is needed regarding the ranking of applications.

30
31 Commissioner Edge said he appreciated the additional narrative on the discussions.

32
33 Tessler referred to the internal rankings process and said there is an internal review
34 process. The Board's next meeting is in Baker City and they will re-examine the
35 priorities and rankings and projecting for the future.

36
37 Chair Rae noted that she was going to move Exhibit G: Access and Habitat Projects up
38 on the agenda.

39
40 ***Chair Rae declared a potential conflict of interest concerning Project number 09-***
41 ***117, will benefit her home town in Jefferson County. One of the matched***
42 ***providers is one of her younger cousins.***

43
44 Commissioner Klarquist: said two of the projects the review team had approved them
45 with a contingency based on Oregon Watershed and Enhancement Board (OWEB)
46 funding. The projects then recommended for funding by OWEB. Our OWEB meeting is
47 next Tuesday and Wednesday. One of those projects is below the funding line and the

1 other is above that funding line that he mentioned. Is a portion of this contingent on
2 OWEB actually funding the projects or is this funded and then if they don't get the
3 funding to you, we resolve that later?
4

5 Tessler said if they get funded they will contact her and then the contract goes out. If
6 they do not get funded, the contract does not go out because the motion was contingent
7 on them getting their match funding.
8

9 Commissioner Klarquist said similarly their motion is contingent on their getting this
10 funded. Tessler said that is correct.
11

12 **Public Testimony:** There was no public testimony.
13

14 *Action: Commissioner Englund moved to approve Restoration and Enhancement*
15 *Program project recommendations. Commissioner Levy seconded the motion*
16 *and the motion was carried unanimously.*
17

18 **EXHIBIT G: ACCESS AND HABITAT (A&H) PROJECTS**

19 Matt Keenan, A&H Program Coordinator, introduced Alan Christensen as a new
20 member of the Board, appointed in December 2009. Keenan asked the Commission to
21 review and approve the A&H Board's January 2010 recommendations for project
22 funding. He presented 16 projects for review and funding and said A&H funds would be
23 used for contracted security patrols; in return, landowners would allow continued
24 hunting. Most are access only projects; Imnaha River Canyon is an access and habitat
25 project. See table for project information, including costs per year and total costs in the
26 various access areas. Summarized, these projects would provide over 170,000 acres of
27 public hunting access and improve 1,000 acres of wildlife habitat, for a total cost of just
28 under \$900,000. Cooperators would contribute under \$130,000; A&H funding request is
29 \$763,807. Staff recommends the Commission approve these recommendations for
30 project funding.
31

32 Commissioner Edge welcomed Alan Christensen. He noted the first dissenting vote was
33 due to surrounding properties. What was the second dissenting vote about? Alan
34 Christensen said he voted against the issue due to funding issues. Chair Rae said that
35 kind of discussion needs to occur.
36

37 Commissioner Edge said he appreciates the written information on how much of the
38 hunting unit is described as private land.
39

40 **Public Testimony:** There was no public testimony.
41

42 *Action: Commissioner Kerns moved to approve the Access and Habitat Project*
43 *recommendations. Commissioner Edge seconded the motion and the motion*
44 *was carried unanimously.*
45

46 The Commission took a lunch break at 11:55 a.m. and reconvened at 1:00 p.m.
47

1 She distributed a schedule of the Department's External Budget Advisory Committee
2 and Town Hall meetings scheduled for budget development for the next biennium. She
3 encouraged the Commission to attend one of the Town Hall meetings in their respective
4 areas around the state.

5
6 **EXHIBIT F: DENNIS STURGELL CONTESTED CASE HEARING: COMMERCIAL**
7 **FISHING LICENSE AND PERMIT REVOCATION**
8

9 Chair Rae said this next item is for a contested case - OAH Case No. 901273.

10
11 ***Commissioner Englund recused himself from this process because he and Mr.***
12 ***Sturgell are long-time acquaintances. Chair Rae excused him for the record***
13 ***based on that personal recusal.***
14

15 Chair Rae said to Dennis Sturgell and his attorney Thane Tienson that Commissioner
16 Englund had excused himself from this matter the first time it was presented to the
17 Commission. Since Commissioner Edge had stepped out of the meeting, she asked
18 Council Bill Cook to brief the Commission on the procedures today. She said Council
19 will remind the Commission that the record before the Commission is the record before
20 them; they need to stick to that and not consider matters not already before the
21 Commission; they are sitting in a quasi-judiciary capacity. The Commission's actions
22 need to be consistent with that provided in the Administrative Procedures Act for
23 contested cases.

24
25 Commissioner Edge returned to the meeting.

26
27 Counsel William Cook said this is the last step in a contested case process. The
28 Department has been through a lengthy contested case process that involved first the
29 assignment of an Administrative Law Judge (ALJ) to hear the case, motions were filed,
30 and an ALF made rulings based on those motions for essentially threshold legal issues
31 that the sides disagreed on. The ALJ made a ruling on those. Based on that ruling the
32 case actually went to an in-person hearing based on the Final Issue that was left in the
33 case. A hearing was held in Portland, Oregon and the ALJ issued a Proposed Order.
34 Today is the last opportunity for Sturgell and his attorney to make arguments to the
35 Commission. If they have written materials they can submit those. It is up to the
36 Commission to consider the record and determine what to do.

37
38 Chair Rae asked Dennis Sturgell and Thane Tienson to come forward. She said the
39 Commission would allow Dennis to address the Commission as well.

40
41 **Public Testimony:**

Dennis Lee Sturgell Warrenton, OR	Dennis Sturgell, the Petitioner, has been a crab fisherman for 43 years. He asked the Commission to allow him to reapply for a crab permit. He discussed the history of his pot tags and described conditions that led to the loss of gear and his social standing in the crab fishing community. He explained the situation and his actions that led to the
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	<p>current revoking of his commercial fishing license. Admitted that he was negligent in not having the required tags for his pots while in use; this was a result of his crew's negligence. He was allowed to fish 500 pots, but his pots were stolen. He retrieved 449 pots. Many tags were lost, and it appeared he was fishing illegally. Other fishermen don't like him and accuse him of stealing their crabs. He did not get the tags onto the pots, but he did possess the tags. The State sent him 68 tickets, which totaled about \$420,000 in fines. He went to court and the Judge banned him from fishing. The trial date was 3 years later. He said the Judge offered him a deal of \$41,000 and 30 days in jail, and recommended he be able to reapply for a permit. The damage has been done; his life is destroyed.</p>
<p>Thane W. Tienson Portland, OR</p>	<p>Thane Tienson, Counsel for Mr. Sturgell, stated that there was a summary determination process. There is no statutory or regulatory authority for the Commission to revoke or suspend an ocean Dungeness crab fishery permit.</p> <p>Chair Rae asked for clarification, are you maintaining that this Commission has no statutory or regulatory authority to revoke a permit? Tienson said no authority to revoke an ocean Dungeness crab permit.</p> <p>Tienson said this is the first license revocation in three decades. The Commission wanted to send a powerful message to the fishery community that there are serious consequences for failure to comply with regulations. He discussed the findings of the ALJ: four other violations, the current violation was not intentional, there was no damage to the resource, and the maximum penalty is inappropriate. He said there is no question that Mr. Sturgell has received the message; he's paid an enormous penalty and received a lot of notoriety. The License Revocation Board has the authority to revoke a license. He contested the findings of that board. OAR 635-006-0235 requires that the Commission provide written recommendations, but this did not occur.</p>
<p>Dennis Lee Sturgell Warrenton, OR</p>	<p>Dennis Sturgell said he was informed by letter that his license would be revoked. When he called Deanna Erickson, she said it was too late to have a hearing. She had made a mistake; he had 60 days. He was told to plead guilty, so he did, and then they took his permit away. The License Revocation Board member was not present at the</p>

	hearing, and did not base his decision on the facts. Lot of things occurred that were not based on facts. He asked the Commission to look at the facts.
--	---

1
2
3 Chair Rae said the Commission will make their decision based on the record before us.

4
5 Counsel Cook responded that the Commission does have authority to revoke this
6 license. The License Revocation Board was given the opportunity to review the case.
7 Each of the three members received a verbatim transcript of the hearing. The
8 Commercial Fishery Permit Board has a different purpose - to determine qualifications
9 to participate in limited fisheries.

10
11 Chair Rae directed the Commission's attention to the evidence materials. She said the
12 issue comes down to whether the Commission stands by the 12 months as set out in
13 the Final Order, or six months as proposed by the ALJ.

14
15 Commissioner Kerns supported the ALJ's proposal of a six month suspension and
16 allowing Mr. Sturgell to re-apply.

17
18 Commissioners Klarquist, Levy, Webber and Edge and Chair Rae all supported the
19 Commission's original revoking the license for 12 months. Chair Rae said it is time to
20 get serious about enforcing the laws, and was concerned that Sturgell should not have
21 relied on his crew to enforce them.

22
23 *Action: Commissioner Dan Edge moved to affirm the Commission's August 4,*
24 *2009 Order and directed staff to draft an Order to reflect the Commission's*
25 *decision. He moved to authorize the Chair to sign the Final Order on the*
26 *Commission's behalf. Commissioner Klarquist seconded the motion. The motion*
27 *was carried 5-1. Voting aye: Commissioners Edge, Klarquist, Levy, Webber, and*
28 *Chair Rae. Voting no: Commissioner Kerns. Recused: Commissioner Englund.*

29
30 **EXHIBIT H: WOLF PLAN INFORMATIONAL BRIEFING**

31 Chair Rae said this next item was an informational briefing by Russ Morgan, the
32 Department's Wolf Coordinator from LaGrande. She reminded the Commission that
33 there was no need to start all over and redraft the Oregon Wolf Conservation and
34 Management Plan (Plan). It has been in place and tested, so this is an opportunity to
35 find out what has worked well, and what might need to be improved upon.

36
37 Russ Morgan reported on the Plan the Commission adopted in December 2005. A
38 provision requires that it be evaluated every five years, with the first review in 2010.

39
40 Morgan discussed the Background and History of wolves (see Attachment 2). Their
41 numbers have increased because there's a higher density on given pieces of
42 landscape; in fact, they've just expanded. Idaho is relatively full of wolf packs, and
43 territories, including many located right on Oregon's borders.

1
2 Morgan said in the past 6 years, wolves were listed as endangered, down listed,
3 uplisted, delisted, relisted, and now delisted. As of May 4, 2009, the Northern Rocky
4 Mountain wolves were removed in a portion of Oregon. In the eastern third of Oregon,
5 wolves remain federally listed; he noted that litigation is pending at this point. He said
6 staff does not know at this time when we'll see a decision on whether protections for
7 wolves will be reinstated or not. For Oregon, wolves are listed under Oregon ESA as
8 endangered animals. Oregon ESA requires a periodic review of listed species.
9

10 Morgan said during the last Legislature, the definition of wolves was changed from a
11 protected non-game wildlife to a special status game mammal. He gave a very detail
12 report of recent wolf activity found in all Northeast Oregon counties (see Attachment 2,
13 page 2). He particularly noted an incident in Keating Valley where staff worked with the
14 landowner/livestock producer. He said the actions that staff took were dictated by the
15 Plan and by Federal law. Staff's responses to all these incidences give staff the
16 opportunity to evaluate the response procedure of the Plan.
17

18 **Five –Year Evaluation of the Oregon Wolf Conservation and Management Plan**

19 Morgan said staff will look at each portion of the Plan, and evaluate how well it's
20 implemented. The Commission could enter into rulemaking and amend the Plan. He
21 discussed the following proposals:
22

- 23 • Objectives and Strategies. Review the Plan section by section and look at how staff
24 measured on each one. Morgan proposed that staff continue to work directly with
25 stakeholder groups and other interested publics for their input.
26
- 27 • Update the Plan to reflect the statutory game mammal definition change and
28 conduct a five-year Oregon ESA status review; it does not change the listed status
29 of wolves in Oregon.
30
- 31 • Timeline. For the next 2½ months, staff proposes to work with stakeholders and get
32 their input about the Plan and its implementation. Staff will prepare a draft in July
33 that will be put out for preliminary evaluation with stakeholders in August. The Plan
34 will be presented to the Commission in October and staff will present the results of
35 that evaluation and make recommendations.
36

37 **Public Testimony:**

Bill Hoyt	Bill Hoyt, President of the Oregon Cattlemen's Association (OCA), submitted written comments by OCA's Wolf Taskforce. He read paragraphs 2, 3, 4 and 5 on the first page (summarized below): #2: Now that wolves are in Oregon revamp the Plan using the Oregon Constitution as a framework to establish roles of government and rights of citizens in management of the newest top line predator.
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	<p>#3: Previously the Department did a survey that showed a near 50% split between people who wanted wolves and those who did not. It said the majority who wanted wolves would change their minds if it proved to be an undue burden on any segment of society. The first wolves in Oregon violently attacked livestock on private land. Let Oregonians know the facts of having wolves considering the failed attempts to manage them to prevent conflict.</p> <p>#4: The Department needs to be honest and unbiased on their presentation to the Commission and the public about the cost, cause and effect of having wolves managed under the present Plan. Include all stakeholders who have a stake in Oregonian's fiscal and physical wellbeing.</p> <p>#5: OCA has reviewed the Proposed Timeline and Public Input for Wolf Plan Evaluation and finds it most inadequate as a process for addressing the amendments the Plan requires throughout.</p> <p>Hoyt personally thinks that #1 (delisting rules), #7, (disease potential that are brought with wolves); and # 9, (economics of wolf management), are key issues to be addressed. He thinks in 10 years, the Department is going to have a problem of epoch proportions - huge wolf numbers and incredible issues. The Department will not have enough funding to assist the producers. Those on the front line of dealing with this issue are going to be the ranchers who will need the tools necessary to deal with them.</p>
<p>Rob Klavins Portland, OR</p>	<p>Rob Klavins, a Roadless Wildlands advocate at Oregon Wild, said Oregon Wild is a nonprofit conservation group with about 8,000 members and supporters statewide. Their mission supports healthy, sustainable populations of all native species. This process shouldn't be controversial; he likes that it won't be rewritten and there is compromise from all sides. The Plan is untested other than the Keating Valley case that showed the State has the tools and flexibility to address the concerns of the people who are most closely dealing with the wolves. He asked to consider changes that fully fund the biologists and the program. Do not make it easier for citizens to take matters into their own hands. Allow the biologists to do their jobs and make decisions that will lead to a meaningful, sustainable, and long-term recovery of wolves.</p>
<p>Al Elkins</p>	<p>Al Elkins, with the Oregon Hunters Association (OHA),</p>

	would like to invite Russ Morgan and Craig Ely to the OHA Board meeting in May to present an overview of the Plan, what objectives have been met. OHA wants to discuss diseases and wildlife deprivation as well. Elkins extended the invite to everyone in the room.
--	---

1
2 Chair Rae asked Russ Morgan to come forward; she asked if there were any questions.

3
4 Commissioner Levy referred to Morgan's report about two wolves that were euthanized
5 and asked if staff checked them for any diseases that could be concerning to human,
6 livestock and animal life. Morgan said staff took genetic samples but did not have any
7 disease checks for any particular disease. Commissioner Levy said so staff hasn't
8 tested for the two diseases that the OCA is specifically discussing. Morgan said he
9 assumed she was referring to the parasitic tapeworm, *Echinococcus granulosus*. We
10 could but you need the entire intestinal track to test for that type, because it has to be
11 done with molecular biology, not just the eggs which are present in the fecal material.

12
13 Commissioner Levy asked how dangerous the parasite is to cattle and sheep. Morgan
14 said data from the National Wildlife Health Lab and the Centers for Disease Control
15 indicates risk of this organism to humans, wildlife, or domestic livestock is low. She
16 asked how the parasite would transfer to sheep and cattle. Morgan said sheep, cattle,
17 deer, moose, and other cervids serve as an intermediate host for this tapeworm. The
18 intermediate host ingests the eggs from scat on the ground or in the wild, whether it's
19 the domestic strain of *Echinococcus* or the sobotic strain.

20
21 Chair Rae said the Department's outreach in implementation of the Plan has impressed
22 her, especially the work by field staff with landowners. The Keating Valley incident is a
23 classic example - the cooperation with the landowner was remarkable. He did
24 everything staff asked him to do despite the outcome. She doesn't believe everything in
25 the Plan is working exactly as it needs to be; that's the whole purpose of this evaluation.

26
27 She said from Morgan's outline and her expectation when the Commission adopted the
28 Plan five years ago, this review is exactly what needs to be done. Staff's expected
29 outcomes are consistent with hers. She supports the timeframe, and doesn't believe
30 another working group needs to be reestablished because so many people are involved
31 and participating in the process. Staff will hold outreach meetings statewide and
32 whoever wants a presentation will get one. She asked the Commission if they had any
33 suggestions for staff.

34
35 Commissioner Levy referred back to the Keating Valley incident and whether part of the
36 problem in Keating Valley was the inability to communicate with the U.S. Wildlife
37 Services in a timely manner; she'd like to see that improve statewide. It would also be
38 helpful to find ways to get additional funding for the program, e.g., grants.

39
40 Morgan said her point was well taken. He noted that in the Commission packet staff
41 talked about the improvements in that communication.

1
2 Commissioner Edge referred to the delisting and said he thought when staff had
3 submitted comments about aligning the delisting zone with the East-West zones that it
4 had actually happened. The idea that there might actually be three different zones of
5 regulations in the state bothers him. He suggested that staff try and align the East-West
6 zone with the federal delisting. He also suggested getting four breeding pair in the
7 narrow federal zone, if possible.

8
9 Chair Rae asked Morgan if he needed anything more from the Commission.

10
11 Morgan said before, when staff went through any sort of wolf planning, they had a direct
12 contact on the Commission. Would you recommend that same process?

13
14 Chair Rae thanked Morgan for the reminder. Last time she was designated Commission
15 point person for staff to work with; the role did not include any independent authority
16 outside the full Commission. She asked Commissioner Edge to fill that role this time.

17
18 **OTHER BUSINESS.** No other business was conducted.

19
20 Chair Rae said the next Commission meeting is scheduled April 23 in Roseburg,
21 Oregon.

22
23 **ADJOURN**

24 Chair Rae adjourned the meeting at 2:55 p.m.