

Agenda Item Summary

BACKGROUND

These rules are needed to amend and/or establish white sturgeon recreational fishing seasons for 2010 in the Columbia and Willamette rivers and establish a permanent commercial shad fishery in Area 2S of the mainstem Columbia River.

PUBLIC INVOLVEMENT

Oregon Department of Fish and Wildlife (department) together with the State of Washington, recreational interests and commercial industry participants met December 17, 2009 to develop and forward regulations for the Commission's review and consideration. Additionally, staff conducted the following associated public meetings:

- November 5, 2009 - Public meeting in Vancouver, WA.
- November 10, 2009 - Public meeting in Astoria, OR.
- November 18, 2009 - Meeting with the Columbia River Recreational Fisheries Advisory Group in Clackamas, OR.
- November 19, 2009 - Meeting with the Columbia River Commercial Fisheries Advisory Group in Rainier, OR.
- December 15, 2009 - Meeting with the Salmon for All in Astoria, OR.
- December 16, 2009 - Meeting with the Northwest Sport-fishing Industry Association in Clackamas, OR.
- January 12, 2010 - Public meeting in Oregon City, OR.
- February 4, 2010 – Public meeting regarding Select Area Fisheries in Astoria, OR.
- February 5, 2010 – Oregon Fish and Wildlife Commission meeting.
- February 9, 2010 - Meeting with the Columbia River Recreational Fisheries Advisory Group in Clackamas, OR.
- February 11, 2010 - Meeting with the Columbia River Commercial Fisheries Advisory Group in Vancouver, WA.
- February 11, 2010 – Public meeting in Vancouver, WA.
- February 18, 2010 – Public testimony taken at the Columbia River Compact/Joint State hearing in Clackamas, OR.
- March 12, 2010 - Permanent rule adoption by the Oregon Fish and Wildlife Commission.

ISSUE 1

WHETHER TO ADOPT RULES TO ESTABLISH RECREATIONAL FISHERIES FOR WHITE STURGEON IN THE MAINSTEM COLUMBIA RIVER

ANALYSIS

Staff, as a member of the Columbia River Compact and through Joint State proceedings, developed regulations for white sturgeon fisheries according to protocol first established by the Commission in 2004 and consistent with parameters of the Joint State Sturgeon Management

Agreement in development for 2010. The rules included in Attachment 3 represent the seasons and regulations adopted by the Joint States on February 18, 2010. These rules represent changes for 2010 that include:

- Recreational sturgeon retention seasons above and below Wauna power lines consistent with a reduced harvest guideline.
- An expanded spawning sanctuary in the area downstream of Bonneville Dam to provide additional sturgeon broodstock protection.

OPTIONS

1. Adopt modifications to permanent rule 635-023-0095 as proposed in Attachment 3 to allow recreational fisheries for white sturgeon in the mainstem Columbia River during 2010.
2. Modify proposed rules.

ISSUE 2

WHETHER TO ADOPT RULES TO ESTABLISH RECREATIONAL FISHERIES FOR WHITE STURGEON IN THE WILLAMETTE RIVER DOWNSTREAM OF WILLAMETTE FALLS

ANALYSIS

Staff, as a member of the Columbia River Compact and through Joint State proceedings, developed regulations for white sturgeon fisheries in the lower Willamette River according to protocol first established by the Commission in 2004 and consistent with parameters of the Joint State Sturgeon Management Agreement in development for 2010. The rules included in Attachment 3 represent the seasons and regulations developed based on guidance received at the February meeting of the Oregon Fish and Wildlife Commission. These rules represent changes for 2010 that include:

- A recreational retention season downstream of Willamette Falls consistent with a reduced harvest guideline for the lower Columbia River in 2010 and a separate guideline for the lower Willamette River.
- Development of a spawning sanctuary from Willamette Falls downstream to the I-205 Bridge to protect broodstock sturgeon.
- An angling closure for a section of the east bank of the Willamette River near Willamette Falls commonly known as the "Oregon City Wall"

OPTIONS

1. Adopt modifications to permanent rule 635-023-0095 as proposed in Attachment 3 to allow recreational fisheries for white sturgeon in the lower Willamette River during 2010, and establish additional permanent angling regulations.

2. Modify proposed rules.

ISSUE 3

WHETHER TO MODIFY PERMANENT RULES TO ALLOW A PERMANENT NON-INDIAN COMMERCIAL SHAD FISHERY IN AREA 2S (WASHOUGAL TO BEACON ROCK) OF THE COLUMBIA RIVER

ANALYSIS

The current fishery structure and regulations for the commercial shad fishery in Area 2S (Washougal to Beacon Rock) of the Columbia River downstream of Bonneville Dam were developed to maximize harvest of shad while minimizing impacts to non-target species. Time, area, and gear restrictions were based on several years of evaluation and fishery monitoring. The fishery has been adopted annually by the Compact since 1999. The Joint Staff recommend this fishery be adopted as a permanent season since annual review and season setting via the Columbia River Compact is unnecessary. The season structure proposed in Attachment 3 was previously adopted by the Columbia River Compact on July 29, 2009.

OPTIONS

1. Adopt modifications to the permanent rules (635-042-0110) as proposed in Attachment 3 to establish a permanent non-Indian commercial shad fishery in Area 2S of the Columbia River.
2. Continue to adopt regulations each year.

DRAFT MOTION

I move to adopt 635-017-0095, 635-023-0095 and 635-042-0110 as proposed by staff in Attachment 3.

EFFECTIVE DATE

April 1, 2010