

Agenda Item Summary

BACKGROUND

The Oregon Fish and Wildlife Commission (Commission) was given a briefing on the public review draft of the *Lower Columbia River Conservation and Recovery Plan for Oregon Populations of Salmon and Steelhead* (Oregon LCR Plan) at its June 4, 2010 meeting. At that meeting the Commission was given copies of all public comments that had been received by the Oregon Department of Fish and Wildlife (Department) on the public draft and heard testimony on the draft plan. The Oregon LCR Plan serves a dual purpose as a component of the Federal Lower Columbia River Recovery Plan and a State of Oregon Conservation Plan consistent with requirements of Oregon's Native Fish Conservation Policy (NFCP).

The public review draft of the Oregon LCR Plan was modified based upon comments received from agencies, environmental organizations, landowners, interested members of the public, and stakeholders during the public comment period and follow-up discussions. The primary revisions made to the Oregon LCR Plan include:

- Supporting text was added, formatting changes were made, and inaccuracies were addressed in the Executive Summary.
- Costs for actions contained in the Estuary Module were removed to avoid duplicative summation from these two separate yet related plans. Both of these plans will be "rolled-up" with several other plans into the overarching federal recovery plan for the Lower Columbia River sub-domain (Chapter 9).
- The inflation scalar was removed from the cost estimate at the suggestion of NOAA Fisheries' economist in order to be consistent with other recovery plans. Also, a project maintenance scalar was added to certain actions (Chapter 9).
- Clarifications and explanations of harvest impacts and the intent of harvest actions were made (Chapters 5, 6, 7, 8, and 9).
- Minor edits were made to address clarity, inconsistencies, or inadvertent errors.

The administrative rules (Attachment 3) the Commission is asked to adopt today establish the basic state policy which will then be implemented by the Oregon LCR Plan. In addition, the Commission is asked to adopt administrative rule revisions to make the Clackamas and Sandy River Basin Fish Management Plans (Attachment 4) consistent with these rules and the final Oregon LCR Plan (Attachment 5 and Attachment 6).

PUBLIC INVOLVEMENT

A 26-member Stakeholder Team was recruited to help the State of Oregon develop the Oregon LCR Plan. Representatives from agriculture, commerce, conservation/recreation groups, federal land managers, fishing groups, forestry, local governments, ports, soil and water conservation districts, wastewater, utilities and watershed councils were on the Team and provided their input throughout the development of the Plan, which began in March 2006. Over the intervening years, the Stakeholders provided comments on three drafts of the Oregon LCR Plan and unanimously recommended that it move forward for Commission review and approval at its February 2010 meeting. Other groups were also convened to help develop the Oregon LCR Plan. These included an Expert Panel, which identified limiting factors and threats for each population and a Planning Team, which helped develop, refine, and review technical aspects of the plan.

In addition to reviews by the Stakeholder Team, drafts of the Oregon LCR Plan were reviewed by the Planning Team, NOAA Fisheries staff in both the Northwest Region and the Northwest Fisheries Science Center, the IMST (note: the IMST provided comments though no formal recommendations for modifications), and the Department's regional, inter-jurisdictional (Columbia River/Ocean), and Conservation and Recovery staff. The Oregon LCR Plan was revised after consideration of all reviewers' comments.

A public draft of the Oregon LCR Plan was posted on the Department's website

(http://www.dfw.state.or.us/fish/CRP/lower_columbia_plan.asp) on April 19, 2010 for 45 days of public review and comment prior to the June 2010 Commission meeting. In addition, four public open house meetings were held in Hood River (April 27), Portland (April 29), St. Helens (May 6) and Astoria (May 11) to describe the Plan, allow for public comment and seek public participation in implementing the Plan.

Prior to the public open houses, the Governor's Natural Resources Office (GNRO) notified state legislators, mayors, and county commissioners about the Oregon LCR Plan's release and opportunities for public input and direct briefings (upon request). The GNRO also presented the Oregon LCR Plan to all of the state's natural resource agency directors in late April. Groups represented on the Stakeholder Team were offered briefings by the GNRO and ODFW, and these were held for several entities, including Metro, multiple watershed councils, and conservation interests.

No comments on the Oregon LCR Plan have been received since the informational briefing to the Commission in June. Department staff met with Salmon For All in late June to discuss their concerns with elements of the public draft of the Oregon LCR Plan. The draft plan has been revised as needed to address comments received.

Public review and comment on the final draft of the Oregon LCR Plan

will be accepted prior to, and during, the August 6, 2010 Commission meeting, when the Oregon LCR Plan will be presented to the Commission for final approval as a state conservation plan.

Once approved by the Commission, the Oregon LCR Plan will be submitted to NOAA Fisheries for inclusion with several other recovery plans (i.e., Washington, White Salmon, and Estuary) in the ESU-wide federal "roll-up" recovery plan. As part of approval for that plan, there will be a 60-90 day public comment period, currently scheduled for early 2011.

ISSUE 1

ADOPT THE ADMINISTRATIVE RULES SPECIFIC TO THE REQUIREMENTS OF THE NFCP TO DIRECT THE DEPARTMENT'S IMPLEMENTATION OF THE OREGON LCR PLAN

ANALYSIS

The proposed administrative rules (Attachments 3) were developed to direct how the Department implements the Oregon LCR Plan and to ensure consistency with the NFCP. Certain portions of the Oregon LCR Plan are referenced, and thereby adopted, in the rules. The Commission has already adopted Basin Fish Management Plans for the Clackamas and Sandy River Basins. The proposed administrative rules in Attachment 4 make the sections of the basin plans that relate to management of Chinook, chum, and coho salmon, and steelhead trout consistent with Attachment 3, the Oregon LCR Plan and the NFCP.

OPTIONS

1. Adopt administrative rules directing the Department's implementation of the LCR Plan as proposed by staff in Attachments 3 and 4.
2. Modify and adopt proposed administrative rules.
3. Status Quo

STAFF RECOMMENDATION

Option 1.

ISSUE 2

APPROVAL OF LCR PLAN

ANALYSIS

The Oregon LCR Plan is the State of Oregon's working document that implements the Commission's administrative rules for conservation and recovery of salmon and steelhead in the Lower Columbia. The Commission is asked to approve the Oregon LCR Plan as the appropriate way to implement the Commission's administrative rules. As noted previously, some of the standards in the Oregon LCR Plan are referenced, and thereby included in, the administrative rules.

OPTIONS

1. Approve Oregon LCR Plan
2. Modify and approve Oregon LCR Pan.
3. Status Quo

**STAFF
RECOMMENDATION**

Option 1.

DRAFT MOTION	I move to adopt the administrative rules shown in Attachments 3 and 4 and approve the <i>Lower Columbia River Conservation and Recovery Plan for Oregon Populations of Salmon and Steelhead</i> (Attachment 6).
EFFECTIVE DATE	Administrative rules: Upon filing.