

Agenda Item Summary

BACKGROUND

Temporary rules were adopted in October of 2008 giving the Director the authority to reinstate preference points of a person who did not participate in a controlled hunt because of circumstances beyond the person's control or tragic personal circumstances. Permanent rules were adopted by the Commission in June of 2009.

Tragic personal circumstances is defined to mean: Death or life-threatening injury or illness in the person's immediate family or the person's own serious injury or illness and circumstances beyond the person's control excludes complaints about the quality of a hunt (including, but not limited to, road closures, inclement weather and work being conducted in the hunt area).

On November 21, 2011, the Department received a letter from Mr. Zinke requesting that his preference points be reinstated because the Dollar Lake Fire near Mt. Hood had closed National Forest Roads #13 and #16 preventing him from participating in his hunt. (Attachment 2)

On November 23, 2011, an application for consideration to have preference points reinstated was sent to Mr. Zinke.

On December 2, 2011, the Department received an application for consideration to have preference points reinstated with the supporting documentation from Mr. Zinke. (Attachment 3)

After considering Mr. Zinke's application, Director Elicker denied the request because it was determined that he didn't meet the standards needed to reinstate his preference points for either tragic personal circumstances or circumstances beyond his control. The denial letter dated December 13, 2011 offered Mr. Zinke the opportunity to appeal the Director's decision to the Fish and Wildlife Commission. (Attachment 4)

On December 20, 2011, the Department received a letter from Mr. Zinke requesting to appeal the Director's decision. (Attachment 5)

PUBLIC INVOLVEMENT

None

ISSUE 1

REVIEW THE APPLICATION FOR CONSIDERATION TO HAVE PREFERENCE POINTS REINSTATED AND DECIDE WHETHER OR NOT TO CHANGE THE DIRECTOR'S DECISION.

ANALYSIS

It is the policy of the Department to consider closures of general hunting seasons during periods of extreme fire danger when state and federal land managers have closed entry to public lands.

Any decision to adopt hunting season closures will be made after consultation with the State forester, U.S. Forest Service and Bureau of Land Management and will be based upon actions by those land management agencies to close the lands they manage to other activities. The hunting season for the Hood-White River unit (141A) was not closed due to fire danger.

OPTIONS

1. Approve Director's decision to deny reinstate of preference points
2. Change Director's decision and reinstate preference points

**STAFF
RECOMMENDATION**

Option 1

DRAFT MOTION

I move to approve the Director's decision to deny the reinstatement of Mr. Zinke's preference points.

EFFECTIVE DATE

March 9, 2012