



Oregon Fish and Wildlife Commission Minutes

Meeting:
Friday, April 25, 2014 - 8:00 a.m.
The Mill Casino and RV Park
The Hazel-Willow-Beargrass Room
3201 Tremont Avenue
North Bend, Oregon 97459

1
2 *Commission minutes are considered draft until approved by the*
3 *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

Bobby Levy, Chair	Roy Elicker, Director
Mike Finley, Vice Chair	Curt Melcher, Deputy Director
Bob Webber, Commissioner	Steve Sanders, Assistant Attorney General
Holly Akenson, Commissioner	Teri Kucera, Executive Assistant
Gregory J. Wolley, Commissioner	
Laura Anderson, Commissioner	

8 **MEETING**

9 On Friday, April 25, 2014, Chair Bobby Levy called the Oregon Fish and Wildlife
10 Commission (the Commission) meeting to order at 8:00 a.m.
11

12 **DIRECTOR'S REPORT**

13 **Field Reports** were distributed in written form.
14

15 State Representative Caddy McKeown, House District 9, welcomed the Commission and
16 said their visit to her district was important to their rural communities. As chair of the
17 Coastal Caucus, she said all the things that Oregon Department of Fish and Wildlife
18 (ODFW) deal with are very important to them. She recognized the work of ODFW and
19 staff on the Coastal Multi-Species Plan (CMP) and said they have been responsive and
20 have done a wonderful job interacting with the Coastal Caucus and their constituents.
21

22 **Adopt Temporary Rules**

23 Director Roy Elicker asked the Commission to adopt the 14 temporary rules on page 1
24 through page 3 of the tan-colored agenda.
25

26 **1. 635-041-0061 and 635-041-0065**

27 **Treaty Winter Gillnet Season Modification**

28 Adopted March 11, 2014: effective March 12, 2014 through July 31, 2014.

29 These amended rules open the area between The Dalles Dam and John Day Dam
30 March 12 through March 22, 2014 and extend the season in the area between
31 Bonneville Dam and The Dalles Dam through March 15, 2014. Modifications are
32 consistent with action taken March 11, 2014 by the Columbia River Compact agencies of
33 the states of Oregon and Washington in cooperation with the Columbia River Treaty
34 Tribes.

1
2 **2. 635-041-0045**

3 **Columbia River Tributary Treaty Indian Commercial Fisheries Amended**

4 Adopted March 11, 2014: effective March 12, 2014 through July 31, 2014.

5 This amended rule clarifies that sales of fish landed in Treaty fisheries downstream of
6 Bonneville Dam under agreements with the State of Oregon are allowed when lawfully
7 permitted under Treaty Regulations. Modifications are consistent with action taken
8 March 11, 2014 by the Columbia River Compact agencies of the states of Oregon and
9 Washington in cooperation with the Columbia River Treaty Tribes.

10
11 **3. 635-065-0772**

12 **Amend Rule to Authorize Black Bear Tags for Terminally Ill Children**

13 Adopted March 13, 2014: effective March 13, 2014 through June 15, 2014.

14 Qualifying terminally ill children, based on certain criteria, are currently provided the
15 opportunity to obtain controlled deer, elk, or pronghorn antelope tags. The adoption of
16 these rules would provide a mechanism for qualifying terminally ill children to obtain
17 black bear tags including a controlled or limited spring bear hunt tag. The process used
18 to obtain a limited or controlled black bear tag would be the same process already
19 established for issuing deer, elk and pronghorn antelope tags for controlled hunts. To
20 qualify for these tags individuals must be from 12 to 21 years of age, have been
21 diagnosed with a terminal illness by a licensed physician, and sponsored by an
22 organization with the principle purpose of granting hunting and fishing adventures for
23 terminally ill children.

24
25 **4. 635-042-0145**

26 **2014 Modified Commercial Winter Fishery for Columbia River Youngs Bay Select
27 Area**

28 Adopted March 13, 2014: effective March 17, 2014 through July 31, 2014.

29 This amended rule modifies the winter season commercial fishery in the Columbia River
30 Youngs Bay select area. Modifications are consistent with the action taken March 13,
31 2014 by the State of Oregon Action.

32
33 **5. 635-056-0075**

34 **Tiger Muskie Modified to Catch and Release Only**

35 Adopted March 19, 2014: effective April 1, 2014 through August 31, 2014.

36 This amended rule authorizes allowable catch and release only of Tiger Muskellunge in
37 Phillips Reservoir (Baker County). Modifications are consistent with The Introduction
38 Proposal adopted by the Oregon Fish and Wildlife Commission on December 6, 2012
39 and Phillips Reservoir Fishery Management Plan.

40
41 **6. 635-023-0095**

42 **Columbia River Recreational Sturgeon Season Set for the Bonneville Pool**

43 Adopted March 27, 2014 effective May 1, 2014 through July 31, 2014

44 The amended rule sets a white sturgeon retention fishery in the Bonneville Pool from
45 June 13 through June 21, 2014. The amendment also establishes a closed fishing area
46 to protect spawning sturgeon beginning May 1 through July 31, 2014. Revisions are
47 consistent with action taken March 27, 2014 by Columbia River Compact agencies of the

1 states of Oregon and Washington.

2
3 **7. 635-042-0022**

4 **2014 Commercial Spring Chinook Fishery in the Mainstem Columbia River**

5 Adopted March 31, 2014 effective April 1, 2014 through July 31, 2014

6 The amended rule allows a non-Indian commercial spring Chinook fishery in the
7 mainstem Columbia River to commence on April 1, 2014 from the mouth of the Columbia
8 River upstream to Beacon Rock (Zones 1-5). The authorized fishing period is from 10:00
9 a.m. to 6:00 p.m. April 1, 2014. Modifications made were consistent with Joint State
10 Action taken March 31, 2014 at a meeting of the Columbia River Compact agencies of
11 the states of Oregon and Washington.

12
13 **8. 635-023-0125**

14 **Columbia River Recreational Spring Chinook and Steelhead Seasons Amended**

15 Adopted April 3, 2014 effective April 4, 2014 through June 15, 2014.

16 This rule amends the 2014 regulations for Columbia River recreational spring Chinook
17 and Steelhead seasons with descriptions of areas, dates, and bag limits for harvest of
18 adipose fin-clipped Chinook salmon and adipose fin-clipped Steelhead. Revisions are
19 consistent with action taken April 3, 2014 by Columbia River Compact agencies of the
20 states of Oregon and Washington.

21
22 **9. 635-056-0060**

23 **Amend Rules to Restore Species to the Non-Controlled Species Classification**

24 Adopted April 16, 2014: effective April 16, 2014 through October 10, 2014.

25 This temporary rule is needed to correct the Division 056 list of non-controlled species.

26 Division 56 rules were amended in June of 2011 and two species, previously on the list,
27 were inadvertently left off the non-controlled list. These species are as follows:

28 Order Sphenisciformes: Penguins – Spheniscidae – All species; Order Cuculfiromes:
29 Turacos, plaitain eaters and go-away birds – Musophagidae – All species

30
31 **10. 635-023-0125**

32 **Columbia River Recreational Spring Chinook and Steelhead Seasons Amended**

33 Adopted April 16, 2014: effective April 19, 2014 through July 31, 2014.

34 This amended rule modifies regulations for 2014 Columbia River recreational spring
35 Chinook and steelhead seasons with descriptions of areas, dates, and bag limits for
36 harvest of adipose fin-clipped Chinook salmon and adipose fin-clipped Chinook salmon
37 and adipose fin-clipped steelhead. Revisions are consistent with action taken April 16,
38 2014 by Columbia River Compact Agencies of the states of Oregon and Washington.

39
40 **11. 635-042-0145**

41 **Youngs Bay Commercial Select Area Spring Chinook Fishery Modified**

42 Adopted April 21, 2014: effective April 22, 2014 through July 31, 2014

43 This amended rule rescinds the April 22, 2014 and April 24/25, 2014 periods previously
44 adopted for the Youngs Bay Select Area commercial spring fishery. Modifications were
45 made consistent with Oregon State Action taken April 21, 2014.

46
47 **12. 635-023-0134**

1 **Open Spring Chinook Sport Fishery on the Snake River below Hells Canyon Dam**

2 Adopted April 21, 2014: effective April 26, 2014 through September 30, 2014

3 This amended rule opens a spring Chinook Fishery from Dug Bar Boat Ramp upstream
4 to the deadline below Hells Canyon Dam on the Snake River beginning April 26, 2014 to
5 coincide with the State of Idaho's regulations for this fishery.

6
7 **13. 635-004-0275**

8 **Federal Actions and Management Measures Implemented for Commercial**
9 **Groundfish Limited Entry Trawl Fisheries**

10 Adopted April 23, 2014: effective April 23, 2014 through September 30, 2014

11 This amended rule implements in-season actions previously adopted by the federal
12 government for 2013 and 2014 Pacific ocean commercial groundfish fisheries, including
13 but not limited to changes in commercial groundfish limited entry trawl RCA adjustments.

14
15 **14. 635-042-0145 and 635-042-0160 and 635-042-0170**

16 **2014 Commercial Spring Fisheries Rescinded and Amended for Columbia River**
17 **Select Areas**

18 Adopted April 23, 2014: effective April 24, 2014 through July 31, 2014.

19 The amended rules rescind and amend seasons, areas boundaries and allowable sales
20 for spring commercial fisheries in the Columbia River Select Areas. Modifications are
21 consistent with the action taken April 23, 2014 by the Columbia River Compact agencies
22 of the states of Oregon and Washington.

23
24 *Action: Commissioner Webber moved to adopt temporary rules 1 through 14 as*
25 *set out on the agenda. Vice Chair Finley seconded the motion, and the motion*
26 *passed unanimously by a vote of six.*

27
28 **PUBLIC FORUM**

29 *Chair Levy stated this part of the agenda is for comments on topics not scheduled*
30 *elsewhere on the agenda. The public needs to contact the ODFW Office of the Director*
31 *at least 24 hours prior to the meeting to be included in the public forum. If you bring*
32 *written summaries or other materials to the meeting please provide the Commission*
33 *Assistant with 20 copies prior to your testimony. We are unable as a Commission to take*
34 *action on items brought to our attention in this forum.*

<p>Joe Leibeziat Portland, Oregon</p>	<p>Joe Leibeziat, Avian Conservation Program Manager for Audubon Society of Portland (ASP), distributed written testimony and said they hope to ramp up forage fish management in state waters as they have in federal waters. They are important fish that feed larger fish, sea birds, and marine mammals.</p>
<p>Paul Engelmeyer Yachats, Oregon</p>	<p>Paul Engelmeyer, Ten Mile Creek Sanctuary Manager and Important Bird Area (IBA) Coordinator, distributed a packet and said the Pacific Fishery Management Council (PFMC) approved Option 2.2.1 to incorporate unmanaged forage fish as ecosystem component species within each of PFMC's</p>

	<p>existing fishery management plans. The West Coast Governor’s Alliance deals with consistency coastwide. California and Washington have forage fish policies to conserve forage fish in their state waters. He believes there should be consistency and a dialogue for Oregon to act. He discussed the contents of his packet:</p> <ul style="list-style-type: none"> • <i>Oregon’s Important Bird Areas</i>. Statewide over 100 IBAs exist. The coast has 30 IBAs directly linked to forage fish. • <i>Seabirds of the Pacific Northwest by U.S. Fish & Wildlife Services (USFWS, an educational piece.</i> • <i>Little Fish BIG IMPACT, a Summary of New Scientific Analysis from the Lenfest Forage Fish Tank Force</i>. He offered to facilitate an educational presentation with co-author Dr. Selina Heppell, Associate Professor, Department of Fisheries and Wildlife at Oregon State University. • <i>Audubon fact sheet August 2012 – Protecting marine Important Bird Areas from Barrow to Baja.</i> • <i>Forage Fish – Feeding the California Current Large Marine Ecosystem</i>, produced by Oceana. A challenge because of the implications for eulachon listed under the Endangered Species Act (ESA). • <i>California’s Forage Species Policy</i>, a policy statement about marine reserves. Audubon hopes they can work with the Commission as this moves forward.
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2 Vice Chair Finley said the California Fish and Game Commission forage fish policy has
3 been implemented a while. What would you change about that? Engelmeyer said the
4 potential of where we need to go is a logical step along those lines. Oregon has
5 leadership at the Council level, a partnership from California to Oregon and Washington.
6

7 Vice Chair Finley noted a statement in the California forage fish policy statement (under
8 III.), and asked if anything preliminarily is in the works to think about freezing the existing
9 levels of interest or access into forage fisheries until the State addresses a policy.

10
11 Director Elicker said he would confer with the staff and recommended that the Marine
12 Program staff report to the Commission at a future meeting on this issue. Chair Levy
13 asked staff to put in on the Commission’s June agenda.
14

<p>Jim Wells Astoria, Oregon</p>	<p>Jim Wells, President of Salmon for All (SFA) and gillnet fisherman, distributed <i>Comparison of Alternative Gear Survival Estimates – Ricker 2-Release vs. Adjusted Survival vs. TAC Chinook</i>, and said it was the newest seine release mortality rates. Highlights of his testimony:</p> <ul style="list-style-type: none"> • The Governor’s staff never came to Astoria to take input
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	<p>from the commercial fishery. The policy was given to the Commission to pass and the science was not done. Now the science is being done and it's not fitting the policy.</p> <ul style="list-style-type: none"> • The seine fisheries were modeled for an economic model at a five percent release mortality rate to make it fit under the economics. Wells said 22% to 38% release mortalities do not fit in that model. We need a new model with these numbers to see where we come out economically. • Because of high mortality rates a full fleet seine fishery this fall in the river was canceled. It is down to six participants with about a 5,000 Chinook limit. • Select Areas is another key component of the economics – making up our loss for taking gillnets away. • Last fall they caught 87,000 Chinook with less than one-third of the Tule impacts; the sports fleet caught 65,000 - 70,000 with 70%. There are very few of the wild Group B steelhead. The commercial fleet was responsible for 13 steelhead kills; the sport fleet was 44. • Wells said Deputy Director Debbie Colbert had stated, “The numbers reflect that we are in an all time low in terms of hunting and fishing participation in Oregon.” They had 5,000 last year and caught over 11,000 this year. It is more fish for less people and it's a direct loss to the fish buying public, the commercial fleet and consumer. • Does any business raise prices on something not selling? You have to cut the price or do something different. • Wells noted a letter from the Alaska Pacific Salmon Commission member about potential impacts of large over escapements of Columbia River Upriver Bright Chinook salmon that might reduce the productivity of upriver Brights stock and other stocks co-mingling with them. • Alaska is interested in management measures under consideration for fisheries within Oregon's jurisdiction concerning harvest of upriver Brights. In 2013 they harvested 176,000 Chinook salmon; this year they plan to harvest 439,000 due to over escapements. He said if you take us out of this equation, take gillnets out of the river and the seines don't work, Alaska will harvest these fish. <p>Wells said we asked for National Marine Fisheries Service (NMFS) oversight and met with a gentleman in Astoria. They talked about gillnets and showed NMFS the data. They agreed and said we're doing the best job we can possibly do with gillnets extracting these fish in Zones 4 and 5.</p>
Mike Wullger	Mike Wullger thanked the Commission for adopting the

Astoria, Oregon	<p>Control Zone in front of Youngs Bay. He said:</p> <ul style="list-style-type: none"> • It should behoove the opposition to pass more local Select Area (SA) fish into our fishery; the Governor's Plan is economically driven. We want to enhance SAs. • Four new areas are being tested for SAs this spring. Prairie Channel and Clifton Channel have heavy upriver listed fish caught in them. People raising chums in hatch boxes in Westport Slough are upset about the possibility of a gillnet fishery there. In Cathlamet Channel there is heavy steelhead handle and upriver fish stocks. So far they are all very dirty. • They had 45% of the impacts but it is now 30%. With this plan they will go to 20%. They fished in Youngs Bay and were closed 22 days after the winter season waiting for the spring; Tongue Point closed for 41 days. Last week, Youngs Bay reopened for six hours and they caught too many impacts. The Compact on Wednesday closed all SAs until May 1. • They fished Tongue Point, Blind Slough, Youngs Bay, and Deep River for 830 hours and harvested 1,050 fish. Compared to the mainstem they had one 8-hour opening and caught over 1,700 fish. In comparison the sports had 11,000 fish and used 89% of their impacts. The sports season extended last Saturday was expected to catch 2,000 fish. If you take that 1,700 fish away from us on the mainstem the sports will get one more day of fishing. • He fished Youngs Bay in February and caught a handful of fish. With what they have caught to date, maybe 20% of these fish were SA bound fish. He said the final numbers are not crunched yet. What happened to our Youngs Bay, Tongue Point, and Blind Slough SA fish? • A company who raises net pen fish in Astoria released coho smolts on the south fork of the Clatskanie on the upper end of Youngs Bay; a quarter mile down 500 cormorants ate these fish. They asked for help to haze the cormorants decimating the coho run. What will it be like in four years? What will we do?
Gary Soderstrom n/a	<p>Gary Soderstrom, serves on the Restoration and Enhancement Board, Oregon Hatchery Research Center Board, and Lower Columbia Watershed Council. He said:</p> <ul style="list-style-type: none"> • You cannot make a living in SAs; 15% to 25% of his yearly income comes out of SAs. That money is needed in those lower communities. • Seines were outlawed years ago partly because of the smolts they were catching in those seines.

	<ul style="list-style-type: none"> • He uses time, area, and mesh size to avoid conflicts with smaller and targeted fish. We are asked to use seines, smaller meshes, and tangle nets. It's a recipe to fail. When using a tanglenet the size of spring salmon decreases about three pounds and the value goes down. • He participated in a 3 – 3-1/4 inch fishery last fall. You have a half hour from the time you start to lay the net to get it back. You start picking and you get shad, jack salmon; things never seen in a regular net. • He was tied up in Blind Slough and got called off because too many wild upriver fish were being caught. We were catching 40 to 50 salmon per opener in Blind Slough the last two openers, 15 to 30 boats were fishing there. At \$100 a fish who made the money? • He is tied on net pen and otters rolling in and out of them are a major problem. The Clatskanie Hatchery held part of the spring salmon release there so they would not have to put them down there. The fish are not returning to these areas and the numbers and harvest are down. • If the whole fleet is put into these areas he cannot see guys making enough to pay for their licenses.
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2 Commissioner Anderson asked when the Commission would receive another Columbia
3 River update. Director Elicker said the testimony today with those numbers is a work in
4 progress on mortality studies with seines; mostly work by Washington. Staff will provide
5 an annual review of the Columbia River fishery at their January 2015 meeting.
6 Commissioner Anderson said some of the numbers we are seeing are far off from the
7 assumptions that went into how we had targeted the models originally. She suggested
8 a targeted look at this one issue before the Commission's meeting in January.
9
10 Chair Levy supported an update. Director Elicker said he will have staff provide an
11 update on this study to the Commission at their June or August meeting.
12

<p>Jim Wells Astoria, Oregon</p>	<p>Jim Wells referred to the last line of his handout (see <i>Comparison of Alternative Gear Survival Estimates – Ricker 2-Release vs. Adjusted Survival vs. TAC Chinook</i>) and said TAC is the Technical Advisory Committee, all the heads of science. It states, "TAC Chinook and coho rates may increase slightly with expansion of CWT data." Their NMFS oversight person said we are very unlikely to see reduction in these numbers. Wells said this thing is not going to work out to make up for our lost economics.</p>
<p>Sharon Waterman Bandon, Oregon</p>	<p>Sharon Waterman, Chairman of Coos County Animal Damage Control Advisory Committee (CCADCAC),</p>

	<p>distributed written testimony and spoke to the following:</p> <ul style="list-style-type: none"> • Wildlife Services is essential to resolve human/wildlife conflict in rural Oregon and plays a significant role in addressing damage to timber, agriculture and county infrastructure. Waterman provided examples. • CCADCAC has been active in finding funding for the county's share of the program. Coos County funded 70% of the program but its' financial situation is more tenuous due in part to loss of federal funding. • The private timber industry will contribute 14% of dollars needed to retain existing staff but CCADCAC. • The natural resource industry in Coos Bay provides much of the food and habitat for wildlife at no direct cost to the people. • ODFW has the authority to manage wildlife and should prioritize dollars and work to develop long term statewide funding of the program. It is imperative to preserve the economy and backbone of rural Oregon.
<p>Robert Main n/a</p>	<p>Bob Main, Coos County Commissioner, said Curry, Josephine, Polk, Columbia, and Klamath Counties are having difficult times in meeting their budgets. They are at the verge of having major problems in the next two years and urge the Commission for support when they talk to the Legislature about funding for this program. They met with State Representatives Caddy McKeown and Wayne Krieger and State Senator Arnie Roblan to formulate a plan to fund this program. He knows ODFW is tight on money but would really appreciate the Commission's support.</p>

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Lifesaver Award

Director Elicker said on March 26, 2014, Doug Cottam, District Wildlife Biologist in Newport, witnessed a vehicle in front of him on Hwy. 20 crashing into the Yaquina River. A family with four children was in the van when it filled with water. Doug helped pull the family out. He went back and pulled out a trapped infant in a car seat who was not breathing. Doug administered CPR until the ambulance arrived. Director Elicker said Doug a lifetime employee saved a life that day. He presented Cottam with the ODFW Lifesaver Award in recognition for his extraordinary efforts in saving a human life.

Exhibit A: COMMISSION MINUTES

Chair Levy asked for edits to the January 10 and March 7, 2014 minutes. Commissioner Anderson referred to the January 10 minutes, page 36, line 11, and said the word "noncurrent" should read "**concurrent**".

1 *Action: Commissioner Wolley moved to approve the January 10, 2014 minutes*
2 *approved as written and amended. Commission Akenson seconded the motion,*
3 *and the motion passed unanimously by a vote of six.*

4
5 Commissioner Webber referred to the February 7, 2014 minutes and said on page 15
6 under Lon Sweeney’s testimony the word “non functional” should read “**non fungible**”.

7
8 *Action: Commissioner Webber moved to reapprove page 15 of the February 7,*
9 *2014 minutes. Commissioner Anderson seconded the motion, and the motion*
10 *passed unanimously by a vote of six.*

11
12 *Action: Commissioner Anderson moved to approve the March 7, 2014 minutes.*
13 *Commissioner Wolley seconded the motion, and the motion carried unanimously*
14 *by a vote of six.*

15
16 **Exhibit B: PETITION FOR CONTROLLED FISH SPECIES**

17 Ron Anglin, Wildlife Division Administrator, presented a petition to amend the Wildlife
18 Integrity Rules in Division 56. He said staff is asking the Commission whether it is
19 interested in moving forward with rulemaking to change Barramundi to a “controlled”
20 species and to be regulated under the same conditions as Tilapia. He said Barramundi
21 are the largest predatory member of the perch family and can live up to 20 years in the
22 wild and in aquaculture facilities. Under most circumstances they would not survive if
23 they escaped into the wild; the estuaries are too cold for successful spawning. He said
24 Barramundi are used as a food fish in the United States and overseas. In some places
25 they provide a recreational fishery because they can grow up to six feet in length.

26
27 Anglin said the Wildlife Integrity Rules has seven factors that staff used to evaluate this
28 petition (see pages 3-4, *Attachment 1 – Agenda Item Summary*). Staff did not see any
29 major red flags after looking at these seven factors.

30
31 Legal Counsel Steve Sanders said as a general matter when any governing body
32 considers a petition for rulemaking the Legislature has directed that the Commission can
33 consider a number of factors related less to the specifics of the rule and more to the
34 general aspects of governing. For example, is the rule duplicative of federal regulations?
35 Is it complicated? Is it imposing needless burdens on small government? Legal Counsel
36 Sanders said these are from a Reagan era version of government where government
37 might be the problem and so the Commission is really asked to consider, as a
38 fundamental thing, whether rulemaking on this subject is required at all. Or whether this
39 is the best way to go about doing it.

40
41 Legal Counsel Sanders said the Commission will see from the staff’s conclusion that
42 most of these questions are not really too applicable to the biological considerations at
43 play in this petition because the Commission has historically taken the view under the
44 precautionary principle that we are going to impose rigorous conditions to protect native
45 wildlife unless somebody shows that they can do some kind of activity like this that does
46 not put too much risk for that on fish and wildlife populations. He said balancing that risk
47 is ultimately the Commission’s responsibility but the point of these APA questions is to

1 ask you a more fundamental philosophical question about the nature and value of rules
2 at all.

3
4 Legal Counsel Sanders said the staff has concluded that the Commission's direction
5 should be held going forward with the rules but that is the question the Commission is
6 being asked. He said if the Commission was alarmed about biological effects they could
7 determine now not to even enter into rulemaking, but at this point the Commission is only
8 being asked whether to initiate the rulemaking on this subject.

9
10 Anglin discussed the seven APA Evaluation Criteria.

11
12 **Public Testimony:** There was no public testimony.

13
14 Vice Chair Finley said because of the life history just described he assumed this was
15 going to be a land based aquaculture facility to maintain this? Anglin said correct. The
16 individual is looking at an inside facility in the upper Deschutes Basin.

17
18 Vice Chair Finley supports aquaculture if properly done. He said Tilapia are vegetarian
19 and Barramundi are carnivorous. Kona Kampachi in Hawaii consumed 80% of Peruvian
20 anchovy which were being decimated over time by expanding marine aquaculture
21 facilities. He said as these businesses emerge to feed us it is going to be important to
22 have a policy on maintaining these fish food stocks. He asked folks to start thinking
23 about forage fish and how you feed aquaculture.

24
25 Commissioner Wolley said regarding bacteria and diseases transferring to other fish
26 these fish would largely be contained in an indoor facility. There is some mention of
27 ionization; do you have any information on that at this point? How does this water cycle
28 out of these facilities? If these fish have any disease or are carrying bacteria how is that
29 dealt with? Commissioner Wolley asked that his concern be noted for the record.

30
31 Anglin said if the Commission allows Barramundi, staff would look at our aquaculture
32 permitting of the facility and work with the county planning department to insure there
33 were conditions within the county permits to protect those kinds of disease, outflow, and
34 water concerns.

35
36 *Action: Commissioner Akenson moved to accept the Camel petition and instruct*
37 *staff to initiate rulemaking effective April 25, 2014. Vice Chair Finley seconded*
38 *the motion and the motion carried unanimously by a vote of six.*

39
40 **Exhibit C: RESTORATION AND ENHANCEMENT PROJECT APPROVALS and**
41 **SALMON AND TROUT ENHANCEMENT PROGRAM ANNUAL PROGRESS REPORT**

42 Kevin Herkamp, Restoration and Enhancement (R&E) Program and Salmon and Trout
43 Enhancement Program Coordinator, presented the Cycle 4 R&E projects. He said on
44 March 6, 2014, the R&E Board recommended 12 projects for funding: three restoration
45 projects totaling \$228,280.00 and nine enhancement projects totaling \$330,796.50. He
46 referred to *Attachment 4 – Public Correspondence*. The R&E Board met April 23 to
47 discuss *Project 13-063 – Noble Creek Watershed Restoration* and decided to restore full

1 funding including the line items for Financial Administration and Project Management
2 they had previously cut totaling an additional \$9,146.00. The recommendations for this
3 cycle total \$559,076.50. If all of these projects are approved by the Commission, 40% of
4 original funds will remain for the last two cycles of the biennium.

5
6 **Public Testimony:** There was no public testimony.

7
8 *Action: Vice Chair Finley moved to approve the recommendations of the Fish
9 Restoration and Enhancement Board. Commissioner Wolley seconded the
10 motion and the motion carried unanimously by a vote of six.*

11
12 Tom VanderPlaat, Salmon and Trout Advisory Committee Chair, presented the Annual
13 STEP Report and highlighted STEP's accomplishments. VanderPlaat discussed STAC
14 mini-grants and the rate of return. STEP recommends:

- 15 • Expand STEP volunteer recruitment using different tools such as social media.
- 16 • Increase STEP's role in expanding fishing opportunities; reverse trend of less
17 fishermen.
- 18 • Improve data collection and reporting to leverage their volunteers.
- 19 • Increase aquatic education programs.
- 20 • Restore the STEP Coordinator position to full time.
- 21 • Give high priority to STEP program funding.
- 22 • Increase support for volunteer programs and maintain STEP as a priority for the
23 Department, both in its program and its field work.

24
25 Chair Levy encouraged staff to do everything they can to make this a statewide program;
26 you don't see it as much on her side of the state.

27
28 **Exhibit D: 2014 REGULATIONS FOR PACIFIC HALIBUT FISHERIES**

29 Patrick Mirick, Assistant Project Leader for Groundfish and Pacific Halibut, during a slide
30 presentation, briefed the Commission on the following:

31
32 *Catch limit* process has three parts:

- 33 1. Assessment conducted by International Pacific Halibut Commission (IPHC) with
34 surveys coast-wide and by region to determine fish population. Halibut abundance
35 has dropped over the last decade from a very atypical high period.
- 36 2. Apportionment process sets regional catch limits for each area. West Coast catch
37 limit is down 3% from last year, less than the coast-wide decrease of 12%.
- 38 3. Allocation allocates the West Coast catch limit to each fishery and is determined
39 by Pacific Fishery Management Council (PFMC). The Tribes, California, Oregon,
40 and Washington all vie for catch limits made through policy decision.

41
42 *Federal Regulation Process.* Mirick said federal rules for halibut fisheries are referred to
43 as the Catch Sharing Plan. The process has three parts: 1) proposal period for
44 stakeholders; 2) evaluation period by ODFW and PFMC; and 3) adoption first into Catch
45 Sharing Plan and then State adopts the federal rule into OAR or is more conservative.

1 *Federal Sport Fishery Regulations*. Mirick summarized *Attachment 8 – Staff*
2 *Recommended 2014 Pacific Halibut Sport Regulations (02/03/2014)*:

- 3 1. Columbia River Subarea: Extra day (Thursday) added for all-depth fishery. On
4 days all-depth fishery closed the nearshore fishery opens.
- 5 2. Southern Oregon Subarea. New area is South of Humbug Mt. to OR/CA border; a
6 split from California. No longer open 7 days per week; closed when quota caught.
- 7 3. Central Coast Subarea. Nearshore fishery pushed back to July 1 (was May 1).
8 All-depth fisheries run May, June, and August so change provides halibut
9 opportunities each calendar month of the summer. Increased Nearshore fishery
10 from Thursday-Saturday longer season to seven days per week shorter season
11 was requested by the public to be more equitable for all work schedules.

12
13 *Season Dates for Spring All-Depth Fishery*. Mirick said staff's recommended open dates
14 were adopted into federal rule:

- 15 • May 8-10, May 22-24; June 5-7, and June 19-21.
- 16 • Additional quota would apply to back-up dates: July 3-5, July 17-19, and July 31.

17
18 Mirick said the Commission's option is to adopt the federal dates or use fewer dates. The
19 federal regulations allow ODFW to skip weeks with minus tides. When minus tides occur
20 outgoing river currents can push against ocean swells and breaker waves crash inside
21 the bars. Staff did an online survey with three options: open on all minus tides; closed on
22 worst minus tides; or closed on all minus tides. The public favored being closed during all
23 the minus tides. Staff went with dates open to positive tides to create a safer fishery.

24
25 *Commercial Fishery* is usually a one to two day fishery for 10 hours. Mirick said this
26 fishery is managed by IPHC who sets the seasons, boat limits, and who holds permits.
27 Those have not been established yet so they are not in federal rule.

28
29 **Public Testimony:**

Paul Osekowsky Scottsburg, Oregon	Paul Osekowsky is retired and fishes the Umpqua and ocean. He said halibut seasons are regulated for the minus tides but the weather cannot be predicted. Two or three years ago the Coast Guard would not let you out of Winchester Bay because of the weather and no minus tides. He said they are trying to drown you with the opener open certain periods of time; it is the only time you can go especially the commercials. Alaska did that and sunk a lot of boats. He proposed to use the same free months. Open it and when you reach a quota you are done and don't have to fight the weather. He doesn't mind regulating how many fish you can catch but don't drown people. If you're fishing and there are 18-foot waves - it is suicide.
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30
31 Vice Chair Finley said is the commercial side on a catch share basis? Mirick said not in
32 Oregon or the West Coast but in Alaska it is. Vice Chair Finley said has there been talk
33 about adopting that on the west coast? Mirick said not that he is aware of. The

1 commercial fishery is a very minor fishery and less than one percent of commercial
2 landings. There are definite advantages with safety being the most notable.

3
4 Commissioner Anderson said it has been discussed whether the halibut fishery would be
5 a good candidate for IQ's (Individual Quotas) because of the weather that Osekowsky
6 noted. Because we are just now starting to see results from the West Coast Trawl IQ
7 Program there was so much animosity about IQ generally a lot of the votes that execute
8 this particular fishery are of the smaller fleet and they are not participating in the West
9 Coast Trawl IQ Program. She said we should be prepared for this discussion to happen
10 not this year but perhaps in the next few years.

11
12 Deputy Director Melcher said the directed halibut fishery is not a derby fishery in the
13 sense that they go out for eight hours and catch as many fish as they can per vessel.
14 The IHPC has had Individual Vessel Quotas in place for about 30 years that are based
15 on the size of the vessels. It is somewhat modified but it is not a full on derby fishery.

16
17 *Action: Commissioner Akenson moved to adopt the staff recommendations for*
18 *the 2014 sport and commercial Pacific Halibut fisheries as shown in Attachment 3*
19 *effective upon filing. Commissioner Webber seconded the motion and the motion*
20 *carried unanimously by a vote of six.*

21 22 **Exhibit E: 2014 OCEAN SALMON SEASONS**

23 Ed Bowles, Fish Division Administrator, briefed the Commission on 2014 Ocean Salmon
24 Seasons. He said next Thursday more seasons will open for federal waters based on
25 PFMC rules adopted April 9, 2014. The Commission will be asked to approve the rules
26 for territorial waters out to three miles. We have filed concurrent temporary rules that are
27 concurrent with these federal rules given this opens shortly. Bowles discussed
28 abundance forecasts and primary constraints for:

- 29 • Klamath fall Chinook – 287,000.
- 30 • Sacramento index fall Chinook – 635,000.
- 31 • Columbia River fall Chinook – 1.6 million. 110,000 Lower Columbia Natural (LCN)
32 Tules and 973,300 upriver Brights.
- 33 • Coho: Columbia - 964,000 hatchery fish; Oregon Coastal Natural - 231,000.
- 34 • Chinook primary constraints: 41% total exploitation rate on LCN Tules. 16%
35 ocean harvest rate on age 4 Klamath fall Chinook as surrogate for listed California
36 stock.
- 37 • Coho primary constraints: 22.5% total exploitation rate on LCN; 30% on Oregon
38 Coastal Natural coho.

39
40 Bowles summarized *Attachment 2 –PFMC Adopted Management Measures*):

- 41 • 2014 Ocean Commercial Troll Season.
 - 42 ➤ North of Falcon Non-Indian. May 1 – June 30 or 37,900 Chinook. July 1 –
43 September 16 or 19,000 Chinook or 35,200 marked coho.
 - 44 ➤ South of Cape Falcon (Chinook only):

1 *Falcon-Humbug*: April 1 – July 31; August 6 – 29; September 3 – October
2 31 (with landing limit). No quota; season only; potential for minimal coho in
3 September if unused in recreational.

4 *South of Humbug*: April 1 – May 31; June 15 – July 31 (1,500 quota);
5 August 6 – 29 (500 quota); September 12 – 27 (500 quota).

- 6 • 2014 Ocean Sports Season. Early indication is fishing will be very good.
 - 7 ➤ North of Falcon fisheries up from last year because of increased Columbia
8 River coho and upriver Bright Chinooks. May 31 – June 13 or 9,000 marked
9 Chinook; 2 marked Chinook per day.
 - 10 ➤ Falcon to Humbug. March 15 – October 31 (Chinook). Coho retention
11 allowed June 21 – August 10 or 80,000 marked coho quota for Falcon to
12 OR/CA border and August 30 – September 30 or 20,000 coho quota.
 - 13 ➤ South of Humbug. May 10- September 7 (Chinook). Coho retention allowed
14 June 21 – August 10 or 80,000 marked coho quota for Falcon to OR/CA
15 border.
16

17 Bowles said temporary rules have been adopted to put these seasons in place. Staff will
18 ask the Commission to adopt the permanent rules at their June Commission meeting.
19

20 **Public Testimony:** There was no public testimony.
21

22 **Exhibit F: COASTAL MULTI-SPECIES CONSERVATION AND MANAGEMENT PLAN**

23 Ed Bowles, Fish Division Administrator, during a slide presentation recognized
24 stakeholder teams and others who helped draft the Coastal Multi-Species Conservation
25 and Management Plan (the CMP). He stated the Agency's Mission and said the Native
26 Fish Conservation Policy Goals provided the framework for this process. When CMP is
27 completed, 22 of 28 anadromous salmonid species plans will be completed. Staff will
28 shift from planning to implementation on these plans; many are for federally-listed
29 species under Endangered Species Act (ESA). The six Species Management Units
30 (SMUs) in this plan are not ESA listed.
31

32 Bowles said staff engaged the public on how to manage our hatcheries, harvest
33 opportunities, and habitat needs for these fish. Stakeholder Teams were the first layer of
34 public input to create the Public Draft for public review. The CMP will help staff avoid the
35 year-to-year, basin-by-basin debate on fish management and how we implement our
36 programs; it gives continuity under adaptive management for the next decade.
37

38 Bowles referred to the graph in slide 7 and said coastal systems are rain-driven systems.
39 In the snow packed-driven system of Umpqua, spring Chinook and summer steelhead
40 have separate populations. Coho wild production is doing well due to better ocean
41 conditions and our management changes. He said fall Chinook wild spawners have
42 increased over time; spring Chinook and summer steelhead are stable but low; and
43 winter steelhead have dropped the last several decades. Bowles said there were
44 concerns we are reducing our hatchery programs in CMP. He discussed *Hatchery*
45 *Releases* (see graph, slide 8) and said overall hatchery programs have not gone down
46 on the coast.
47

1 Bowles discussed *Operating Assumptions for the Planning Process* (see slide 9) and
2 said there is no conservation or fishing crisis mode now; fish are doing well with a few
3 exceptions; fishing is good on the coast and supports coastal economies.

4
5 Bowles referred to slide 10 - Public Involvement/Review Process and facilitator Jim
6 Owens' report (see *Attachment 2d – CMP Appendix VII – Process Facilitation Report*).

7
8 Tom Stahl, Conservation and Recovery Program Manager, also discussed the *Public*
9 *Involvement/Review Process* to develop the draft CMP (see slide 10).

- 10 • Summer 2012 – staff began work with the public.
- 11 • Website created with notification feature to inform the interested public.
- 12 • Maintained e-mail distribution list for interested parties; facilitator provided
13 documents and next steps in the CMP.
- 14 • August 2012 - June 2013.
 - 15 ○ Staff convened four Stakeholder Teams (10-12 members representing fishing,
16 conservation, local government, resource users, Tribes, watershed councils,
17 and others) to review management actions proposed by staff.
 - 18 ○ Convened a Habitat Technical Work Group (HTWG) to provide feedback on
19 habitat components and strategies in the CMP.
 - 20 ○ Contracted with Oregon State University (OSU) Survey Research Center to
21 conduct a scientific Public Opinion Survey (1,500 general public and 6,000
22 angling license holders were surveyed) that helped staff and Stakeholder
23 Teams develop goals and actions in the first draft CMP.
 - 24 ○ Information from Stakeholder Teams, survey, HTWG, and public input used to
25 develop first draft of the CMP.
 - 26 ○ First draft of CMP was submitted for review to the Independent Multi-
27 Disciplinary Science Team (IMST), which advises the State of Oregon on
28 matters of science.
 - 29 ○ Staff presented the draft CMP to the Oregon Legislature.
- 30 • After review by Stakeholders and IMST, as well as informal input by the public,
31 the first draft CMP we revised to create a public draft of the CMP. On January 3,
32 2014, the public draft of CMP was posted on ODFW's website for open public
33 review and written comment through March 20, 2014. Staff held six public open
34 house meetings along the coast and in the valley to allow for public comment on
35 the public draft. Over 600 individuals attended to provide feedback (see
36 *Attachments 2d – CMP Appendix VII – Process Facilitation Report* and *Attachment*
37 *2e – CMP Appendix VII-Attachments D: Written Public Comments Received:*
38 *January 3 – March 10, 2014 (on Public Draft of CMP)*).
- 39 • Staff used that information on the Public Draft and incorporated it into the
40 “Commission draft” Plan before the Commission today.

41
42 Stahl discussed *What's in the Plan* (see Slide 11). He said the *Planning Areas* (see
43 map, slide 12) extend from in the north from the Nacanicum River near Seaside down to
44 Elk River in the south. There are four different strata into which the Stakeholder Teams
45 were broken. The species are Chinook and spring Chinook, winter and summer
46 steelhead, chum, and coastal cutthroat; coho are also touched upon in the CMP but a
47 conservation plan for this is already in place.

1
2 Stahl discussed *Status and Limiting Factors*:

- 3 • Current status is good across most of the populations with some exceptions, e.g.,
4 chum. Some indicators from the status assessment warrant caution in our
5 management (e.g., data gaps and naturally limited distribution of SMU's).
- 6 • Desired Status addresses places of conservation and fishing opportunity into the
7 future.
- 8 • Limiting Factors are broken into four major categories:
 - 9 1. Hatchery fish affect a couple of the populations.
 - 10 2. Harvest affects Chinook and Spring Chinook, which are harvested heavily in
11 the ocean and the tributaries.
 - 12 3. Other Species impacts were by predation: pinnipeds, birds, non-native fish.
 - 13 4. Habitat limits these populations the most.

14
15 Stahl referred to *SMU of Concern* (see map, slide 14) regarding the chum population. He
16 said a viability assessment for Nehalem, Tillamook, and Yaquina showed those areas
17 look like they will persist into the future. Staff did a viability assessment in Netarts but
18 that population did not seem to be viable, although it is not clear that this was historically
19 an independent population. The rest of the population areas (see grey areas, slide 14)
20 likely historically had chum abundance but currently they are only there in small numbers
21 or intermittently. He said these results affirm the status of this SMU as being critical on
22 the State's sensitive species list; also affirmed in the CMP.

23
24 Stahl discussed *Populations of Concern* in other species (see map, slide 15). He said Elk
25 River fall Chinook are affected by habitat conditions and hatchery influence. Spring
26 Chinook in the South Umpqua are affected by habitat including temperature issues and
27 secondarily by-harvest.

28
29 Stahl said *Strategies and Actions* are identified to address those limiting factors for the
30 SMU. There is a specific strategy that is consolidated and identified in the CMP to get at
31 chum restoration. We have pilot implementation programs for the Elk River Chinook and
32 South Umpqua spring Chinook. Strategies and actions take the portfolio approach. In
33 harvest and hatchery strategies and actions staff is also addressing both the
34 conservation risks and the fishing opportunity components of management.

35
36 Stahl discussed *Hatchery Actions* broken into two categories: 1) *Improved*
37 *Conservation*; and 2) *Improvement Opportunity* (see slide 17).

38
39 Stahl discussed *Hatchery Releases and Hatchery Programs* (see graphs, slide 18). He
40 said each stratum is proposed to increase in smolt numbers. Several of the strata are
41 proposed to decrease in the number of programs. Overall, there is a net reduction in
42 hatchery programs of two that results from five programs that are shifted out of
43 management areas, and three new programs in other management areas.

44
45 Stahl referred to the map in slide 19 - *Proposed Hatchery Programs* in each SMU,
46 including proposed Wild Fish Emphasis Areas (WFEA). He said individual populations of
47 fish were further segregated into management areas; 50 throughout the coastal planning

1 area. The blue area (see map) represents locations that will be managed for no hatchery
2 programs (the WFEA). He said the WFEA designation in the CMP relates to whether or
3 not hatchery fish will be present in those management areas. Stahl said this slide visually
4 depicts the “portfolio approach” where staff is doing different things in different locations.
5 Once adopted, this CMP also calls for Commission action to change the number of
6 hatchery programs in any one of these management areas.

7
8 Stahl discussed *Harvest Actions* broken into two categories: 1) *Improved Conservation*;
9 and 2) *Improved Opportunity* (see slide 20). He noted that staff removed increased
10 harvest opportunities for wild winter steelhead in three small management areas. Stahl
11 said this is a drastic move back from ODFW’s original proposal to harvest wild winter
12 steelhead on the mainstem Umpqua but because it did not receive consensus support
13 this proposal has been removed from staff’s recommended proposals.

14
15 Stahl discussed *Other Species – Predation Actions*:

- 16 • Management options for seals, sea lions, and cormorants are limited. They are
17 federally protected by the Marine Mammal Protection Act and Migratory Bird
18 Treaty Act.
- 19 • Staff is currently managing and CMP calls for increased assessment of the
20 impacts of these species on populations of salmon, hatchery, and wild fish.
- 21 • Continue staff hazing of cormorants in a number of estuaries, and expanding
22 hazing efforts to pinniped appropriate areas of the coastal planning area.
- 23 • Applying for cormorant depredation permit for management purposes.
- 24 • Aggressive actions against new introductions of non-native fish.
- 25 • Explore options to control small mouth bass in the Umpqua after a statewide non-
26 native fish management policy is developed by staff in the near future.

27
28 Stahl discussed *Habitat Strategies*. He said habitat is the key to reaching the desired
29 status in the CMP. The plan does not say that any of these populations are at historic
30 abundance levels. To improve abundance levels the CMP provides new tools and
31 directions for implementers. Does not provide prescriptive actions reach by reach in the
32 streams but it has a process to prioritize watershed restoration at a watershed scale to
33 address causes of habitat degradation and restore some of the process. He said new
34 maps identify the potential intrinsic value of each watershed with respect to multiple
35 salmonid species.

36
37 Stahl discussed *Research, Monitoring and Evaluation*. He said CMP has the most
38 extensive coastal monitoring across multiple species already; the agency spends \$3.5
39 million per year monitoring these species. The CMP identifies what is being done
40 currently and makes some adjustments to that; it calls for more monitoring and research
41 in this area. The CMP acknowledges from the role the OHRC will play in answering in
42 answering hatchery management questions that have arisen throughout this planning
43 process. The plan asks for mandatory turns in of harvest tags to help staff better manage
44 these species. Stahl said it also calls for working with the Oregon State Marine Board
45 (OSMB) and guide associations to implement a pilot project to obtain better harvest
46 information from guides.

1 Stahl discussed *Implementation* of the CMP by a Coastal Implementation Coordinator.
2 Most actions can be implemented right away with current staff and funding levels. Some
3 actions would need new funding (see *Plan Implementation and Monitoring in Attachment*
4 *2a – CMP Executive Summary, page 25*). The plan supports habitat restoration. Staff will
5 report annually to the Commission and use that information to make adaptive
6 management decisions. He said after 12 years, staff will do a full status reassessment of
7 all the individual populations; about two life cycles for most of these species.

8
9 Stahl discussed the *Deferred Angling Regulations*. In 2012, staff started the process to
10 solicit proposals from the public and staff for the 2013 angling regulations. Some
11 regulations and regular ODFW updates for 2013 and 2014 were deferred pending
12 development of the CMP. *Attachment 5 – Deferred Angling Regulations Summary*
13 provides an assessment of these proposed angling regulations consistent with the
14 proposed CMP draft before the Commission today. Stahl said these deferred regulations
15 will be before the Commission in June for approval; the permanent rules for those will be
16 presented at their August meeting.

17
18 Stahl referred to ODFW’s proposals under *Deferred Angling Regulations* in *Attachment 5*
19 (see page 2) and said the deadline for the period of fall Chinook on the Siletz River Basin
20 generated interest. Staff proposes the deadline would be in effect from August 1 to
21 December 31 at Illahee Park (see map, slide 26) with major spawning ground closures to
22 fishing between Illahee and Ojalla Bridge, where the temporary deadline has been the
23 last couple of years. The historic deadline was up to Moonshine Park. He said either
24 one of these locations are more protective of spawning fish than at Moonshine Park.

25
26 Stahl discussed the *Next Steps*. Staff will finalize the CMP and rules based on the
27 Commission’s input today. Staff will bring the CMP for approval and rules for adoption to
28 the Commission’s June meeting. He said with respect to the rules staff are looking at
29 extensive modification of the existing basin plan rules for management of these species
30 and will add a new section of rules that speak to the coastal plan, including general
31 strategies identified in the CMP. Then staff will move to implementation of the CMP.

32
33 **Public Testimony:**

Stan VanDewetering Siletz, Oregon	Stan VanDewetering, Biologist for the Confederated Tribes of Siletz Indians (the Tribe), said the Tribe submitted two letters to the Commission. He noted their January 17, 2014 letter and said the Tribe was a Stakeholder and feels the process was functional but the following is critical to what the Plan will allow in the future under Native Fish Conservation Policy (NFCP) protections. <u>Harvest Deadline on the Siletz.</u> VanDewetering referred to the Tribe’s April 18, 2014 letter and said ODFW labels fish on the Siletz River as an early component of the later more numerous adult Chinook run. The Tribe labels it as “summer runs”. The Tribe and State conducted a study of unique breeding groups. The findings show the population is a
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genetically unique breeding group and separate from the more traditional fish. The Tribe is concerned with the proposed harvest date on August 1 and proposes to move the opening to October 15 to protect fish during low water periods in the summer and fall when they spawn.

He said the Tribe worked with the guiding community who said their ability to harvest will be limited by this measure. The river level specified by guides as to when they can start fishing in the river coincides with October 21. The Tribe believes there is not a loss of fishery based on the U.S. Geological Survey stream flow and river elevation data (see page 2, April 18 letter).

Basin Chinook Population Status. With their genetic work in the Siletz and what ODFW observed in the Nehalem, the Tribe believes we need to think more about defining coastal Chinook populations. Use other available techniques instead of traditional means of finding these different stocks. The key for that is population structure and diversity.

Winter steelhead. The Tribe is supportive of the hatchery steelhead fishery on the Siletz but is concerned that even with limited harvest on wild fish for several years they have not observed recovery. The Tribe partnered with the State on a genetic study of wild winter steelhead. In the first findings there may be some suggestion in the Siletz that our hatchery program has a fairly limited effect on the wild fish. He said this is another reason for us to work together and to consider the alternative tools.

The Tribe is concerned how the percent of hatchery fish on spawning grounds was estimated. In the data visual estimates have bias so they are probably under estimating the percentage of hatchery fish. ODFW should spend more time analyzing this and provide that to the public.

VanDewetering said the Steamboaters have a review on historic chum runs. ODFW should spend more time and evaluate historic chum runs. It would be a disservice to avoid defining the diversity and population structure of the current populations as we move forward with recovery.

The Tribe suggests combining management activities and monitoring Pacific lamprey across broader habitats. The Tribe recognizes the funding difficulty but thinks ODFW could work with various stakeholders (e.g., the Tribes) to

	<p>improve the ability to define the status of those populations.</p> <p>VanDewetering left a letter from a licensed fishing guide who supported the deadline closure above Ojalla Bridge.</p>
<p>Susan Morgan Roseburg, Oregon</p>	<p>Susan Morgan, Douglas County Commissioner, distributed written testimony and said she participated in the formation of the Umpqua Stratum draft plan on the Stakeholder Team. Highlights of her testimony:</p> <ul style="list-style-type: none"> • Douglas County supports the proposed Pilot Implementation Program for South Umpqua River spring Chinook. They want to be involved in this program and ask to be added as an entity that ODFW will work with. • Recreational fishing is an important part of the local economy and part of the social fabric. • ODFW commissioned a study in 2013 that showed support for wild winter steelhead harvest five times greater than those who opposed it. Given that study and ODFW's biology and model showing the Umpqua run is sustainable at a 10% retention level, why is staff recommending wild winter steelhead harvest on 11 coastal rivers but not on the Umpqua? She asked the Commission to review the ODFW staff recommendations. • Despite public opinion and best available science supporting wild winter steelhead harvest, anglers will wait 12 years to reopen this discussion. She said it would be helpful if we had clarity around how it would be possible to get to a limited retention opportunity. • The anglers of today and the future will stay with the sport if there is diversity of opportunities and a good possibility for a successful fishing experience. The future of the Fish Division and families and businesses in Douglas County depend on it too. <p>Commissioner Morgan said Douglas County supports the two tiered scale that will increase the annual limit on fall Chinook proposed in this draft. They support the higher annual limits on spring Chinook for the North Umpqua, so that the proposed action only affects the mainstem and the bass predation recommendation in the draft plan.</p>
<p>Robert Main Coos Bay, Oregon</p>	<p>Bob Main, Coos County Commissioner, said they became concerned when made aware of the proposed reductions of the smolt releases on the mid-south coast by the South Coast Anglers and STEP. They drafted Coos County Resolution 13-05-057C (see handout) opposing those reductions. After meeting with ODFW we have resolved a</p>

	<p>lot of the issues we had before. Commissioner Main referred to the Dr. Lister study on the Columbia River and said ODFW's position is it is flawed because it did not have "a natural or wild fish control group". On the Elk River there is not a control group that we are going to reduce the hatchery releases. They say wild fish and hatchery fish are intermingling and there is too many hatchery fish but I do not have any science to tell me that is a problem. He said we will continue to be vigilant in the implementation of the current Plan.</p>
<p>Melissa Cribbens Coquille, Oregon</p>	<p>Melissa Cribbens, Coos County Commissioner, said she has concerns about the science being used for the Elk River runs and the effect management decisions will have on rural communities; it should be based on what is best for the fisheries and wellbeing of the communities. We cannot afford to have our rivers turn into a monument for wild fish. We ask the Commission to please monitor the proposed measures further effectiveness on the population level and take actions to adjust or discontinue the measures based on your periodic reviews. She said our fisheries and hatcheries are important to us and for future generations.</p>
<p>David Brooke Smith Port Orford, Oregon</p>	<p>David Brooke Smith, Vice-chair of Curry County Board of Commissioners, is a Curry County resident who grew up on the Elk River. Highlights of his testimony:</p> <ul style="list-style-type: none"> • 35% of local Port Orford and north Curry county economy is based on commercial fishing dollars. The impact of sport anglers is 10% -15% so 50% of their local economy is based on commercial or sports fishing dollars. • The Elk River Hatchery takes pressure off the Nearshore fishery and the Nearshore fishery takes pressure off the Elk River run in the fall. • Look at the health of our watersheds. Watershed councils in Curry County are very active. • ODFW presented a study in 1985 that concluded the Elk River has the best habitat for the salmon fishery for a river of its size in the lower 48 states. • Local stakeholders have worked on this project and he personally agrees with some of their recommendations. The watershed enhancement projects, the hatchery upgrades and improvements, and collaboration with the OHRC. Those are the three main points into moving Elk River into a pilot project in that manner. • None of the species other than the coho in the CMP are listed in the federal ESA.

	<ul style="list-style-type: none"> • Presenters stated that coho is doing exceptionally well because of ocean management, the hatchery program, and habitat restoration; we are entering this process that is going to last for 12 years without a crisis. • Commissioner Main said he disagreed with the statement that we shouldn't debate hatchery versus wild fish as this is the fundamental basis of CMP. • Curry County Board of Commissioners passed a Resolution to oppose eliminating or reducing hatchery released salmonids in selected Curry County streams and rivers, such as the Elk River. • Commissioner Main asked that ODFW coordinate policy changes with them so they can develop the best possible plan for the mid-south coast stratum in Curry County. • Need more coordination with federal agencies through the congressional delegations to coordinate predation efforts and the aggregate extraction to insure healthy fisheries. • He urged the Commission to fund hatchery upgrades and improvements. • He advocates seriously for watershed enhancement projects utilizing the Watershed Councils; will assist in receiving Oregon Watershed Enhancement Board dollars. • He urged the suggestion through the pilot project proposed by local stakeholders and with those improvements he mentioned earlier. • The Board (see Resolution) will not support any reduction in Elk River smolts being released. Looking at the other enhancements will increase the opportunity. We need to look at the economic impact to our fisheries.
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Executive Session

Chair Levy said the Oregon Fish and Wildlife Commission will have lunch and also will now meet in Executive Session. The Executive Session is held pursuant to ORS 192.660(2)(e) and ORS 192.660(2)(f) which allows the Commission to meet in executive session to conduct deliberations with persons designated by the governing body to negotiate real property transactions and to consult with Counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision will be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

1 Chair Levy reopened the public meeting. She announced the Commission would actually
2 go into Executive Session after Exhibit F was completed.

3

4 **Exhibit F Public Testimony – continued:**

<p>Guido Rahr Portland, Oregon</p>	<p>Guido Rahr, President /CEO for Wild Salmon Center (WSC), said adoption of CMP is important for long term conservation and management of salmon and steelhead on the Oregon coast and sustaining of coastal fisheries. WSC looked at the status of salmon across the Pacific Rim and sees a gradual south to north pattern of decline. WSC recognizes:</p> <ul style="list-style-type: none">• Hatcheries play an important role in sport and commercial harvest. The challenge is to reduce the impacts on wild fish from existing hatchery system and make them function better and accountable to the best standards.• We have a terrific opportunity to recognize and protect our wild salmon runs while we still have them.• WFEAs will encourage coastal communities to support wild fish and their important ecological and economic growth for Oregon; 40% of economic impacts from the salmon and steelhead fisheries come from wild fish. <p>WSC believes the CMP can be strengthened as follows:</p> <ol style="list-style-type: none">1. Drop wild steelhead harvest programs in the final plan.2. Have ODFW implement actions to reduce hatchery fish on spawning grounds in the Elk.3. Prioritize funding for coastal staff, monitoring and adaptive management to respond to conservation needs and opportunities to insure hatchery measures in the plan are being implemented. WSC would prioritize funding for the Elk, Umpqua, Nestucca, Wilson, and Trask Rivers before funding is spent on creating or monitoring a retention steelhead fishery or net pen program for spring Chinook.
<p>Brett Webb Port Orford, Oregon</p>	<p>Brett Webb, a Commissioner for Port of Port Orford Board, is also a fisherman. He spoke to the following issues:</p> <ul style="list-style-type: none">• Had Curry County Commissioner Smith not contacted them in mid-February they would never have known about this. They have issues with who is described as a stakeholder and ask that Port of Port Orford be included as a stakeholder for any management decisions that could impact their people negatively and economically.• Any reduction in harvest levels could devastate their community. They depend on the commercial fishery for 35% of their economy; up to 50% total with the sports.• Most of the local fleet participates in a Nearshore fishery which is stressed and managed on fish not caught. If any

	<p>increased effort was put into this fishery, that fishery could close at any time. If all these fish are caught in the beginning of the year by permitted vessels, it could close as soon as March.</p> <ul style="list-style-type: none"> • Any reduction in the fall could lead to a closure in the fall, so there are other more stressed fisheries that could be negatively affected by any potential harvest reduction. We're looking at a smelt release reduction at 21% of the 30-year average. As shown in the graph in the south central coast stratum it does not show how much of a reduction. It's all on the Elk River. • This is an experiment and Curry County is broke and we are the sick child. We don't want it; we need our fish. • Without predation being studied in the proximity to Elk River to the Orford reef and sea Lion rookery it plays a huge role. The CMP points to predation as an issue but does not address it • The Port of Port Orford Commission passed a resolution opposing any cuts at this time to the small release. • Webb asked the Commission to rethink the 21% reduction.
<p>Bruce Bertrand Coos Bay</p>	<p>Bruce Bertrand, President of South Coast Anglers STEP Association (SCA), distributed a letter. He said SCA originally objected to the CMP because staff was going to add wild winter steelhead for the north fork of Coquille, east fork of Coquille, and south fork of the Coos but they changed their position due to changes in the CMP. He spoke to:</p> <ul style="list-style-type: none"> • SCA supports the CMP released by ODFW in April. • Tone down the CMP language. The "risk factor" that hatchery fish have on native fish is constantly and strongly emphasized. This seems at odds with "there is no crisis", a constant theme in the ODFW meetings. • Engage OHRC to do its science first on the Elk River and then make an adjustment later to get accurate results.
<p>Jim Pex North Bend, Oregon</p>	<p>Jim Pex is a CMP stakeholder, member of Coos STEP, a recreational fisherman, and former river guide. He supports the CMP as written now but did not originally. We appreciate ODFW's willingness to listen to us which resulted in changes in the plan. He expressed two concerns:</p> <ol style="list-style-type: none"> 1. In Attachment 2a – CMP Executive Summary the risk factor associated with "...hatchery fish present a risk to wild fish...", should be changed. Insert the word "may" before the word "present". There is literature that speaks

	<p>to hatchery fish as threats; other literature does not. He said we do not have a final conclusion on that yet.</p> <p>2. Instead of an immediate reduction in smolts, let OHRC study the Elk River. Submit ODFW's baseline data to OHRC and let subsequent research be done to determine if the problem with too many hatchery fish spawning in the lower river can be corrected by improvements in the hatchery, hatchery practices or increasing the catch on fin-clipped fish. The Legislature may be more willing to fund OHRC knowing that the study will address a real time problem in our community.</p>
<p>Dr. Richard Stroud North Bend, Oregon</p>	<p>Dr. Richard Stroud, a retiree, former scientist for USFWS, and fisherman, distributed written testimony and said he was a stakeholder. He made the following points:</p> <ul style="list-style-type: none"> • He supports Mr. Bertrand's position. • Encouraged the Commission to support efforts to obtain appropriate depredation permits to control cormorants and other predatory species that devastate the downstream salmonid migrants. Their impact far exceeds the impact of hatchery fish on wild fish populations. • Overall importance of habitat restoration is not addressed sufficiently in the CMP, yet it is the most important component in the recovery of wild fish. He encouraged a stronger funding component and/or volunteer program that would work with habitat conservation or improvement. • CMP indicates that hatcheries are negative to wild fish reproduction and survival is expressed. He disagrees. Hatcheries properly run with scientific management procedures are important in keeping runs viable and in providing the increase in fisheries to satisfy the citizens. • Hatchery fish versus wild fish survival and the impacts on each other is still a new concept in fisheries management. There is not enough study yet that yes hatchery fish are really detrimental in each one of these streams. The study of these fish populations before the elimination of hatchery production for scientific proof is still essential. We need both wild fish and hatchery supplementation.
<p>Eric Farm North Bend, Oregon</p>	<p>Eric Farm, Coos County Port Commission, sits on a local STEP, been on Mid-south Coast Stakeholder Team since 2012, and works as a forester. He distributed written testimony and shared the following concerns:</p> <ul style="list-style-type: none"> • Making mid to long term policy decisions without a sound scientific foundation is a political and legal minefield. He supports OHRC developing this badly needed information

	<p>to make good policy decisions.</p> <ul style="list-style-type: none"> • On the Elk River, figure out how to reduce interactions between hatchery and naturally spawning fish below the hatchery before making drastic changes in order to assess future policy changes. • The socio-economic impacts of the proposed changes are left out. ODFW's statutes require this analysis when making rule changes. The broad and arbitrary changes proposed in the CMP must include some formal analysis that weighs or identifies the environmental and related social and economic costs and benefits. The Native Fish Conservation Policy requires this balance. <p>Farm asked the Commission to partner with OHRC to develop relevant research and monitoring projects that will validate the assumptions in this document.</p>
<p>Jeff Dose Roseburg, Oregon</p>	<p>Jeff Dose, an avid angler, retired fisheries biologist, member of Steamboaters Board of Directors, distributed written testimony and said he served on the Umpqua Strata Stakeholder Team. He addressed their concerns:</p> <ul style="list-style-type: none"> • Two independent reviews of the draft plan by qualified scientists identified flaws in the lack of a conservation emphasis for native, wild fish as defined by the NFCA. • No realistic estimate of wild winter steelhead escapement in South Umpqua sub-basin (or mainstem sub-basin), thus the potential impacts from the hatchery program are unknown. The proposal is to increase despite not knowing what impacts the current program is having. • Estimates in the south and mainstem are extrapolations from Winchester Dam ladder counts on lower North Umpqua. This is invalid because North Umpqua is dissimilar in geology, hydrology, water quality, etc. • Proposal to increase fall Chinook hatchery program in the Middle and Lower Umpqua bringing the total to 470,000 smolts, yet the population size of and impacts on wild fall Chinook stocks are not discussed. ODFW estimates that 80% of fall Chinook harvest in the Umpqua is from wild stocks. Why spend financial, personal, and hatchery resources on a program that poses some risk to wild fish with only a minor benefit. • The management tool for ensuring that wild populations will remain or become healthy is by limiting the proportion of hatchery fish that spawn naturally. We need a rigorous monitoring and evaluation program to know how hatchery/wild interactions occur.

	<ul style="list-style-type: none"> • Reliance on hatchery spawners as the control may still give a false impression of hatchery impacts on wild fish. • The cyclical nature of ocean productivity will determine frequently our wild and hatchery fish returns. It is likely with acidification that the down times are going to be even lower productivity and the up times will be lower as well.
<p>Peter Tronquet Medford, Oregon</p>	<p>Peter Tronquet, OHRC Board and member of Umpqua Stratum Stakeholder Team and Steamboaters, said the CMP emphasis changed from conservation to a harvest and hatchery emphasis.</p> <ul style="list-style-type: none"> • The CMP declares it will be used by ODFW to guide hatchery programs, fishing regulations, and predator management. While they are insensitive to the economics the primary purpose in the NFCP is to ensure conservation recovery of native fish in Oregon. • Conservation plans fail because they lack commitment from leaders and critical elements of the plan are not funded, primarily monitoring without which effective implementation never occurs. • If you lock the CMP for 12 years without any review process you cannot predict abundances without finding holes in the data set, so you make assumptions and do your best with the science. The CMP stipulates annual reviews on the Hatchery Program and Wild Fish Recovery Plan. • Tronquet asked the Commission not to approve the CMP without the confidence that critical monitoring programs will be funded. The Coho Conservation Plan should be emulated if possible. • The percentage of hatchery origin spawners is often too high. Depending on proximity to hatcheries, we have 30%, 60%, or 90% hatchery spawners with natural spawners. He said that does not work legally. There are no ESA issues here but if there were, it would never be allowed. • ODFW continues to insist that fishing opportunity equates to killing fish and selling licenses. He does not think so. Wild release improves rather than distracts from local economies. • The Commission should not allow wild steelhead retention anywhere in the SMU. • There are only 200 fish left in the South Umpqua spring Chinook fishery so any kind of harvest in the mainstem should not be allowed.
<p>Wayne Spicer</p>	<p>Wayne Spicer, for Umpqua Valley Fly Fishers (UVFF), said</p>

<p>Roseburg, Oregon</p>	<p>they appreciated this opportunity as a stakeholder. Regarding Commissioner Susan Morgan, her opinion was that of three commissioners in her county and not necessarily of all the constituents that reside in Douglas County. He spoke to their areas of concern:</p> <ol style="list-style-type: none"> 1. Would like to see more steps to address how to protect those last couple of hundred fish left in South Umpqua spring Chinook run. <ul style="list-style-type: none"> • Their members voted without dissent to support the staff recommendation to retain the no harvest regulation for wild winter steelhead on the Umpqua system. There are hatchery programs in place for a consumptive fishery. • Spicer held up the <i>North Umpqua River Management Plan</i> (NUMP) and said in 1986 he worked with staff on this. The average annual run the last four years has been 11,500 fish. A fish ladder at Soda Springs Dam will open up 6-1/2 miles of spawning area. The potential is endless once these fish are able to reach these 6-1/2 miles more. • If you do opt for some kind of a harvest or modified harvest who is going to regulate or monitor it? • Guide members love this run of fish and enjoy banner years of fishing. Catch and release is being embraced by the public so consumption does not have to be a prerequisite to having a memorable fishing trip. <p>Spicer distributed a letter from Frank Moore of Idleyld Park, Oregon, requesting the Commission to retain the “No Harvest” regulation on the Umpqua River System for wild winter steelhead.</p>
<p>Joe Rohleder Waldport, Oregon</p>	<p>Joe Rohleder, Public at large stakeholder, said during this process a lot of people did not like what was in the CMP but ultimately we have to have some fisheries management plan for all the fish in Oregon and this finishes it out. He spoke to:</p> <ol style="list-style-type: none"> 1. He fishes the Elk River every fall. The hatchery is set up in a way that discourages fish from the hatchery to stay in the hatchery. There are a lot of strays. The Elk is a unique run and great fishery to catch fish between Thanksgiving and Christmas. 2. Monitoring is important so we know what we are doing and can make short term adjustments in those 12 years. 3. A lot of people go fishing for the opportunity to bring dinner home. It is nice to honor a request to bring home a Chinook filet. He said harvest is an important part of his life and it is important to have a harvest component. At the same time he likes having abundant wild runs.

1
2 Vice Chair Finley said during his fishing and managing natural resources he encountered
3 two attitudes: 1) enjoying the fruits of your catch; and 2) a subsistence philosophy that is
4 prevalent in a lot of discussions around Oregon. He noted the protests of taking a fish
5 when there are those who actually use it as subsistence because of the economic
6 condition in the state and those who appreciate a meal as part of the sporting event.
7
8 Spicer said he did not know of anyone that will starve if they can't bring a fish home. Yes
9 they do like to bring home a fish once in a while and enjoy it. If it was subsistence they
10 could go to Costco and buy the fish for a lot less than a pickup and rod and other gear.
11
12 Rohleder grew up in a subsistence family on the McKenzie River. He has sports fished
13 and commercially for salmon for 20 years. He believes most everybody has gotten away
14 from that yet he sees people bank fishing for salmon probably very important to their diet.
15

<p>Steve Godin Scottsburg, Oregon</p>	<p>Steve Godin, Gardiner-Reedsport-Winchester Bay STEP, served as a stakeholder. An avid fisherman he does eat what he catches but does not harass fish when he's not ready to eat one. He spoke to the following:</p> <ul style="list-style-type: none"> • Regarding wild winter steelhead there would have been consensus on that committee but only he and Commissioner Morgan were in favor of keeping wild winter steelhead. He said there are so few hatchery fish to catch on the Umpqua that trying to use them as a way to catch fish to eat is not viable. • Godin proposed a limited opportunity to keep fish on the Umpqua River. A season December, January, and February with one fish per day and two for the season. There would be little or no impact to wild winter steelhead and still provide a fishery on the North Umpqua for people along the mainstem. • Regarding spring Chinook on the mainstem during the last five years the average return counted at the Winchester Dam was over 15,000 fish per year. Last year hardly any fish were taken by mainstem river fishermen. It was a late season and most fishermen were done by May. In the last five years there were huge runs. In that amount of time there has been no increase in counts of fish on the South Umpqua. He would like a limited fishery for springers in March, April, and May on the mainstem with two per day, 10 per season on a great year. Two per day, 10 for the season on an average year. One per day, one per season on a poor year. He proposed zero on a poor year.
<p>Mary Wahl n/a</p>	<p>Mary Wahl said in the stakeholder process she represented Kalmiopsis Audubon Society (KAS), which has about 250 members advocating for birds, fish, and wildlife habitat. She</p>

	<p>discussed steps in the Elk River to restore fall Chinook:</p> <ul style="list-style-type: none"> • Elk River is a basin with largely intact habitat and some of the best Chinook habitat, yet in the CMP process it was a surprise that fall Chinook are not viable and the ODFW model drops below the quasi extinct level 16.9 times in the next 100 years. She said unless we get lucky those 16.9 times they go extinct. • Elk River fall Chinook have very low productivity and a high ratio of hatchery fish on the spawning grounds, sometimes 80% and seldom below 60%. • About 1,700 of wild spawners are left. Some changes have already been made since the start of this process. We did not mark all of them originally but we are now. <p>Wahl said KAS proposes a three-pronged pilot to turn around the conditions for Elk River fall Chinook:</p> <ol style="list-style-type: none"> 1. Habitat restoration in the low gradient estuary of the river. 2. Hatchery operational upgrades. 3. Monitoring and field work to figure out the impacts of hatchery on wild and help shape the actions needed to reduce the risk of extinction for fall Chinook. <p>Wahl said CMP recognizes estuary habitat and hatchery operations as key limiting factors and the pilot addresses both. To be valid and more valuable the pilot would include Elk River on the south and one river on the north coast like the Necanicum or Nestucca. We have a chance to do something on the Elk because of the CMP process.</p>
<p>Fred Worsley Roseburg, Oregon</p>	<p>Fred Worsley represented the common general angler. He distributed one letter with 1,097 signatures in opposition to the proposed final draft of the CMP. He had three concerns:</p> <ol style="list-style-type: none"> 1. ODFW and preselected Stakeholders met for two years drafting the CMP. A large segment was left out of the process until late in the plan. The common angler is a very large percentage of the people most impacted by your decisions. Worsley said we should have been included at the very beginning of the draft stage. Most (our local people and media) were not aware of any potential changes until the meeting in January 2014. 2. Spring Chinook run on South Umpqua has maintained a stable and viable run of fish since records have been kept since 1900's (see Laura Jackson email dated April 21, 2014). It is documented by ODFW and others that the primary limiting factors are reduced adult holding and spawning habitat and poor juvenile fish production. With the current habitat and no secure guaranteed form of

	<p>increasing habitat, the number of springers will remain as they are. Worsley said restricting further the harvest will gain nothing in numbers of fish but cause frustration and resentment among anglers and possible lost revenue in licenses, tags, and businesses.</p> <p>3. Lack of a limited winter steelhead take on the Umpqua System. ODFW data supports a limited take of wild steelhead. At the meeting in Roseburg and North Bend there was major support for a limited harvest, as did the contracted OSU survey. Public testimony provided limited options such as drawing for wild tags and bonus tags, the cost of which could offset the program costs.</p> <p>Worsley asked the Commission to look at the scientific data and facts and not allow emotion to sway their decision. He said hatcheries must be recognized as a valuable asset. Therefore they request that this plan be tabled and start over with the public involved from the very beginning.</p>
<p>Jason Mendenhall Sutherlin, Oregon</p>	<p>Jason Mendenhall, a fisherman at large, said he fishes to eat fish. He expressed his issues for the Umpqua area:</p> <ul style="list-style-type: none"> • The stakeholders were more on the conservative side. There was no general angler that was involved in this. • Supports a take of wild winter steelhead on the Umpqua. He fished 30 days this year and out of 150 fish they took home four hatchery fish from the Umpqua. • On South Umpqua there is chance to get an extra 30,000 winter steelhead planted. According to the Roseburg ODFW office in the past 15 years the largest amount they released was 117,000 fish. Their average is 90,000 to 93,000 fish per year – only 75% of their goal. He said without meeting the goal of 125,000 smolts there is no chance of us getting the extra 30,000 fish put into that river. He asked the Commission how that happened since the goal has been not been reached in the 15 years. • No one wants to allow the take of wild fish even though the science and general public (without special interests) feel that is should be, even according to your survey. • For Umpqua spring Chinook he does not see why there are any restrictions or regulation changes on the North when you are trying to protect the south Umpqua fish.
<p>Gene Mitchell Roseburg, Oregon</p>	<p>Gene Mitchell, fisherman at large, said he fishes to eat fish and last week had spring Chinook three times. He spoke to:</p> <ul style="list-style-type: none"> • Per ODFW figures over the last 39 years the average run for South Umpqua spring Chinook was 214 fish. For the last 10 years it was 218 fish. They say runs are not viable

	<p>but it is stable.</p> <ul style="list-style-type: none"> • He worked for U.S. Forest Service. In their forest plan they reduced logging and road construction and increased the no cut buffers along streams. He cannot see those runs getting any lower. The habitat is going to improve in time because of the forest management. • South Umpqua spring Chinook affects what happens in the main Umpqua River. It's going from 20 wild fish per year down to 5 on an average year. There are people that fish in the Lower Umpqua and that is the only time they fish in a year for fish to take home. • For the North Umpqua it was 1 and 5 in an average year, now it is 2 and 10. If you have restrictions on the main Umpqua for wild spring Chinook, once they get into the North Umpqua it should be 2 and 20 per year. They are not going to take those North Umpqua fish out of the main Umpqua when you have a restriction of 1 and 5. Why are we putting restrictions on the North Umpqua when we're really not harvesting that many on a healthy run? • We as ratepayers for PP&L spent \$60 million redoing Soda Springs Dam and building the fish ladder that opened six miles of spawning ground. According to PP&L fish surveys were done for spring Chinook spawning and there were 200 new Redds above the dam that will produce more wild fish. • The sliding scale does not say how they will determine when it is an average year, a low year, a high year and how that is implemented. We want to know so we can track ODFW and make sure they are doing their job. • The stakeholder groups for their area had 12 members and not one person from the general fishing public – an at-large person. A major plan such as this need to include everybody. He asked the Commission to look at the plan and revise the process; back up, involve the public in the early part and start over.
<p>Ray Zalunardo Winchester, Oregon</p>	<p>Ray Zalunardo, a native Oregonian and a biologist for 30 years at a federal agency, spoke to several issues:</p> <ul style="list-style-type: none"> • A 12 year plan is a long time. There is no way we want to sacrifice native fish. When you sign up for native fish, after 25 years of experience in Oregon, you will get the status quo and catch and release. He asked the Commission to not do that with salmon because if they are anything like steelhead the numbers are basically not going to increase. • CMP has negativity towards hatcheries. The Umpqua has 67 years of data on fish going over Winchester Dam. He

	<p>asked the Commission to look at the data collected there. The numbers do not indicate decreases because of hatchery fish.</p> <ul style="list-style-type: none"> • CMP does not have a statistical analysis of these fish. Why would you not take the best data in Oregon that mixes both hatchery and native fish? • The way to release steelhead. He explained the process to distribute fish in the system. He said you have damaged sports fishing in Oregon and concentrated these fish in very limited areas and in very few streams.
<p>Ann Vileisis Port Orford, Oregon</p>	<p>Ann Vileisis, President of the KAS, said their group has worked in Curry County on a number of fish habitat conservation issues. She thanked ODFW for taking a first step of science based plans for the coastal fisheries and for using the stakeholder process. She spoke to:</p> <ul style="list-style-type: none"> • Elk River fall Chinook are one of only three runs that have a red flag of “nonviable” on the coast. Their small run of fall Chinook has the lowest productivity of any Chinook runs on the coast. According to population viability analysis it has a 16.9% chance of going extinct over the next 100 years. They have heard that the number 5 is the benchmark that should trigger high concern. • According to ODFW the two limiting factors in this situation are: 1) degraded summer rearing habitat in the Elk River estuary; and 2) too many hatchery fish are on the spawning ground that has likely driven down the productivity of wild runs. • Salmon is an important part of our community. We need to find a way to turn this situation around for fall Chinook. • Through the stakeholder process and local discussions ideas to address these limiting factors directly include best practices and upgrades at the hatcheries, attention to habitat issues in the lower river in conjunction with their Watershed Council, targeted monitoring to insure that the productivity of the run does not fall any lower, and how to engage OHRC in our situation. <p>Vileisis said KAS urges to the Commission to adopt the proposed pilot for the Elk River as part of the CMP as a way to turn things around in their local run and to learn what is needed to hit the right balance of sustaining wild fish runs and hatchery enhancement. The CMP does not do enough to insure the future health of coastal native fish runs and not enough conservation actions. She encouraged the Commission to prioritize funding for conservation actions.</p>

<p>Conrad Gowell Albany, Oregon</p>	<p>Conrad Gowell spoke on behalf of Executive Director Mike Moody's, Native Fish Society (NFS), letter:</p> <ul style="list-style-type: none"> • NFS supports ODFW's efforts to develop the CMP. • Hopes the Commission will take into consideration also the interests of future generations. • NFS and Steamboaters hired aquatic and fisheries biologists to create an independent science based review of the draft CMP and it meeting the NFCP. The panel concluded the CMP fell short of being a conservation plan similar to IMST's review – it continues the status quo regarding hatchery releases and harvest managements. • CMP fails to discuss the magnitude of harmful effects that hatchery programs are having on wild salmon populations. • CMP fails to fulfill the State's obligations in the NFCP that mandates ODFW shall prevent the serious depletion of any indigenous species. • Because the CMP is not time sensitive and in view of the continuing diverse opposition to the CMP, NFS requests that the approval and implementation be delayed to give ODFW time to consider the public's input. • NFS strongly opposes harvest of native wild steelhead. • NFS supports the concept of a WFEA but not through this process. Washington state developed a set of scientifically valid WFEA. NFS hopes a similar process can be done in Oregon that aligns habitat with these WFEA. • NFS does not believe the current proposal represents a good conservation plan. • Monitoring and evaluation is most important in any conservation plan and is virtually absent in the CMP. • CMP calls habitat degradation the single most pervasive limiting factor for wild fish. It provides no clear direction for habitat improvement or restoration. The CMP has a greatly reduced likelihood of success of recovery for wild salmonids in coastal streams, which won't be acknowledged for at least another 12 years. • CMP utilizes public funds therefore it is not only prudent that the citizens be given an estimate of the project's costs. No budget is presented within the CMP. • NFS recommends no increase in hatchery releases or expanded wild fish harvest until more data is presented that address the magnitude of unfavorable effects that ODFW's current and ongoing hatchery program are likely having on wild fish.
<p>Nicole Evimilotis Coos Bay, Oregon</p>	<p>Nicole Evimilotis, Landowner on Morgan Creek, expressed several concerns:</p>

	<ul style="list-style-type: none"> • No one knew about this meeting until last night. Chair Levy said this meeting has been posted on our website months in advance. • It was posted improperly in the newspaper where to make public comment; the web address was missing one letter. • Plan does not address the over population in Morgan Creek. There is over a million fish in Morgan Creek, more fish than all the hatcheries in Coos County combined. She said are the fish that come after the Chinook supposed to spawn in the carcass flow of thousands of fish? • This is breaking the DEQ Waste Charge Permit law, Native Fish Conservation Policy, and best hatchery management policy. No one is stopping the chronic annual pollution of this stream. What is the point of the plan if no one is going to implement, manage, or insure any of these things are going to be followed? • She asked how many people do I have to call to get staff to come out and provide water or passage for these fish when they know clearly we are not getting any rain. • This stream can't be fished so there is no point for hatchery fish to be in the stream. There is no counting going on. If they say there are 5,000 that is only the fish that went through the facility, not in the stream's low water. • ODFW should not ignore their laws without proving there is a scientific based need to do this to a stream. <p>Evimilotis asked to see the reduction of fish at Morgan Creek and to see the hatchery moved out of salmon spawning habitat to a lower part of the basin where there is no native salmon spawning or rearing.</p>
<p>Rees Bender Bandon, Oregon</p>	<p>Rees Bender, a retired biologist, distributed written testimony said he supports the draft Plan and appreciates that ODFW staff accommodated their concerns. CMP is a reasonable compromise between conservation of natural production and species and utilization of that resource so valuable to us in Oregon. He spoke to:</p> <ul style="list-style-type: none"> • City of Bandon's tourism is almost 100% of the economy. Fishery for fall Chinook salmon in the lower Coquille is extremely important to the economy. • Part of the CMP is to take 55,000 smolts released at Hall Creek down to the lower part of the system. They recommend the fish be acclimated at Sevenmile Creek, Ferry Creek or Bandon Boat Basin to provide a better fishery in the lower river.

	<ul style="list-style-type: none"> • Bender tries to fish at least three times a week to eat what he catches. Salmon is really healthy to eat. • Bender would like to see emphasis to reduce the amount of stray to get more hatchery Chinook returning to Elk River to home into the hatchery; especially investigating chemical attractants at the Hatchery. • He has a hard time accepting the nonviable status that CMP used for Elk River fall Chinook. The wild run in Elk River has not changed significantly in either direction during the 45 years that Hatchery has been in operation. Improving the habitat is important and a very good idea.
<p>Stanley Petrowski Drew, Oregon</p>	<p>Stanley Petrowski, President and Director for South Umpqua Rural Community Partnership (SURCP), also served on the Partnership for Elk River's Watershed Council and is the South Umpqua River river steward for NFS. Their concerns:</p> <ul style="list-style-type: none"> • Conflicting information presented to the Commission could be satisfied through sound science. SURCP would like the Commission to provide \$18 million plus for the budget so ODFW can keep their field staff, a critical component to sound science. Data will have serious gaps and valuable information will be lost because of these cutbacks. • Their constituency backs the NFS comments. • Stability of the Upper South Umpqua spring Chinook population. He said there are years when nine animals show up from that run. These fish are held up in index pools on the Upper South Umpqua which is challenged with temperature and gravel recruitment. The Forest Service is working on habitat but mostly on the tributaries, not on the mainstem. There is not a conservation solution in the plan for these fish. The solution is to allow catchment on a sliding scale on the mainstem and mid Umpqua; it's really not a solution for sparing these fish. • Last year all 29 of the index pools on the Upper South Umpqua had mining claims by the "new 49ers". These issues were amicably resolved but these fish are very, very vulnerable. <p>Petrowski asked the Commission to delay approving the Plan to allow for ODFW to come up with a serious conservation plan for the preservation of this fish run.</p>
<p>James Wright Lyons, Oregon</p>	<p>James Wright, Executive Director for Salmon for Oregon Association (SOA) and a business owner, spoke to:</p> <ul style="list-style-type: none"> • There is no more dedicated biologist in all of Oregon than ODFW biologist Tom Rumright. ODFW staff has bent over

	<p>backwards to work with the Morgan Creek folks, south coast anglers, and to listen to everybody.</p> <ul style="list-style-type: none"> • SAO Board supports the adoption of CMP. • Humans interact with the salmon life cycle in multiple ways in four areas of salmon management: 1) harvest; 2) habitat; 3) hydropower; and 4) hatcheries. In the past these interactions have led to the declines in natural spawning populations. Over the last several years, research and experience has led to the continuing improvements of all these areas. • Salmon hatcheries and hatchery fish have been targeted as harming natural spawning salmon populations. SAO believes hatcheries have enhanced and protected numerous populations of salmon and provided the majority of commercial and recreational landed fish. • Upwards of 70% of salmon caught in Oregon are of hatchery origin. Substantial contributions of hatcheries will need to continue to maintain traditional fisheries, fishing communities, and consumption of local salmon. • Science and management are making great strides toward improving the use of hatchery fish in ways that protect natural spawning populations. • SAO believes creating terminal fisheries for spring Chinook through acclimation of hatchery smolts in the lower basin of Coos and Yaquina Bay is a worthy and timely approach to the overall Plan. It is well grounded in the best and current available scientific information. • Around the world are divergent salmon management models; all have roots in the Central Oregon coast from the 60's and early 70's.
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1
2 Vice Chair Finley asked Petrowski what is ailing on the south fork? Petrowski said on
3 the South Upper Umpqua between the Watershed Council, ODFW, and stakeholders we
4 have spent close to \$11 million in habitat restoration; 95% of that in the tributaries. The
5 mainstem is temperature and gravel challenged; there is very little stable aggregate for
6 springer spawning. We have consistently hired policemen to patrol these areas. The
7 springers that stay in these holes have been dynamited and harassed. Petrowski would
8 like to see a concerted effort for habitat restoration on the mainstem and support to keep
9 that retired state trooper on watch until something better happens.

10
11 Vice Chair Finley referred to Mr. Worsley and Mr. Petrowski's statements. He asked staff
12 to respond to the population in the South Umpqua and their thinking on enhancements of
13 the spring Chinook or the steelhead.

14
15 Bowles said the South Umpqua habitat issues are primarily related to high water
16 temperatures and the spring returning fish that reside in those high temperatures during

1 the holding period. Shifts in climate changes are a growing problem. Staff has identified
2 the South Umpqua as one of two pilot areas for priority attention in early implementation
3 with a focus on habitat. He said it is important to ensure that the remaining fish are able
4 to continue and persist while we improve the habitat; that is going to take time. They are
5 stable but low in numbers and vulnerable, which is why there is a reduction in harvest.
6 Bowles said the Cow Creek Band of Umpqua Tribe of Indians has been very involved in
7 this process as good partners as well. This is a very important thing for that Tribal entity.
8

9 Vice Chair Finley said several people testified on the 12 year window. There was
10 concern about specific interventions when necessary. He read that there are
11 opportunities for intervention and asked staff to clarify that for the record.
12

13 Bowles said an annual review is built into the Plan. Staff will track numerous metrics that
14 will be provided in their annual review. Designated in the Plan for individual populations
15 are criteria for abundance. He said if they drop down to certain levels that would result in
16 harvest restrictions. Through these metrics we have the ability to adaptively manage, but
17 the intent would be to only do so when clear signs problems arise as opposed to
18 responding annually with management changes due to natural variation.
19

20 Vice Chair Finley said by natural variation you mean ocean conditions where one year it
21 is a good ocean condition for the returning fish and the next year that cycle was off and
22 the fish are down?
23

24 Bowles said correct. Most of our ocean has changed little recently but in general we get
25 patterns of survival through time in the ocean. The Pacific decadal oscillation is usually
26 more than one year and as you head into these sliding scale harvests would occur. This
27 would not require a Commission decision; that is already built into the Plan going into the
28 lower, mid, and upper levels of the scale. We will be developing explicit thresholds for
29 those in early implementation of the Plan. Staff will also look at, for example, if you're
30 out of compliance in stray rates one year that does not mean you can have more
31 hatchery fish or you need less hatchery fish. Staff will look at that over a period of time;
32 that sorts out the natural variation.
33

34 Vice Chair Finley asked about Nicole Evimilotis's concerns about Morgan Creek.
35

36 Bowles said the Coos Basin has nearly half of the numbers of hatchery smolts released
37 coastwide north of Cape Blanco. It is blessed with a productive estuary but cursed with
38 historic splash damming and other things which caused gravel problems in the
39 tributaries. Rather than being sited up high in the tributaries, hatchery programs are
40 sited closer to the estuary. They are sited on small streams not critical to major
41 production of wild fish. By using this model you can actually reduce the impact on the
42 targeted wild populations that drive the system and still have a very robust fishery that is
43 hatchery supported and also drives the economy. He said STEP programs in this area
44 are not just about hatcheries but healing the watersheds. A lot of fish are coming into
45 very small streams - Morgan Creek and Noble Creek. If you are a landowner that lives
46 on those that can be regrettable, but if you step back it is a very successful model for fish
47 management relative to the Coos system.

1
2 Vice Chair Finley asked staff to address the million fish rotting in Morgan Creek.

3
4 Tom Rumreich, Assistant District Fish Biologist/STEP, said Nicole's concerns were
5 based on an individual stream. When she talked about the NFCP she wasn't looking at it
6 as a whole population. We have devised a strategy where we are putting large numbers
7 of fish into small tidal streams where we can have and achieve a geographical
8 separation and have all the benefits generated from these hatchery programs and yet
9 maximize the production to these wild populations. A fundamental goal since the
10 inception of our program is to protect wild fish. He said regarding the pollution in the
11 creek, our Morgan Creek Hatchery does not exceed rearing over 20,000 pounds of fish
12 during a calendar year and subsequently does not strike any kind of triggers with DEQ.
13 So, we are not subject to any types of monitoring and evaluation from water quality that
14 you might see at a Department hatchery.

15
16 Vice Chair Finley said does the program meet the concerns from the Coos County
17 Commissioners and others who want more enhancement and more fish available both
18 commercially and recreationally? Rumreich said that is correct. It has been a very
19 successful program. From one of our monitoring statistics this last year, 82% of fall
20 Chinook harvested in Coos Bay was a product of our STEP Program.

21
22 Vice Chair Finley asked for an overview of the fall Chinook on the Elk River.

23
24 Bowles said the Elk River fall Chinook population is still part of that mid-south coast
25 stratum but that population is not viable. Some testifiers said they were incredulous there
26 wasn't any math or statistics that went into this. Staff spent a year and a half doing
27 technical analysis with the best innovative science based around a very cutting edge
28 approach. We have robust of data sets as we have with many of the listed populations.
29 We are using new techniques such as Bayesian statistics to get at the important
30 conservation questions. That is all included in the Plan for those that look into it.

31
32 Bowles said on the Elk River a key characteristic to look at is the 16.9% probability of
33 extinction over 100 years. That in itself is cause for alarm and is driven by the very high
34 proportions of hatchery fish on the spawning grounds resulting in fish coming out of the
35 gravel and returning in subsequent years that do not show as big a boost as you would
36 expect with those high numbers of fish on the spawning grounds. This indicates a
37 productivity problem.

38
39 Bowles said that population is not trending downward so trends are relatively stable.
40 Staff has identified the Elk River as one of our two priority areas for early
41 implementation. Staff has several strategies of which one is a modest reduction in the
42 numbers of fish released. Through the stakeholder team process a compromise was
43 made to cut that back from 20% to 12% will full support of all the other actions to get
44 those hatchery fish off of the spawning grounds. We would like to hold to that as we
45 implement this but if those other actions coupled with that do not reduce that stray rate
46 down significantly, staff will consider reducing production more, but only after looking at
47 the full picture.

1
2 Commissioner Webber said regarding the Elk River there was talk before you cut the
3 50,000 smolts to do something else first. Does staff feel comfortable with the information
4 we have to start with? Bowles said the end goal is the proportion of hatchery fish on
5 spawning grounds. We have the baseline of what is currently happening and the
6 variation associated with that. If we did each element of this independently with enough
7 years to determine its effectiveness you would be decades down the road. The
8 consensus from the Stakeholder Teams was to aggressively prioritize actions and track
9 that collective effort over time.

10
11 Commissioner Webber said the basic thing you will look at is the percentage of hatchery
12 fish on the redds? Bowles said yes. Commissioner Webber said if that went down
13 significantly would that then trigger upping the smolt production? Bowles said it is a
14 challenge to get to only 30% of the spawning fish being hatchery origin. If we do over
15 achieve that, we should reconsider the portfolio of actions we took.

16
17 Commissioner Akenson said we heard a lot about flexibility and making changes before
18 12 years is over. How is this Plan designed to address that potential to make changes?
19 Bowles said the majority of these populations are healthy, viable, and sustainable. Staff
20 will track these fish the same way we track coastal coho, Lower Columbia River species,
21 Willamette species and others; real time with check-ins relative to the status of
22 populations to make sure something is not happening.

23
24 Commissioner Akenson asked what process would be used if you made hatchery
25 changes before the 12 years. Stahl said the management piece requires that we come
26 back before the Commission to either add a brand new hatchery program or to totally
27 remove a hatchery program. Those will be set in rule so it will take a rule action to
28 change them.

29
30 Commissioner Wolley was impressed when reading about the extensive public
31 involvement. He said despite all that some people said they did not know about this
32 process early on. Staff's timeline shows public involvement starting in summer 2012 but
33 the open meetings and comments started this year. Who were the public in the summer
34 of 2012 that were involved or did it really start with the open houses and comment
35 periods in January 2014? Stahl said there were news releases about all stakeholder
36 meetings, they were open to the public and public testimony was taken at all of them.
37 The website was available to anybody who sees it. Any member of the public interested
38 was able to get involved.

39
40 Kevin Goodson, Conservation Planning Coordinator, added that staff did not have a lot
41 of product ready to share with the general public but they were aware that staff was
42 meeting with the stakeholders; the public was welcome at those meetings.

43
44 Commissioner Anderson said one criticism she heard of the plan from the mid-coast was
45 it was too status quo. Sometimes being close to status quo is not bad and could be
46 testimony to what a great job ODFW has done in actively managing the program. The

1 people who gave you accolades today are a real testimony to staff. She definitely wants
2 to support this Plan.

3
4 Commissioner Anderson asked if staff are doing enough to understand the historical
5 distribution of chum salmon and what measures can be taken to help chum throughout
6 the strata. Stahl said we do not have a lot of information about their historical distribution
7 and genetic structure. There are new actions in the plan to get baseline information and
8 chum genetics but that takes funding. Staff is putting emphasis on ongoing monitoring to
9 identify sites with chum. He said both protecting and restoring the habitat for chum is
10 another big piece. There are no chum hatcheries or allowed harvest.

11
12 Bowles noted there were phenomenal projects on the coast; for example, restoration
13 efforts through STEP groups and Watershed Councils. He said chum utilize the lower
14 basin with lots of "hidey holes" and good spawning areas. Goodson said ODFW has a
15 chum program in the Lower Columbia River to identify what chum need and to
16 experiment with methods to create that kind of habitat. A lot of that information will help
17 us on the coast to figure out where we should be looking and what we should be doing
18 for chum.

19
20 Chair Levy said there has been talk to get more money so ODFW can keep its
21 employees to do research, but how are we going to fund the monitoring? Stahl said we
22 have a robust monitoring program that is funded through a variety of funding sources
23 and types. Right now we expect to keep that level of funding. There are some places
24 we have identified where we don't have the precision of information that we need to do
25 more precise analyses; those are identified in the CMP as an added cost.

26
27 Chair Levy said there was talk about utilizing OHRC more. How would that happen?
28 Bowles said the OHRC Board will prioritize short and long term research, including items
29 identified in the CMP. He envisions OHRC providing umbrella support over the research
30 for the whole coast relative to this and for that research to flow into a comprehensive
31 strategy that will be developed with their oversight.

32
33 Chair Levy asked if OHRC had that kind of funding. Bowles said they have only our
34 funding which they match and leverage with grants, they cannot always choose their
35 research if they are getting a grant. Rep. Wayne Krieger has been very vocal in wanting
36 to get additional dedicated funding through the next session.

37 38 **OTHER BUSINESS**

39 40 **Executive Session**

41 Chair Levy noted she announced the purpose for the Executive Session earlier.
42 Representatives of the news media and designated staff shall be allowed to attend the
43 executive session. All other members of the audience are asked to leave the room.

44 45 **ADJOURN**

46 Chair Levy reopened the public meeting and adjourned the meeting at 5:30 p.m.