



# Oregon Fish and Wildlife Commission Minutes

Meeting: Friday, August 1, 2014 - 8:00 am  
Oregon Department of Fish and Wildlife  
Commission Room  
4034 Fairview Industrial Drive S.E.  
Salem, Oregon 97302

1  
2 *Commission minutes are considered draft until approved by the Commission at*  
3 *its next meeting.*  
4

5 Notice of these meetings had been made by press release of statewide media circulation.  
6 Those attending part or all of the meeting included:  
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- |                                 |   |
|---------------------------------|---|
| Bobby Levy, Chair               | Roy Elicker, Director                     |
| Michael 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  
10 On Friday, August 1, 2014, Chair Bobby Levy called the Oregon Fish and Wildlife Commission  
11 (the Commission) Meeting to order. She recognized former Commissioner Jane Capezi in the  
12 audience and moved Senators Bill Hansell and Ted Ferrioli to the front of the proceedings.  
13

## 14 PUBLIC FORUM

15 *Note: This part of the agenda is for comments on topics not scheduled elsewhere on the*  
16 *agenda. Please contact the Oregon Department of Fish and Wildlife Office of the Director at*  
17 *least 24 hours prior to the meeting to be included in the public forum. If you bring written*  
18 *summaries or other materials to the meeting please provide the Commission Assistant with 20*  
19 *copies prior to your testimony. The Commission is unable to take action on items brought to*  
20 *their attention in this forum.*  
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| State Senator Bill Hansell<br>(SD 29) - Pendleton | During the Senate Committee Hearing regarding the proposal brought forward by ODFW's staff for a 10 year spill experiment. Several concerns were raised about the lack of transparency, and outreach to affected parties, other state and the agencies, and BPA. The apparent lack of scientific evaluation, assessment of financial impact, clearly articulated goals for the planned experiment. Further we understand that the Commission was not aware of or included in discussion of certain important aspects pertaining to this proposal. The Commission was not aware of deficiencies which we learned of during the Senate Committee hearing. Concerns arise in the legislature when experiments like this arise, when proposals in a department which has an oversight commission. This Commission can |
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|  | <p>only act to the extent the legislature gives it the necessary tools and authority to properly direct and oversee the department and to prevent it from acting outside its statutory authority and the policy directives of the Commission. Therefore I plan on introducing legislation in the 2015 session requiring specific actions by ODFW in carrying out those duties. I plan to craft them in line with the principles you as a Commission have adopted. Questions rose about the spill test experiment where contrary to the agency's principle. developing effective relationships based on trust and confidence, providing proactive solutions based on fish and wildlife management based on sound science, working as a team, and insuring fiscal integrity. I absolutely welcome your input for the language of the bill I plan to introduce.</p> <p><b>Commissioner Akenson</b><br/>What are your concerns?</p> <p><b>Response:</b><br/>My concerns are two-fold; They way that the proposal was vetted and how it came before the Northwest Power and Conservation Council.</p> <p>Stakeholders were not involved. The cost of this experiment was in the millions of dollars back to rate payers, particularly in my district. The process was not done correctly, also concerned about the fact that you folks were not given any opportunity to weigh in and the whole opportunity for input and the transparency wasn't there.</p> |
| <p>State Senator Ted Ferrioli<br/>(SD 30) – John Day</p> | <p>I am here today to offer encouragement to the Commission essentially to exercise more authority and more control over the agency. We as legislators and citizens of Oregon rely very heavily on the Commission to exercise their oversight rule. Apparently there is a discord between the experiment proposed and supported by the agency regarding spill, a lot of the other partners that are engaged in what is a multi-billion dollar effort to restore salmonid. Most of the partners have weighed in over many years about the idea of spill as possibly being something that has to be carefully managed so as to not create increased mortality. The idea that we have an agency recommendation that can possibly be detrimental or are unclear that they are beneficial is troubling. I encourage you in your role as Commissioners to be fully informed and to insist that the agency vet all of its plans in a public manner, to seek actively as much of the good science that can possibly be obtained before we make</p>  |

a decision, to adequately consider or at least insist that there be a consideration of the cost-benefit analysis of the actions that are proposed by agency. This is an opportunity to re-evaluate how it is the agency selects its objectives and goals, and what your roll in that is. We would like to see you get more involved, provided more direction, and more transparency.

**Offered Opinion to Commissioner Akenson:**

About two years ago a BPA Director instructed his staff to contact wind power generators to ask them if they would modify their calendar and their operating schedule to allow more of the Bonneville Power to be distributed in the grid by curtailing their generation by wind. The purpose for that was we were in a period of surplus water storage and needed to reduce the storage behind the dams. Given the science that was available to the BPA planning staff, they concluded that it was more beneficial to reduce water to do the draw down through the water column rather by spill and the specific reason was their conclusion that spill harms fish because of dissolved gasses. Admittedly not all the science was conclusive, it was their considered opinion. Most of the folks that are engaged in the question of salmon survival and restoration have concluded that if you need to do draw down it's better to do it through the water column than it is over the dam. It has everything to do with total dissolved gasses and effects on fish. I have to trust the people who are in decision making roles to look at that science and insist to the extent possible that we have the best science. The best science indicates that spill is harmful. It surprises me that an agency that is charged with restoration, using a technique and technology that might not be beneficial to fish.

**Commissioner Finley address both Senators**

This comes as an interesting problem because we just had this wonderful collaborative effort by the agency on the Coastal Rivers Fishery management where the agency was praised for its collaboration and we saw it as Commissioners. I cannot honestly remember if we were briefed or not on this spill. Your concerns are valid and we will be looking into this. It does give me pause and is certainly worth your admonishment.

**Chair Levy**

The Commission was briefed, at the request of the chair, on this during executive session.

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|  | <p><b>Senator Ferrioli</b><br/>I would not want to leave with a misunderstanding. I have a high degree of confidence in this agency and this may be a one off situation and we might be seeing management by exception and this seems to be an exception but I have even a greater confidence in the Commissioners that serve on this board. It is your responsibility to manage this agency as it is mine.</p> |
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**DIRECTOR’S REPORT**

**Field Reports**

Field Reports provided in written form only. *This report is available in the meeting materials and at*

[http://www.dfw.state.or.us/agency/commission/minutes/14/08\\_august/Field%20Reports\\_August%201%202014.pdf](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Field%20Reports_August%201%202014.pdf)

**Columbia River Fishery Reform Update**

*Presenter: Tony Nigro, Ocean Salmon and Columbia River Program Manager  
Joe North, Columbia River Fisheries Manager*

*Tony provided a PowerPoint presentation outlining the framework initially discussed with Columbia River Commercial Fisher Advisory Group. Framework finalized through the North of Falcon process. Discussions focused on a research approach and discussing details with NOAA Fisheries; including using a proportion of ESA impacts set aside for research. This presentation is available in the meeting materials and at*

[http://www.dfw.state.or.us/agency/commission/minutes/14/08\\_august/Director's%20Report%20-%20Commercial%20Seine%20Fishery.pdf](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Director's%20Report%20-%20Commercial%20Seine%20Fishery.pdf)

**Discussion:**

**Commissioner Anderson**

In regards to the C4 and C5 modeled estimates, are we using these tables to see if we are meeting the objectives of the plan economically?

**Tony Nigro**

We are not for the reasons I described. We are discussing with the advisory group and with Washington as to how will we be going to evaluate annually and what the actual fishery performance is versus what would be a reasonable expectation of what that performance would have been prior to the reforms. We are considering a retrospective analysis where we go back and look at what would the catch sharing would have been under pre-reform policy versus what it is now and how would the fisheries performance perhaps differ using that as the base. I would characterize those conversations as being an initial set and that we intend this fall to work with the advisory group and Washington and come up with an analysis approach that takes into account what the actual run sizes are, what the actual mark rates are and stock compensations are because that is what would be a legitimate comparison by taking into account all those factors

1 **Commissioner Anderson**

2 In looking at the specific fisheries, one performed very well under the model while others were  
3 much lower than the modeled. In particular the tangle net fishery didn't even come near 75% of  
4 what was model for them and since they are the mainstay for this model to even work, what  
5 are we doing at this point to get more fishermen involved or improve the opportunity there?  
6

7 **Tony Nigro**

8 For 2013, the spring fishery we operated under your old policy because we were under the  
9 stay, so the reforms had no effects on the spring fishery. On the summer fishery the stay was  
10 still in place, we did operate under a compromise with Washington because their policy called  
11 for a reduction of the commercial share of summer Chinook from 50% to 40%. We were still  
12 under the stay so our policy was 50%. We split the difference so we ended up reducing,  
13 instead of 10%, we reduced it to 5%, 45% share for the commercial fishery. For the fall  
14 fisheries you are correct in that the reform share policy was in place for the fall fisheries by  
15 then the stay had been lifted. However the fishery structure in 2013 was the same as in 2011  
16 and 2012 with respect to the Chinook fisheries were focused on Zones 4 and 5 to try and  
17 maximize the return to the commercial fishery under the constraining tule impacts. 2013 was  
18 mixed in terms of how the reform policies affected fisheries performance especially in the  
19 spring we didn't operate under the reform policy.  
20

21 **John North**

22 Regarding the coho tangle net fishery, in 2013 that was a brand new fishery and our modeling,  
23 when we did it, didn't have any data to work off of so we had estimated that about 60 fishers  
24 might participate. It was actually closer to 20 to 25 on average. People want to see what they  
25 are investing in, and after giving them a year now and we let them fish for 8 days and give it a  
26 good try we may see those numbers increase to 40. I think this year will be the real test for that  
27 fishery.  
28

29 **Commissioner Anderson**

30 Regarding the release mortality rate, being that for Chinook and coho it was stated to be four  
31 to seven times greater than the 5% used; Do you have a final number or was there a range  
32 used?  
33

34 **John North**

35 There are actually different rates based on TAC analysis of the data collected by the  
36 Washington studies during 2011 through 2013. They developed independent rates by species  
37 and gear type so those were plugged into the new modeling.  
38

39 **Commissioner Webber**

40 With this projected run there will be "mop up" fisheries in zones 4 and 5, is that accurate?  
41

42 **Tony Nigro**

43 For Chinook directed fisheries since 2011 we have shifted more toward zone 5 fishery but this  
44 year's plan is for fishing in Zones 4 and 5 so it will consist of a strong August, early fall  
45 opportunity and then there will be a break in early September and pick back up in mid-  
46 September and run into the end of October.  
47

1 **Commissioner Webber**

2 This is when we are going to allow the commercial harvest of the excess upriver rights?

3  
4 **John North**

5 That is correct.

6  
7 **Commissioner Webber**

8 Gear testing was mentioned in the presentation, can you expound on what that gear is?

9  
10 **John North**

11 Since 2009 the states have been evaluating different gears. We've tried several in Oregon.  
12 We've tired commercial trolling gear in the river, worked with WDFW on fish traps, and we're  
13 working with a fisherman on a fish wheel opportunity. We're helping him go through the  
14 logistics of placement of that device. He has not yet constructed it because he wants some  
15 certainty that he'll be able to use it. Working on a small gear type called an arrow net which is  
16 a shore base lead that leads fish out to a trap configuration. Evaluated hook and line as an  
17 analytical exercise not a field exercise.

18  
19 **Commissioner Akenson**

20 What do we hope or expect to learn from the pilot fishery?

21  
22 **John North**

23 It will provide more information as to how these fisheries are performing. The pilot fisheries,  
24 with the respect to mortality that we'll be collecting are seeing whether or not there is any  
25 difference in the immediate mortality. Of course there is a relationship between the immediate  
26 mortality and the condition of the fish and of those fish that are released and how many of  
27 them ultimately die. The revisiting and reviewing to improve the design of the release mortality  
28 studies is going to be part of the conversation in Washington as to doing an additional year of  
29 release mortality studies specifically. The pilot fishery will be informative, in terms of, we will  
30 have observers on the boats, we will be able to see how these fisheries are conducted by  
31 fishermen who are fishing them as they would have and not be impeded by our need to handle  
32 fish, mark them, take scale samples etc. The measure of mortality that will be under the pilot  
33 will only be the immediate mortality and fish condition.

34  
35 **Commissioner Akenson**

36 Are there ways that that commercial fishermen will be able to look at what causes the mortality  
37 and how they might decrease that mortality?

38  
39 **Tony Nigro**

40 The challenge to all of this is you are trying to estimate the release mortality by mimicking the  
41 fishery but it's difficult to mimic the fishery because you have to handle the fish more to put the  
42 tags in them and to track them. That's a challenge is any release mortality study, that's why  
43 there hasn't been that many done because you're trying to figure out if you're evaluating the  
44 fishery or the handling associated with marking and tagging. You would have to continue the  
45 study and do different methods in the collection to try and figure out if there's a way to improve  
46 it or not. If we are not tagging and marking the fish under the study design, then you wouldn't

1 be able to sort it out other than what Tony mentioned which is looking at the immediate  
2 mortality which is a small component.

3  
4 **Commissioner Akenson**

5 Found it interesting that the steelhead release mortality was lower than the salmon. What was  
6 the reason for that?

7  
8 **Tony Nigro**

9 That has been observed by several people and it's a bit confusing. One difference between the  
10 stocks hypothesized was that all of the steelhead in the study area is destined for above  
11 Bonneville Dam while some of the Chinook and coho are not, but most of them in that area  
12 likely are. In Washington's first few years of the study they used PIT tags and about 50 or 60%  
13 arrived at Bonneville, so the question was; where did the balance go? Last year they began a  
14 radio tag study and started to track the fish and found that a lot of the fish went downstream or  
15 they could not recover. The challenge though was that we have a substantial data set based  
16 on coded-wire-tags that says a fairly small proportion of fish are originating from tributaries  
17 downstream of the study area overrun their tributary and enter the study area. So you have  
18 two sets of data that don't make a line and the coded-wire-tag data is quite powerful and  
19 extensive data set. In the discussions in the U.S. v. Oregon TAC there was a general  
20 agreement that if the fish went downstream even if it was destined above Bonneville and went  
21 downstream and remained alive it was essentially mortality because it was removed from its  
22 population that it was destined for.

23  
24 **Commissioner Akenson**

25 Can the actual mortality rate be less than what was documented in the studies?

26  
27 **John North**

28 What we've developed is a functional mortality rate. The actual number of dead fish might be  
29 less.

30  
31 **Chair Levy**

32 The goal was that the salmon stay viable and functional in the select areas but those numbers  
33 are down. In the long term what are we looking at and how are we as a Department going to  
34 continue to see that when they shift into those select areas exclusively, what are we working  
35 towards to make that remain viable?

36  
37 **John North**

38 Last year's fall was strong for Chinook and just a little below average for coho.

39  
40 **Tony Nigro**

41 After you account for the size differences, stock differences, etc., the expectations is that the  
42 select areas are going to be performing as we assumed. That's what the transition period is  
43 about, to sort out those differences and to determine if the runs are performing as we expected  
44 once you account for all the differences.

45  
46 **Adopt Temporary Rules**

47 Roy Elicker, Director, requested the Commission adopt the following temporary rules.

- 1  
2 **1. 635-017-0090**  
3 **Santiam River Daily Bag Limits for Adipose Fin-clipped Rainbow Trout and Steelhead**  
4 **Amended**  
5 Adopted May 22, 2014: effective June 10, 2014 through October 31, 2014  
6 This amended rule increases the daily take limits for adipose fin-clipped rainbow trout and  
7 adipose fin-clipped steelhead in the Santiam River mainstem and the Little North Fork and  
8 North Fork rivers as applicable beginning June 10 through October 31, 2014, with no minimum  
9 length requirements.  
10  
11 **2. 635-023-0128**  
12 **2014 Columbia River Summer Recreational Fisheries Implemented**  
13 Adopted May 30, 2014: effective June 16, 2014 through July 31, 2014  
14 This amended rule implements 2014 summer recreational salmon fishing seasons in the  
15 Columbia River. Modifications to regulations for 2014 conform to regulation changes  
16 developed through this year's Pacific Fishery Management Council North of Falcon process.  
17 Housekeeping and technical corrections to the regulations were made to ensure rule  
18 consistency with the State of Washington.  
19  
20 **3. 635-019-0090**  
21 **Spring Chinook Fisheries Open in the Imnaha and Wallowa Rivers**  
22 Adopted May 30, 2014: effective June 21, 2014 through August 31, 2014  
23 This amended rule allows recreational anglers opportunities to harvest adipose fin-clipped  
24 adult Chinook salmon and adipose fin-clipped jack Chinook salmon, which are in excess of the  
25 Department's hatchery production needs, in the Imnaha and Wallowa rivers beginning  
26 Saturday, June 21, 2014, until harvest guidelines are met.  
27  
28 **4. 635-023-0095**  
29 **Columbia River Recreational Sturgeon Season Closes In the John Day Pool**  
30 Adopted June 3, 2014: effective June 13, 2014 through July 31, 2014  
31 This amended rule closes the spring recreational white sturgeon retention fishery in the John  
32 Day Pool of the Columbia River at 12:01 a.m., Saturday, June 14, 2014, when total harvest for  
33 this fishery is projected to reach the harvest guideline. Revisions are consistent with action  
34 taken June 3, 2014 by Columbia River Compact agencies of the states of Oregon and  
35 Washington.  
36  
37 **5. 635-021-0090**  
38 **Powder River Sport Spring Chinook Fishery Opens**  
39 Adopted June 4, 2014: effective June 11, 2014 through September 1, 2014  
40 This amended rule allows recreational fishers a unique opportunity to harvest spring Chinook  
41 salmon in the Powder River beginning June 11 through September 1, 2014. Rule modifications  
42 allow sport anglers to harvest spring Chinook salmon which have been trapped on the Snake  
43 River and transported to the Powder River specifically for this purpose. These salmon are in  
44 excess of the number needed to provide sport fisheries on the Snake River.  
45  
46 **6. 635-041-0065**  
47 **Columbia River Zone 6 Treaty Indian Commercial Gill Net Fishery Authorized**

1 Adopted June 9, 2014: effective June 10, 2014 through July 31, 2014  
2 This amended rule authorizes the sales of fish caught in a treaty tribal commercial gill net  
3 fishery in all of Zone 6 of the Columbia River from 6:00 a.m., Tuesday, June 10, through 6:00  
4 p.m., Thursday, June 12, 2014 (2.5 days). Modifications are consistent with action taken  
5 June 9, 2014 by the Columbia River Compact agencies of the States of Oregon and  
6 Washington in cooperation with the Columbia River Treaty Tribes.

7  
8 **7. 635-041-0076**

9 **Columbia River Zone 6 Treaty Indian Summer Commercial Gill Net Fishery Authorized**

10 Adopted June 11, 2014: effective June 16, 2014 through July 31, 2014

11 This amended rule authorizes the sales of fish caught in a treaty tribal commercial gill net  
12 fishery in all of Zone 6 of the Columbia River in two fishing periods: from 6:00 a.m., Monday,  
13 June 16 through 6:00 p.m., Thursday, June 19 (3.5 days); and from 6:00 a.m., Monday,  
14 June 23 through 6:00 p.m., Thursday, June 26 (3.5 days). Modifications are consistent with  
15 action taken June 11, 2014 by the Columbia River Compact, Departments of Fish & Wildlife of  
16 the States of Oregon and Washington, in cooperation with the Columbia River Treaty Tribes.

17  
18 **8. 635-042-0027**

19 **Columbia River Mainstem Summer Commercial Drift Net Fisheries Authorized**

20 Adopted June 11, 2014: effective June 16, 2014 through July 31, 2014

21 This amended rule sets a non-Indian commercial summer salmon drift gill net season for the  
22 mainstem Columbia River in Zones 1 thru 5. The season will commence at 9:00 p.m., Monday,  
23 June 16 and run through to 5:00 a.m., Tuesday, June 17, 2014 (8 hours). Allowed sales from  
24 this fishery include Chinook salmon, sockeye salmon and shad. Rule modifications were made  
25 consistent with Joint State Action taken June 11, 2014 by the Columbia River Compact,  
26 Departments of Fish & Wildlife of the States of Oregon and Washington.

27  
28 **9. 635-005-0355**

29 **Tillamook Bay Commercial Cockle Clam Dive Fishery Closes**

30 Adopted June 12, 2014: effective June 13, 2014 through December 10, 2014

31 Amended rule closes the Tillamook Bay commercial cockle clam dive fishery at 12:01 a.m.,  
32 Friday, June 13, 2014 due to a projected attainment of the 90,000 pound annual harvest quota  
33 allowed under bay clam dive permits. Modifications are consistent with requirements described  
34 in OAR 635-005-0355 sections (2) and (3).

35  
36 **10. 635-017-0090**

37 **E.E. Wilson Pond Bag Limits Increased for Rainbow Trout and Bass**

38 Adopted June 12, 2014: effective June 13, 2014 through June 30, 2014

39 This amended rule increases the daily take limits for rainbow trout and bass in E.E. Wilson  
40 Pond beginning June 13 through June 30, 2014. E.E. Wilson Wildlife Area staff intends to  
41 empty the pond, dry it, remove the weeds, and conduct dyke repairs. The pond will be drained  
42 slowly beginning June 16, about a foot a day, until completely drained. These rule  
43 modifications are intended to increase recreational angler harvest at the pond and reduce the  
44 fish populations prior to the scheduled draining of the pond.

45  
46 **11. 635-019-0090**

47 **Sport Chinook Fishery on Lookingglass Creek**

1 Adopted June 16, 2014: effective June 18, 2014 through September 1, 2014  
2 This amended rule closes the on-going Chinook angling season on Lookingglass Creek  
3 previously established through temporary rule. The harvest allocation for this fishery will be  
4 met by the date of closure.  
5

6 **12. 635-014-0090**

7 **Three Rivers Angling Regulations Modified Effective June 30, 2014**

8 Adopted June 16, 2014: effective June 30, 2014 through September 30, 2014

9 The rule modifications delay the spring Chinook fishery closure at Three Rivers from July 1  
10 until July 16, 2014 in order to allow anglers greater opportunity to harvest hatchery spring  
11 Chinook by extending the season.  
12

13 **13. 635-019-0090**

14 **Opening of Spring Chinook Fishery in the Imnaha River Delayed**

15 Adopted June 19, 2014: effective June 19, 2014 through September 1, 2014

16 This amended rule rescinds the scheduled start, June 21, 2014, of the recreational spring  
17 Chinook salmon fishery in the Imnaha River. This opportunity to harvest adipose fin-clipped  
18 adult Chinook salmon and adipose fin-clipped jack Chinook salmon, which are in excess of the  
19 Department's hatchery production needs in the Imnaha River may be re-scheduled if sufficient  
20 numbers of harvestable fish reach the fishery area.  
21

22 **14. 635-018-0090**

23 **2014 Recreational Fall Chinook Season on the Lower Deschutes River**

24 Adopted June 19, 2014: effective August 1, 2014 through October 31, 2014

25 This amended rule allows the sport harvest of fall Chinook salmon in the Lower Deschutes  
26 River from August 1 through October 31, 2014. The Deschutes River open area extends from  
27 the mouth at the I-84 Bridge upstream to Sherars Falls. It is unlawful to continue to angle from  
28 Sherars Falls downstream to the upper railroad trestle after taking the daily adult bag limit of  
29 fall Chinook. The daily bag limit is any 2 adult salmon per day and 5 jack salmon per day.  
30 Catch limits and restrictions applying to trout, steelhead, and Coho salmon remain unchanged  
31 from those listed in the **2014 Oregon Sport Fishing Regulations**.  
32

33 **15. 635-017-0090**

34 **Additional Opportunity for Personal Use Harvest of Pacific Lamprey at Willamette Falls  
35 Allowed**

36 Adopted June 20, 2014: effective June 23, 2014 through October 31, 2014

37 This amended rule allows for three additional days for personal use harvest of Pacific lamprey  
38 at Willamette Falls, on Tuesday, June 24, through Thursday, June 26, 2014 by individuals with  
39 the required permit. The season modification provides opportunity for harvest of Pacific  
40 lamprey that may become stranded due to the scheduled installation of water flow devices at  
41 Willamette Falls. All other regulations for the harvest of Pacific lamprey remain unchanged.  
42

43 **16. 635-019-0090**

44 **Spring Chinook Fisheries Open in the Lower Grande Ronde River**

45 Adopted June 23, 2014: effective June 27, 2014 through September 1, 2014

46 This amended rule allows recreational anglers opportunities to harvest adipose fin-clipped  
47 adult Chinook salmon and adipose fin-clipped jack Chinook salmon originating from the

1 Lostine River, which are in excess of the Department's hatchery production needs, in the  
2 Lower Grande Ronde River beginning Friday, June 27, and ending Monday, June 30, 2014.

3  
4 **17. 635-004-0375**

5 **Directed Commercial Sardine Fishery 2014 Interim Season Closes June 25, 2014**

6 Adopted June 24, 2014: effective June 25, 2014 through July 31, 2014

7 This amended rule closes the directed commercial sardine fishery for the Interim 2014 season,  
8 effective at 12:01 a.m., Wednesday, June 25, through Monday, June 30, 2014. Modifications  
9 are needed to conform Oregon State regulations to federal rule changes announced on  
10 June 23, 2014 by the National Marine Fisheries Service (NMFS).

11  
12 **18. 635-039-0085**

13 **Spring Sport Pacific Halibut All-Depth Season from Cape Falcon to Humbug Mountain**  
14 **Closes**

15 Adopted June 26, 2014: effective June 27, 2014 through December 23, 2014

16 Amended rule closes the all-depth spring sport fishery for Pacific halibut in the area between  
17 Cape Falcon and Humbug Mountain, Oregon at 11:59 p.m. on Friday, June 27, 2014 due to  
18 the projected attainment of the pre-season quota of 113,229. This rule is consistent with  
19 regulations previously implemented by the federal government and the International Pacific  
20 Halibut Commission for the 2014 Oregon sport fishery for Pacific halibut.

21  
22 **19. 635-041-0076**

23 **Columbia River Zone 6 Treaty Indian Summer Commercial Gill Net Fishery Authorized**

24 Adopted June 26, 2014: effective June 30, 2014 through July 31, 2014

25 This amended rule authorizes the sales of fish caught in a treaty tribal commercial gill net  
26 fishery in all of Zone 6 of the Columbia River in two fishing periods: from 6:00 a.m., Monday,  
27 June 30 through 6:00 p.m., Thursday, July 3 (3.5 days); and from 6:00 a.m., Monday, July 7  
28 through 6:00 p.m., Friday, July 11 (4.5 days). Modifications are consistent with action taken  
29 June 26, 2014 by the Columbia River Compact, Departments of Fish & Wildlife of the States of  
30 Oregon and Washington, in cooperation with the Columbia River Treaty Tribes.

31  
32 **20. 635-054-0045, 0050, 0055, 0060**

33 **Adopt Rules for the Waterfowl Stamp Art Contest**

34 Adopted June 30, 2014; effective June 30, 2014 through December 26, 2014

35 The purpose of these rules is to describe the procedures and necessary accompanying  
36 information for submitting artwork for the 2015 waterfowl stamp, the criteria for selection of the  
37 winning designs, and the obligation of winning artists pursuant to ORS Chapter 496. The  
38 waterfowl program is in need of temporary rules establishing an art contest for selection for  
39 their 2015 waterfowl stamp. Prior to 2014 art production was under contract. The contract artist  
40 has retired so we are moving to a contest format similar to the upland game bird and habitat  
41 stamps. The proposed temp rules are based off the upland game bird OARs with a few minor  
42 modifications.

43  
44 **21. 635-019-0090**

45 **Spring Chinook Fisheries Re-Open in the Imnaha River**

46 Adopted June 30, 2014: effective July 5, 2014 through September 1, 2014

1 This amended rule allows recreational anglers opportunity to harvest adipose fin-clipped adult  
2 Chinook salmon Saturday, July 5, and Sunday, July 6, 2014, which are in excess of the  
3 Department's hatchery production needs; and harvest adipose fin-clipped jack Chinook salmon  
4 in the Imnaha River from Saturday, July 5, 2014, until harvest guidelines are met.  
5

6 **22. 635-023-0128**

7 **2014 Columbia River Summer Recreational Fisheries Modified**

8 Adopted July 1, 2014: effective July 3, 2014 through July 31, 2014

9 This amended rule modifies the ongoing 2014 summer recreational salmon fishing seasons in  
10 the Columbia River. Modifications to regulations conform to regulation changes developed  
11 through this year's Pacific Fishery Management Council / North of Falcon process. Rule  
12 modifications were made consistent with Joint State Action taken July 1, 2014 by the Columbia  
13 River Compact, Departments of Fish & Wildlife of the States of Oregon and Washington.  
14

15 **23. 635-042-0027**

16 **Columbia River Mainstem Summer Commercial Drift Net Fishery Authorized**

17 Adopted July 1, 2014: effective July 7, 2014 through July 31, 2014

18 This amended rule sets a non-Indian commercial summer salmon drift gill net season for the  
19 mainstem Columbia River in Zones 1 thru 5. The season will commence at 7:00 p.m., Monday,  
20 July 7, and run through to 7:00 a.m., Tuesday, July 8, 2014 (12 hours). Allowed sales from this  
21 fishery include Chinook salmon, sockeye salmon, and shad. Rule modifications were made  
22 consistent with Joint State Action taken July 1, 2014 by the Columbia River Compact,  
23 Departments of Fish & Wildlife of the States of Oregon and Washington.  
24

25 **24. 635-023-0095**

26 **Recreational Sturgeon Fisheries Open in the Bonneville Pool and The Dalles Pool  
27 Closes**

28 Adopted July 1, 2014: effective July 11, 2014 through December 31, 2014

29 This amended rule authorizes two 2-day recreational white sturgeon retention fisheries in the  
30 Bonneville Pool and closes the recreational white sturgeon fishery in The Dalles Pool of the  
31 Columbia River. Fishing is allowed in the Bonneville Pool from Friday, July 11 through  
32 Saturday, July 12 and from Friday, July 18 through Saturday, July 19, 2014. The Dalles Pool  
33 sturgeon fishery closes at 12:01 a.m. Friday, August 1, 2014. Revisions are consistent with  
34 action taken July 1, 2014 by Columbia River Compact agencies of the States of Oregon and  
35 Washington.  
36

37 **25. 635-019-0090**

38 **Spring Chinook Fishery to Re-open In the Lower Grande Ronde River**

39 Adopted July 2, 2014: effective July 5, 2014 through September 1, 2014

40 This amended rule allows recreational anglers opportunities to harvest adipose fin-clipped  
41 adult Chinook salmon and adipose fin-clipped jack Chinook salmon originating from the  
42 Lostine River, which are in excess of the Department's hatchery production needs, in the  
43 Lower Grande Ronde River beginning Friday, July 5, and ending Monday, July 7, 2014.  
44

45 **26. 635-095-0125**

46 **Amend Rules to Change Area of the Trask Wildlife Management Unit Open During  
47 General Bow Season**

1 Adopted July 7, 2014; effective July 7, 2014 through November 1, 2014  
2 OAR chapter 073 incorporates, by reference, the requirements for bow and muzzleloader  
3 hunting set out in the document entitled “2014 Oregon Big Game Regulations,” into Oregon  
4 Administrative Rules. The following rule amendment is to correct an error in the 2014 Big  
5 Game Regulations: (1) *The entire Trask Wildlife Management Unit (Unit) has historically been*  
6 *open during the General Bow Season. In the 2014 Big Game Regulations on page 80 the*  
7 *“Trask” was inserted into the wrong place in a sentence resulting in only the area of the Unit*  
8 *within the National Forest (NF) designating as open. This amendment is needed to change the*  
9 *open area of the Trask Unit to the entire Unit.* These temporary rules are needed to make  
10 archery seasons consistent with the information and proposals provided to the public, hunters,  
11 and the Commission.  
12

13 **27. 635-095-0125**  
14 **Amend Rules to Correct Habitat Conservation Stamp Price through 2014**

15 Adopted July 7, 2014; effective July 7, 2014 through December 31, 2014  
16 This rule amendment is necessary to correct the price of the Habitat Conservation Stamp  
17 through 2014. Starting January 1, 2015, the price of the stamp will be reduced and will not  
18 include the Wildlife Parking Permit. These rules will allow interested persons to purchase the  
19 stamp and receive the Parking Permit through December 31, 2014.  
20

21 **28. 635-021-0090**  
22 **Additional Harvest Opportunity for Holbrook Reservoir During Recreational Fishing**  
23 **Season**

24 Adopted July 9, 2014: effective July 11, 2014 through December 31, 2014  
25 This amended rule liberalizes daily catch or possession limits and gear types, and removes  
26 size limits for game fish in Holbrook Reservoir from July 11 through December 31, 2014.  
27 These rule modifications will aid in reducing fish stocks prior to the reservoir becoming dry.  
28 This reservoir is used for irrigation but water levels are usually held high to maintain a fishery  
29 for stocked rainbow trout. This fishery was created through a *Memorandum of Understanding*  
30 (MOU) with the irrigator in 1981. The irrigator notified Oregon Department of Fish and Wildlife  
31 June 30, 2014, per MOU conditions, that he would likely use all of the water in the reservoir.  
32 This has only occurred three times over a 33 year span.  
33

34 **29. 635-023-0128**  
35 **2014 Columbia River Summer Recreational Fisheries Modified**

36 Adopted July 9, 2014: effective July 11, 2014 through July 31, 2014  
37 This amended rule modifies the ongoing 2014 summer recreational salmon fishing seasons in  
38 the Columbia River. Modifications to regulations conform to regulation changes developed  
39 through this year’s Pacific Fishery Management Council / North of Falcon process. Rule  
40 modifications were made consistent with Joint State Action taken July 9, 2014 by the Columbia  
41 River Compact agencies of the Departments of Fish & Wildlife for the States of Oregon and  
42 Washington.  
43

44 **30. 635-041-0076**  
45 **Columbia River Zone 6 Treaty Indian Summer Commercial Gill Net Fishery Authorized**

46 Adopted July 9, 2014: effective July 14, 2014 through July 31, 2014

1 This amended rule authorizes the sales of fish caught in a treaty tribal commercial gill net  
2 fishery set for all of Zone 6 of the Columbia River from 6:00 a.m., Monday, July 14 through to  
3 6:00 p.m., Friday, July 18 (4.5 days). Modifications are consistent with action taken July 9,  
4 2014 by the Columbia River Compact, the Departments of Fish & Wildlife for the States of  
5 Oregon and Washington in cooperation with the Columbia River Treaty Tribes.  
6

7 **31. 635-042-0027**

8 **Columbia River Mainstem Summer Commercial Drift Net Fisheries Authorized**

9 Adopted July 9, 2014: effective July 14, 2014 through July 31, 2014

10 This amended rule sets two non-Indian commercial summer salmon drift gill net periods for the  
11 mainstem Columbia River in Zones 1 through 5. The first period will commence at 7:00 p.m.,  
12 Monday, July 14, and through to 7:00 a.m., Tuesday, July 15, 2014 (12 hours); the second  
13 period will commence at 7:00 p.m., Monday, July 21, and run through to 7:00 a.m., Tuesday,  
14 July 22, 2014 (12 hours). Allowed sales from these fisheries include Chinook salmon, sockeye  
15 salmon, and shad. Rule modifications were made consistent with Joint State Action taken  
16 July 9, 2014 by the Columbia River Compact agencies of the Departments of Fish & Wildlife  
17 for the States of Oregon and Washington.  
18

19 **32. 635-023-0095**

20 **Housekeeping Corrections to Recreational Sturgeon Fishery Rules for the Columbia**  
21 **River**

22 Adopted July 14, 2014: effective July 14, 2014 through December 31, 2014

23 This amended rule contains modifications in keeping with guidance from the Office of the  
24 Legislative Counsel in the use of the term “effective” within the body of the rule to describe  
25 beginning dates of fishing periods or seasons. Where appearing, the phrase “effective on” was  
26 replaced with the phrase “during the period from.” And, where an end date for a fishery has not  
27 yet been determined the phrase “until further notice” was used. Revisions are consistent with  
28 an email received from Maureen McGee, Deputy Legislative Counsel, with the Office of the  
29 Legislative Counsel.  
30

31 **33. 635-023-0134**

32 **Recreational Spring Chinook Fishery Closes in the Snake River Below Hells Canyon**  
33 **Dam**

34 Adopted July 16, 2014: effective July 21, 2014 through September 30, 2014

35 This amended rule closes the recreational spring Chinook salmon fishery on the Snake River  
36 in the area from the Dug Bar Boat Ramp upstream to the deadline below Hells Canyon Dam  
37 effective at 11:59 p.m., July 27, 2014, to coincide with the state of Idaho's closure of this  
38 fishery.  
39

40 **34. 635-019-0090**

41 **Imnaha and Wallowa Rivers Sport Chinook Fisheries Close**

42 Adopted July 16, 2014: effective July 21, 2014 through September 30, 2014

43 This amended rule closes the recreational spring Chinook fisheries in the Imnaha and Wallowa  
44 rivers effective 11:59 p.m., Sunday, July 27, 2014. The fish runs have progressed in each river  
45 where most fish are currently out of the fishery management areas.  
46  
47

- 1 **35. 635-023-0130**  
2 **2014 Columbia River Fall Recreational Salmon Seasons Set**  
3 Adopted July 16, 2014: effective August 1, 2014 through December 31, 2014  
4 This amended rule sets the 2014 fall recreational Chinook salmon season regulations for the  
5 mainstem Columbia River, effective August 1, 2014. Modifications were based on *2014 Non-*  
6 *Indian Columbia River Summer/Fall Fishery Allocation Agreement (5/30/14)* that was  
7 developed during the Pacific Fisheries Management Council (PFMC) and North of Falcon  
8 (NOF) meetings. Fall fisheries in 2014 are structured to optimize the harvest of Chinook, coho  
9 and steelhead within Endangered Species Act (ESA) limits and to provide a balanced  
10 opportunity for the fishers.  
11
- 12 **36. 635-041-0076**  
13 **Columbia River Zone 6 Treaty Indian Summer Commercial Gill Net Fishery Authorized**  
14 Adopted July 17, 2014: effective July 21, 2014 through July 31, 2014  
15 This amended rule authorizes the sales of fish caught in a treaty tribal commercial gill net  
16 fishery set for all of Zone 6 of the Columbia River from 6:00 a.m., Monday, July 21, through  
17 6:00 p.m., Friday, July 25 (4.5 days). Modifications are consistent with action taken July 17,  
18 2014 by the Columbia River Compact, the Departments of Fish & Wildlife for the States of  
19 Oregon and Washington in cooperation with the Columbia River Treaty Tribes.  
20
- 21 **37. 635-023-0130**  
22 **Skipanon River Angling Regulations Modified Effective August 1, 2014**  
23 Adopted July 17, 2014: effective August 1, 2014 through December 31, 2014  
24 This amended rule conforms sport fishing regulations for the lower Skipanon River to those  
25 already set for the lower Columbia River in the area from Buoy 10 upstream to the Tongue  
26 Point-Rocky Point line.  
27
- 28 **38. 635-004-0375**  
29 **Directed Commercial Sardine Fishery First Allocation Period of the 2014-2015 Season**  
30 **Closes**  
31 Adopted July 21, 2014: effective July 22, 2014 through September 30, 2014  
32 This amended rule closes the first allocation period of the directed commercial sardine fishery  
33 for the 2014-2015 seasons effective at 12:01 a.m., Wednesday, July 23, through Sunday,  
34 September 14, 2014. Modifications are needed to conform to Oregon State regulations to  
35 federal rule changes announced on July 21, 2014 by the National Marine Fisheries Service  
36 (NMFS).  
37
- 38 **39. 635-004-0355**  
39 **Cumulative Trip Limits for Black and Blue Rockfish Combined in Periods 4 through 6**  
40 **Increased**  
41 Adopted July 23, 2014: effective August 1, 2014 through December 31, 2014  
42 This amended rule increases the 2014 nearshore commercial fishery cumulative trip limits for  
43 black rockfish and blue rockfish combined from 1,600 to 2,100 pounds in period 4; from 1,200  
44 to 2,100 pounds in period 5; and from 1,000 to 1,800 pounds in period 6. An Industry Notice  
45 dated July 25, 2014 is being distributed to all commercial groundfish fishers and processors.  
46
- 47 **40. 635-041-0076**

1 **Columbia River Zone 6 Treaty Indian Summer Commercial Gill Net Fishery Authorized**

2 Adopted July 23, 2014: effective July 28, 2014 through July 31, 2014

3 This amended rule authorizes the sales of fish caught in a Treaty tribal commercial gill net  
4 fishery set for all of Zone 6 of the Columbia River from 6:00 a.m., Monday, July 28, through  
5 6:00 p.m., Thursday, July 31 (3.5 days). Modifications are consistent with action taken July 23,  
6 2014 by the Columbia River Compact, the Departments of Fish & Wildlife for the States of  
7 Oregon and Washington in cooperation with the Columbia River Treaty Tribes.

8  
9 **41. 635-042-0027**

10 **Columbia River Mainstem Summer Commercial Drift Net Fisheries Authorized**

11 Adopted July 23, 2014: effective July 28, 2014 through July 31, 2014

12 This amended rule sets a non-Indian commercial summer salmon drift gill net period for the  
13 mainstem Columbia River in Zones 1 through 5. The period will commence at 7:00 p.m.,  
14 Monday, July 28, and run through to 7:00 a.m., Tuesday, July 29, 2014 (12 hours). Allowed  
15 sales from these fisheries include Chinook salmon, sockeye salmon, and shad. Rule  
16 modifications were made consistent with Joint State Action taken July 23, 2014, by the  
17 Columbia River Compact agencies of the Departments of Fish & Wildlife for the States of  
18 Oregon and Washington.

19  
20 **42. 635-004-0375**

21 **Maximum Allowable Retention of Incidentally Caught Sardines is Reduced**

22 Adopted July 29, 2014: effective August 1, 2014 through September 30, 2014

23 This amended rule reduces the maximum allowable retention of sardines landed when fishing  
24 for other species. A previous Temporary Rule closed the first allocation period from  
25 Wednesday, July 23, through September 14, 2014. However, further modifications are needed  
26 to conform to Oregon's regulations to federal rule changes for the sardine fishery announced  
27 by the National Marine Fisheries Service (NMFS) on July 25, 2014. Maximum allowable  
28 retention of sardines is 20% per landing (by weight) beginning Thursday, July 31, through  
29 Sunday, September 14, 2014. Modifications are also needed to avoid the closures of fisheries  
30 for Pacific mackerel, jack mackerel, and other species due to attainment of the maximum  
31 incidental set aside for sardines allowed under federal rule.

32  
33 **43. 635-006-0212, 635-006-0215, and 635-006-0225**

34 **Commercial Sales of Dressed Salmon and Steelhead by Columbia River Treaty Tribal**  
35 **Fishers Allowed**

36 Adopted July 29, 2014: effective August 1, 2014 through December 31, 2014

37 These amended rules allow commercial sales of gilled and gutted Columbia River salmon and  
38 steelhead caught by treaty tribal members to wholesale fish dealers, canners, and buyers.  
39 Modifications also require wholesale fish dealers, canners, and buyers to report totals of fish  
40 purchased in round eights on the Fish Receiving Ticket using a conversion factor of 1.17.

41  
42 **44. 635-041-0045 and 635-041-0075**

43 **Columbia River Treaty Indian Fall Commercial Fisheries Authorized**

44 Adopted July 29, 2014: effective August 1, 2014 through October 31, 2014

45 These amended rules authorize the sales of fish caught in fall treaty tribal platform commercial  
46 fisheries set for the Columbia River from Friday, August 1, through Friday, October 31.

47 Modifications are consistent with action taken July 29, 2014 by the Columbia River Compact

1 agencies, the Departments of Fish & Wildlife for the States of Oregon and Washington in  
2 cooperation with the Columbia River Treaty Tribes.

3  
4 **45. 635-042-0031**

5 **Early Fall Commercial Drift Gill Net Seasons Set for the Mainstem Columbia River**

6 Adopted July 29, 2014: effective August 1, 2014 through August 31, 2014

7 This amended rule sets the 2014 early fall commercial salmon drift gill net season for the  
8 Columbia River mainstem in Zones 4 through 5. The first authorized fishing period begins at  
9 9:00 p.m., Sunday, August 3, 2014 with further fishing periods scheduled through 6:00 a.m.,  
10 Friday, August 22, 2014. Authorized sales include Chinook, coho, pink and sockeye salmon  
11 and shad.

12  
13 *Action:*

14 *Commissioner Webber moved to adopt all 45 temporary rules. Commissioner Akenson*  
15 *seconded the motion, and the motion carried unanimously.*

16  
17 **PUBLIC FORUM**

18 *Note: This part of the agenda is for comments on topics not scheduled elsewhere on the*  
19 *agenda. The Commission is unable to take action on items brought to their attention in this*  
20 *forum.*

21

|  |  |
|--|--|
| Ty Stubblefield, OHA<br>Field Administrator,<br>Medford Oregon<br><br>Al Elkins, OHA,<br>Wilsonville, Oregon   | We oppose any black-tail deer bag limit changes that will result in the taking of more black-tail deer. The proposed change is moving the spike designation from the controlled antlerless hunt to the general season buck hunt that will result in the taking of more spike deer. According to harvest reports and field surveys the black-tail population has steadily decreased since 2004. We ask the Commission to reject the ODFW proposed western Oregon deer bag limit changes to the black-tail deer general rifle season at the October Commission meeting.  |
| Bob Rees, Executive<br>Director of Association of<br>Northwest Steelheaders,<br>Board Member of<br>Northwest Sport Fishing<br>Industry Association,<br>Former President, and<br>Board Member,<br>Northwest Guide and<br>Anglers Association<br>Tillamook Oregon, | We didn't view the spill experiment as an experiment at all as a testament to the returns that we will see in August with a record return of fall Chinook and of sockeye salmon that is nearly complete. We are fully supportive of this agency and the advocacy efforts that it has produced in collaboration with the tribes and the sport fishing community to go forward with this spill experiment. We will enter the federal court system for the fourth time with a three for three victories in opposition of the federal government's biological opinion which we believe severely compromises its capability for the recovery of wild Snake River salmon. The sports fishing community strongly believes there is not a single greater opportunity to recover fish that an adequate flow and spill strategy on the mainstem of the Columbia and the science backs that up. If there is any level of collaboration and agreement between competing interests of user groups on the mainstem of the Columbia River it exists around the need for management strategy |

|  |   |
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|  | <p>that incorporates conditions that these fish evolved in and that is adequate flow spill. I do not know a more transparent agency that provides incredible outreach to the public and to its constituents than ODFW. We have the greatest trust in this agency to do right by fish.</p> <p><b>Chair Levy</b><br/> We have a spill going on that's been in the process and we're seeing a dramatic increase already in the current spill. The spill that ODFW is recommending is a much greater increase to 125% versus what it is now. Why not continue with the current spill program and see if it continues to work without bringing up a larger spill?</p> <p>We are very cohesively in agreement with you as a Commission and as a department about how important it is to be economically viable for the fishing industries. However, in my county, this spill issue will dramatically affect financially, the farmers and the ranchers in my area. How do you justify that?</p> <p><b>Bob Rees</b><br/> There definitely has to be a balance, and those have to be weighed against the benefits that are provided to the economics of the sport and commercial fleet downstream.<br/> There is no sign that even this flow and spill regime will bring about full recovery for these species.</p> <p>I think if you did the cost benefit analyses that the Senators are asking for and you include the trickle down opportunities that exists with other communities up and down the Columbia basin as well as the west coast that these fish provide for I think that you would see that the benefits of a proper flow and spill regime would outweigh some of the negative impacts that you are referencing.</p> |
| <p>Steve Fick, Salmon for All and Westfood Seafood Processors Association, Astoria, Oregon</p> | <p>As we potentially change fisheries we need to do it in a very constructive manner. We have a 17% poverty level in Clatsop County, 40% of the children live in poverty and we want to maximize all the opportunities. As we are putting more and more fish in the select areas we need to address the predation issue both with adults and with the out migrating smolts. You're creating a food trough. The cormorant's effect on the smolts is tremendous in the springtime. The California sea lions are returning sooner and staying later. We are not really addressing it at this point. I am involved in Alaska fishers as well, when you produce artificial fisheries it should be spread out just as in nature. Essentially you're putting all your marbles in one bag and that's what is happening, particularly in Youngs Bay. The tremendous disappointment in the commercial fishery this spring and there was nowhere else. We</p>  |

need to have adaptive management as soon as possible on these as we progress.

1  
2 **Exhibit A: COMMISSION MINUTES**

3  
4 *Action:*

5 *Commissioner Webber moved to approve the minutes of the April 25, 2014 meeting and the*  
6 *minutes of the May 16, 2014 minutes Commissioner Wolley seconded the motion and the*  
7 *motion passed unanimously by a vote of six.*  
8

9 **Exhibit B: 2015-2017 PROPOSED AGENCY BUDGET**

10 *Presenters: Debbie Colbert, Deputy Director for Administration*  
11 *Ron Anglin, Wildlife Division Administrator*  
12 *Ed Bowles, Fish Division Administrator*  
13

14 *Debbie Colbert provided a PowerPoint presentation outlining the 2015-2017 strategies for*  
15 *balancing the budget, highlighting public comments and adjustments, Policy option packages*  
16 *and Program priorities. This presentation is available in the meeting materials and at*  
17 [http://www.dfw.state.or.us/agency/commission/minutes/14/08\\_august/Exhibit%20B%20-](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20B%20-%20Proposed%20Agency%20Budget.pdf)  
18 [%20Proposed%20Agency%20Budget.pdf](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20B%20-%20Proposed%20Agency%20Budget.pdf)  
19

20 **Annual Pride Awards**

21 Director Roy Elicker  
22

23 **Individual Pride Awards**

|                       |   |
|-----------------------|---|
| 24 Terry Blessing     | East Region                             |
| 25 Christopher Claire | West Region                             |
| 26 Keith DeHart       | East Region                             |
| 27 Debbi Farrell      | Salem Headquarters (HQ) – Fish Division |
| 28 Jon Germond        | HQ – Wildlife Division                  |
| 29 Bruce Johnson      | East Region                             |
| 30 Cathy Kennedy      | HQ – Administrative Services Division   |
| 31 Art Martin         | HQ – Wildlife Division                  |
| 32 Steve Niemela      | West Region                             |
| 33 Pete Samarin       | West Region                             |
| 34 Dave Van Amburgh   | West Region                             |

35  
36 **Director's Pride Award**

37 Roblyn Brown East Region  
38

39 **Team Pride Awards**

40 Business Operations Team: Alan Hansen, Marcus Jones, Christian Nasset, Jessica Perkins,  
41 Patty Whalen and Ashley Pritt  
42

43 **Sandy Hatchery Broodstock Management Team**

1 Todd Alsbury, Neal Berg, Michael Hayworth, Matthew Lackey, Nathan McCarty, Jonathan  
2 Paquette, Ben Walczak, Jordan Wheeler

3  
4 **Willamette River Sea Lion Hazing Team**

5 Jeff Boechler, Ryan Cecil, Genevieve Currall, Allen Gillette, Hayden Howell, Bret “Red” Kulper,  
6 Dylan Little, Tom Murtagh, Elizabeth Torrey

7  
8 **Director’s Team Pride Award**

9 Oregon Chub Team: Brian Bangs and Paul Scheerer.

10  
11 **Volunteer Leader Award**

12 Jeff Fulop West Region

13  
14 **Dave Liscia Award:**

- 15 1. Friends of Ladd Marsh – Mary Hoverson, Cindy Frick, Cathy Nowak, Adrienne Averett,
- 16 Jim Akenson, Karen Antell, Mark Penninger, Renee Coxen
- 17 2. Traditional Archers of Oregon - Rich Thompson, Kevin Thompson
- 18 3. Marine Fisheries – Ron Mason
- 19 4. Wild Wings Raptor Rehabilitation - Gary Landers.
- 20 5. Oregon Foundation for North American Wild Sheep (OR-FNAWS) - George Houston,
- 21 Larry Jacobs, Andy Weibel

22  
23 **Exhibit B: 2015-2017 PROPOSED AGENCY BUDGET - continued**

24  
25 **Public Testimony:**

|  |  |
|--|--|
| <p>Al Elkins, OHA,<br/>Wilsonville, Oregon</p> | <p>Oppose the fee increase proposal. There are many reasons, but in summary from the public comments we’ve been receiving is the cost is getting too high and the opportunity to see or harvest is dwindling.</p> <p><b>Chair Levy</b><br/>I would ask, that since you don’t support the fee increases, what suggestion do you have about getting those missed dollars into our budget?</p> <p><b>Al Elkins</b><br/>I’m currently working with a group of other associations, working with the Governor’s office to get more general fund for the department’s budget.</p> |
| <p>George Houston, OR-FNAWS, Sandy, Oregon</p> | <p>We’d like to thank the agency and the Commission for the pass-through funding headed toward Wildlife Services for the biennium. Ag is a very valuable economic resource and certainly warrants effective protection and wildlife is a publicly owned resource and enjoyed by many people. It’s logical to help find the balance between people and nature, minimize damage to people whose livelihood helps support wildlife. Wildlife Services is a federal</p>  |

|  |   |
|--|---|
|  | <p>program that involves cooperation among federal, states and local government and individuals to resolve problems caused by wildlife. The funding stream that you have afforded Wildlife Services is very much appreciated.</p> <p>The general funds wildlife services receive from ODA and ODFW help keep 27 wildlife service position based in 26 of 36 Oregon counties. Also, every dollar received annually, Wildlife Service adds \$9.2 from other state, local and federal sources.</p> <p>Early predation management integrated with habitat management pays big dividends to the conservation and recovery of threatened and endangered species. Understanding the benefits and cost of predation management not only for sportsman, agriculturalist and decision makers but ordinary citizens as well, actively supporting Wildlife Services is a very good investment in wildlife management in general and the economy of Oregon specifically.</p> |
| Rod Moore, WCSPA, Portland Oregon  | Supports the commercial fee proposal in attachment 5. They recognize the issues that ODFW faces. We think we've developed a way to raise both the Ad Valorem rates and the license and permit fees to make up the short fall. We ask the Commission to support it as a package.   |
| Bruce Polley, CCA, Sherwood, Oregon  | Has left the meeting, but did provide written testimony in lieu of public testimony   |
| Tom Wolf, Executive Director of the Oregon Council of Trout Unlimited, Hillsboro, Oregon | Supports the license fee increases because we recognize it's an important of the three prongs that we need to keep this agency going. We feel that there needs to be a serious look of the management of hatcheries by looking at ways to save money by shutting down unnecessary programs, cutting overall costs because it's the largest part of the fishery division as far as the money being spent.  |
| Ninette Jones, public citizen, Portland, Oregon  | Has left the meeting, but did provide written testimony in lieu of public testimony   |
| Kathleen Bennett, public citizen, Portland, Oregon                                       | Has left the meeting, but did provide written testimony in lieu of public testimony.  |
| Ryan Gordon, Executive Director of Network of Oregon Watershed Council, Salem Oregon     | We oppose the proposed cuts in technical staff which provide essential technical assistance to councils in districts statewide. ODFW technical staff are an essential partner, If some of those technical positions are eliminated it will become increasingly difficult for the councils to accomplish some of the restoration projects they are doing. Oregon has made some very important  |

|   |  |
|---|--|
|   | decisions about investing in watershed restoration. The proposed cuts to staff positions will eliminate support for critical long-term investments that have been made in restoration and will jeopardize the continuity of the capacity it's needed to maintain those investments in the future.  |
| Lisa Phipps, Executive Director for Tillamook Estuaries Partnership Garibaldi, Oregon                   | Oppose the proposed staff reductions. In the presentation it was stated that there would be a 2% staff reduction in field staff across the board, but in Tillamook office there are currently seven positions in the fish program, that reduction will take us down to three, which is a 57% reduction in the staff available to help community partners move forward the mission of ODFW. This is going to result in a loss of service, a reduction in the number of projects that are going to get on the ground which results in a reduction in the amount of money that's going to be coming into local economies. It will impact our ability to fulfill future goals. |
| Eric Riley, Executive Director for the Partnership for the Umpqua Rivers Roseburg, Oregon               | Oppose the cuts to the Western Oregon Stream Restoration Program (WORSP) and the staff members involved. The ODFW staff which are involved in this program are critical in the restoration teams up and down the coast in Oregon not just in the Umpqua base. They bring technical expertise that many watershed councils don't have and they collaborate in a manner that is not often done with non-profit organizations in state or federal agencies which has been critical in the success. They facilitate leveraging not only funding but partnerships for restoration efforts up and down the coast.  |
| Melysssa Graeper, Executive Director of the Necanicum Watershed Council in Seaside Prairie City, Oregon | Oppose the proposed staff reductions. Those reductions will impact the north coast severely. I urge you re-evaluate the elimination of the Western Oregon Stream Restoration Program (WOSRP). That sends a clear message to the partners that participated in that program that ODFW is no longer committed in supporting habitat restoration. Without the staff our ability to address many of these issues will be drastically reduced which in turn will increase our implementation timelines. The ODFW staff is critical to our success in many ways from grant writing, designing or vetting projects and plans and permits.   |
| Alex Suffora, Nestucca Watershed Council, Pacific City, Oregon  | Opposed to the staff reductions. The loss of the essential assistance provided by the ODFW staff will materially affect the function and products of watershed councils. It would be more beneficially to spread out any cuts across the equally across the state.   |
| Bruce Taylor, Defenders of Wildlife,  | Conservation is directly linked to future hunting and fishing opportunities. I was pleased to see the policy option package for  |

|  |   |
|--|---|
| West Linn, Oregon  | the Oregon Conversation Strategy. Many of us in the conservation and hunting and fishing communities have been going to the legislature to compliment the department but to also urge their support in that program.  |
| Bob Rees, Executive Director of Association of Northwest Steelheaders, Tillamook Oregon, | <p>We have no position specifically on the ODFW budget, but we do have a few concerns as to what was presented.</p> <p>The drastic staff reductions in the North Coast Habitat Restoration and Conservation programs equates to a 69% reduction for the North Coast basin. Contributions of travel generated expenditures in Oregon on the North Coast are greater than any other section of the state of Oregon, between wildlife viewing, shell fishing, hunting and sport fishing, near \$140 million annually. It's a very key region of the state for the membership I represent and the general sport angler in Oregon. It's a very highly sought after region that needs to have that investment of habitat restoration particularly given the intrinsic value that exists on the north coast given the fact that habitats are encompassed in a tepid rain forest.</p> |

**Discussion:**

**Vice Chair Finley**

In regards to the testimony we just heard from the watershed councils about their concerns on the proposed staff reductions, can the monitoring positions be structured like a split position that can accomplish monitoring and do some of the coordinating with these groups?

**Ed Bowles**

The ability to function in a dual purpose is difficult to have the scientific integrity of annual data collections required for the science behind assessing the status of our fish and our habitats. If you're doing it as multiple priorities relative to other demands. It's not that it can't be done; it just compromises the integrity of the monitoring program. In general we tend to not look for state backfill of reduced federal programs so instead we are shifting federal dollars from these habitat functions to the monitoring functions.

**Vice Chair Finley**

You brought up the general fund (GF) and we have a statutory responsibility for game and non-game species. Today, the number one activity growing in the US in tourism is bird watching.

There are a lot of businesses that benefit that aren't really directly aligned with the taking of fish and wildlife but the observation of wildlife.

It has me wondering if we as an agency looked at building relationships with what I call unnatural allies that would support legislatively and politically benefits that accrue just outside of the sport game community

**Debbie Colbert**

1 As an agency over the last several years we have tried to do more to increase the awareness  
2 of the economic benefits, not only hunting and fishing but also wildlife viewing. We can  
3 continue to do more. The fact that we are asking for GF, we are really going to force that  
4 conversation more in the Governor's office and ultimately with the Legislature.  
5

6 **Vice Chair Finley**

7 Did you look at the trapping fees not in terms of the activity but in terms of it being a  
8 commercial operation? It's recreational but it's also commercial.  
9

10 **Ron Anglin**

11 We approached it from the recreational side and we did not look at it strictly from the  
12 commercial side.  
13

14 **Commissioner Wolley**

15 In regards to Policy Option Package (POP) 128; the Lower Deschutes River Ranch Acquisition  
16 option package. What are the benefits of it and what happens if we don't acquire it?  
17

18 **Ron Anglin**

19 It contains five different strategy habitats that includes grasslands, sage brush, oak woodland,  
20 fresh water aquatics and riparian. The species include bull trout, ferruginous hawks, Lewis's  
21 woodpecker, summer steelhead, and sagebrush lizard. In addition, it's primary winter range for  
22 sustainable number of elk, mule deer and big horn sheep. If it's not acquired, it would stay in  
23 private hands, and conservations easements up on top with some the agricultural lands that  
24 are currently in place would stay in place even though we would acquire the property. If those  
25 expire, there is a lot of pressure to develop lands like this into different uses. They don't make  
26 river front footage anymore and anytime you can get a significant amount of those types of  
27 lands into public ownership, especially in conjunction with BLM ownership it really does fit well  
28 within the public benefit, recreational standpoint. Also it is some of the last oak woodlands that  
29 side of the Deschutes River Canyon.  
30

31 **Commissioner Wolley**

32 There isn't an immediate threat, but it has a high value for development and this is a more  
33 proactive approach?  
34

35 **Ron Anglin**

36 The land owners are going to sell it. We do know that for sure. We have conservation partners  
37 who identify this as a high priority. It fits within the Oregon Conservation Strategy. It fits within  
38 our fish plans, and our wildlife plans. We have an opportunity for a small portion of the funding  
39 to kick in and help make that happen.  
40

41 **Commissioner Wolley**

42 How well did we communicate to our stakeholders and constituents of how the values, and the  
43 demographics are all changing, to help them understand the direction we are going in terms of  
44 opportunity and strategy so they have a better handle on these budget proposals?  
45

46 **Ron Anglin**

1 From a wildlife standpoint, I would say that we've done an adequate job and have had good  
2 discussions with organized groups and constituents about the direction the State and the  
3 agency is going. Primarily some of the things we've discussed are the things we can control,  
4 like predator numbers and how that influences population of the wildlife. We've discussed with  
5 the hunting community the populations of the deer and elk and the challenges and factors that  
6 are affecting those wildlife populations. We've discussed with land owners the challenges that  
7 are on both sides, because with more deer and elk, they are seeing increased damage from  
8 those populations. Overall we've been doing an adequate job in trying to explain the purpose  
9 and direction of the fee increases.

10  
11 **Commissioner Wolley**

12 In the public correspondence from my area, the North Willamette, it was stated that there is  
13 currently no charge for fish passage permits. Could the department consider a line item charge  
14 with DSL to cover some of ODFW's staff's time in reviewing and consulting on jurisdiction  
15 responsibilities that involve removal and fill? A small nominal charge could help to offset staff's  
16 time that they take to review those.

17  
18 **Commissioner Anderson**

19 In regards to the policy option package on the Coastal Species Plan, will part of those funds  
20 support the new hatchery programs for the spring chinook in Yaquina and Coos?

21  
22 **Ed Bowles**

23 That is correct. Part of the addition you received today includes within that POP, general fund  
24 asked for those two additions is only the portion of those that our agency would be the  
25 stewards of the fish. For example, the egg take in the early rearing, then we'd still waiting  
26 infrastructure within those two areas for the acclimation sites that the STEP groups would be  
27 working on.

28  
29 **Commissioner Anderson**

30 That may not have been well represented in early budget meetings, at least in my area in  
31 Yaquina. People might have been more vocally opposed to a new hatchery program. If we are  
32 creating policy space for it as long as we are not using public funds for it, but it seemed to  
33 suggest that would have been fully funded with private funds. It's a huge deal, and I just  
34 wanted that on the record.

35  
36 **Ed Bowles**

37 The way those two programs were characterized through the stakeholder process as new  
38 programs and would require money. We didn't discuss if that would be general funds (GF) or  
39 not. The main message made is that it would have to be stakeholder driven that would be  
40 pursued. Jim Wright, Salmon for Oregon is aggressively pursuing that on his own with coastal  
41 legislators. The Trask piece in the Tillamook and the Nestucca piece are outside of that which  
42 is something we always had planned to pay for ourselves.

43  
44 **Chair Levy**

45 The Oregon Conservation Strategy and the wolf program. The Conservation Program is  
46 ranked number 17 and we are not asking for general funds for it but yet it affects the whole  
47 state. I think there should be a GF ask for that.

1  
2 Wildlife Services, they are very critical for my side of the state. I see we are asking for GF but I  
3 don't see any federal funds. Have we had that in past?  
4

5 **Ron Anglin**

6 I can't speak for Wildlife Services budget but there are three major partners. Wildlife Services  
7 is the main one. Then the counties that want to participate in the Wildlife Services program,  
8 come up with money, the bulk of the money is to help fund an agent in their county. Then the  
9 state of Oregon through the Department of Agricultural and ODFW also provide money. The  
10 money gets split equally among all the participating counties.  
11

12 You are correct, there are no federal funds coming through the state, obviously Wildlife  
13 Services dollars are federal funds.  
14

15 **Chair Levy**

16 On our general fund ask for Wildlife Services, We are asking for \$428,000 is that correct, and if  
17 so, that doesn't seem like very much to me? For our wolf program, that's going to get more  
18 and more expensive because of the population growth that is occurring. We are getting no  
19 general funds for that program, and it's ranked at #23. How are we going to fund the Wolf  
20 Program?  
21

22 **Ron Anglin**

23 The wolf program is funded in two different ways. The primary funding comes through lottery  
24 funds and federal State Wildlife Grant funds which is the bulk of the wolf program. The  
25 assistant staff position is funded through licensed dollars and Pittman Robertson dollars. Our  
26 wildlife districts that are involved with the wolf program, are funded almost 100% in license  
27 dollars.  
28

29 **Commissioner Finley**

30 I support POP 120, however on POP 121; the irrigation districts have great interest in this  
31 policy option package. What about reprioritizing that \$1 million of POP121, to buy back the  
32 Western Oregon Stream Restoration Program positions?  
33

34 **Debbie Colbert**

35 Absolutely, the Commission as part of adjusting the agencies request, you could choose to not  
36 move that package forward, the North Canal Dam, and instead direct us to put that in as a  
37 POP to restore a portion of the Western Oregon Stream Restoration Program (WOSRP). The  
38 North Canal Dam project was \$1 million dollars. To buy back everything in the WOSRP and  
39 habitat conservation bios would be more along the lines of \$2.1 million. However, you could  
40 certainly say we'd like to not move POP 121 forward and instead move forward a POP to  
41 restore a portion of the WOSRP. That is absolutely an option for the Commission.  
42

43 **Chair Levy** supported it.  
44

45 **Ed Bowles**

46 I just want to remind all of you, this is a commitment we made as part of an agreement relative  
47 to this passage on a cost share with the two irrigation districts. If you move this direction,

1 perhaps also provide the latitude to follow up with the appropriate legal advice and other things  
2 relative to timelines.

3  
4 **Steve Sanders, Legal Counsel**

5 The North Canal screening was part of a settlement of a dispute with the irrigation districts that  
6 involved installing the in conduit hydro and is part of a longer term strategy on the department  
7 part to open the Deschutes It is part of a longer term strategy and that is why was aimed to  
8 and it is part of the settlement. In regards to what a delay would do, there is not specific time  
9 with in which ODFW would have to produce the share of the money.

10  
11 **Commissioner Webber**

12 If we kick this project down the road, are we going to have more money that suddenly we can  
13 do it? We are committed to do it at some point, and I'd really like to see some of the stream  
14 restoration people back, but I'm not sure that is the place where I would go.

15  
16 **Commissioner Finley**

17 I'm thinking of the political clout of the irrigation districts to later get the money from the  
18 legislature. That's what is in the back of my mind.

19  
20 **Commissioner Wolley**

21 What effect would it have on our partners that have expectations? That sounds like a concern  
22 at well, if their thinking this is something we would be making progress now in terms of our  
23 relationships.

24  
25 **Director Elicker**

26 It is very possible that the North Canal Dam project won't be prepared to move ahead until the  
27 2017-2019 biennium because there is quite a heavy lift in terms of how much money the  
28 irrigation districts have to come up with. This is the first step your approval of our budget then it  
29 goes to the Governor's budget and the Governor may resort our priorities. I think in view of the  
30 discussion by the Commission members of the importance supporting our partners on the  
31 north coast, with these WOSRP positions, I think it would be wise for the Commission to signal  
32 today that this an important priority for them and we'll deal with the North Canal issue with the  
33 Governor's office. At the end of the day the Governor will resort our budget to make it his  
34 budget. By reprioritizing that \$1 million fund and telling us to revamp the POP to buy back a  
35 portion of those WOSRP positions, this Commissions sending a signal to the Governor's office  
36 stating that it's a priority to retain those positions.

37  
38 **Debbie Colbert**

39 I feel that is good advice in terms of sending a message and recognizing that the Governor will  
40 have his own thoughts on our priorities but it would send a message if you chose to do that.

41  
42 **Chair Levy and the Commission** agree with Director Elicker and Debbie Colbert

43  
44 *Action:*

45 *Commissioner Finley moved that the Commission approve the 2015-2017 budget with an*  
46 *adjustment by asking the Governor to support strategies to maintain some level of functionality*  
47 *of the Western Oregon Stream Restoration Program, by reprogramming POP 121 and to add*

1 general funds to POP 116 for the Coastal Multi-Species plan. Commissioner Webber  
2 seconded the motion and the motion was carried unanimously.

3  
4 **Exhibit C: RESTORATION AND ENHANCEMENT PROJECT APPROVALS**

5 *Presenter: Kevin Herkamp, STEP and Restoration and Enhancement Program*  
6 *Coordinator*

7  
8 *Kevin Herkamp provided a PowerPoint presentation of the 2013-2015 Project Approval Cycle*  
9 *5 of 7, listing recommended restoration and enhancement projects. This presentation is*  
10 *available in the meeting materials and at*

11 [http://www.dfw.state.or.us/agency/commission/minutes/14/08\\_august/Exhibit%20C%20-](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20C%20-%20RandE%20Project%20Approvals.pdf)  
12 [%20RandE%20Project%20Approvals.pdf](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20C%20-%20RandE%20Project%20Approvals.pdf)

13  
14 Public Testimony: No public testimony was given.

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15  
16 **Discussion:**

17 **Commissioner Webber**

18 I couldn't determine who was providing the match.

19  
20 **Kevin Herkamp**

21 We will change that for future Commission meetings.

22  
23 **Commissioner Wolley**

24 Does the dam have any current function at all?

25  
26 **Kevin Herkamp**

27 They are both abandoned irrigation structures currently with no use and with very limited fish  
28 passage.

29  
30 *Action:*

31 Commissioner Anderson moved to approve the recommendations of the Fish Restoration and  
32 Enhancement Board. Commissioner Wolley seconded the motion and the motion was carried  
33 unanimously.

34  
35 **Exhibit D: 2015 OREGON SPORT FISHING REGULATIONS**

36 *Presenter: Michael Gauvin, Recreational Fisheries Program Manager*

37  
38 *Michael Gauvin provided a PowerPoint presentation for the 2015 Sport Fishing Regulations*  
39 *that included public involvement process, OAR's universal date change, and Statewide and*  
40 *Zone proposals. This presentation is available in the meeting materials and at*

41 [http://www.dfw.state.or.us/agency/commission/minutes/14/08\\_august/Exhibit%20E%20-](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20E%20-%20Coastal%20Salmon%20Fisheries%20Reqs.pdf)  
42 [%20Coastal%20Salmon%20Fisheries%20Reqs.pdf](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20E%20-%20Coastal%20Salmon%20Fisheries%20Reqs.pdf)

43  
**Public Testimony:**

|  |  |
|--|--|
| Anthony Hobbs,<br>President Oregon South | We support the proposal for the seasonal gear restriction for the<br>use of only fly and bobber angling only in the Chetco and |
|--|--|

|   |  |
|---|--|
| Coast Fishermen, Harbor Oregon                                | Winchuck river along with the harvest restriction of 1 adult non-adipose fin clipped Chinook salmon per day and 5 per year.  |
| Richard Heap, Oregon South Coast Fishermen, Brookings, Oregon | We would like to set aside the Chetco and Winchuck with a special regulation differing from other streams in that particular ESU, other than the Rogue, the Chetco is the only stream in that group that receives a supplementation planting of hatchery fish. During the course of development of the conservation plan, we set the Chetco aside with a higher hatchery escapement level than any other river or stream in that particular group of waters we dealt with. We did that to allow for the hatchery program. Our commitment is to do our very best to reduce up stream strays so we've gone to great lengths of putting in an acclimation pond to try and keep fish in the lower river we also would like to have regulation that will enhance the opportunity to remove wild fish and that's what we are bringing before you today and why we set out the Chetco and Winchuck specifically for a special regulation. |

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**Discussion:**  
**Vice Chair Finley**

Is the proposal that Richard Heap brought before us today, in the regulations proposed today, or are you planning to bring that forward at a later date?

**Michael Gauvin**

Yes, Richard Heap's proposal is included.

*Action:*

*Commissioner Wolley moved to adopt 2015 Oregon Sport Regulations as proposed by staff in Attachment 4 and authorize staff to make formatting changes, to correct spelling or grammar errors, address inadvertent inconsistencies, and improve readability. I also move to adopt OAR Chapter 635 Divisions 008, 011, 013, 014, 016, 017, 018, 019, 021, 023 and 039 as proposed by staff in Attachment 3, and to universally reflect the calendar dates for trout season openers as described and shown in Attachment 4. Commissioner Akenson seconded the motion and the motion was carried unanimously.*

**Exhibit E: 2014 COASTAL SALMON FISHERIES REGULATIONS**

*Presenter: Chris Kern, Fish Division Deputy Administrator (Columbia and Marine)*

*Chris Kern provided a PowerPoint presentation for the 2014 Coastal Chinook and Coho Fishery Regulations along with proposals. This presentation is available in the meeting materials and at*

*[http://www.dfw.state.or.us/agency/commission/minutes/14/08\\_august/Exhibit%20E%20-%20Coastal%20Salmon%20Fisheries%20Reqs.pdf](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20E%20-%20Coastal%20Salmon%20Fisheries%20Reqs.pdf)*

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

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*Action:*

Commissioner Akenson moved to adopt the 2014 regulations for fall Chinook in ocean terminal and inland fisheries and for coho in inland fisheries as proposed by staff in Attachments 4 (Chinook) and Attachment 5 (coho) and as reflected in the draft OAR's shown in Revised Attachment 3. Commissioner Anderson seconded the motion and the motion was carried unanimously.

**Exhibit F: COMMERCIAL DUNGENESS CRAB FISHERY REGULATIONS AND UPDATE ON PROPOSED LIMIT REFERENCE POINT POLICY**

*Presenters: Kelly Corbett, Commercial Dungeness Crab Project Leader  
Troy Buell, State Fisheries Management Program Leader*

*Kelly Corbett provided a PowerPoint presentation for the Commercial Dungeness Crab Regulations with proposals for Post-season derelict gear recovery program, Season start changes and implementation of HB4049. This presentation is available in the meeting materials and at*

*[http://www.dfw.state.or.us/agency/commission/minutes/14/08\\_august/Exhibit%20F%20-%20Commerical%20Dungeness%20Crab%20Regs.pdf](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20F%20-%20Commerical%20Dungeness%20Crab%20Regs.pdf)*

**Discussion:**

**Questions Issue 1: Post-Season Derelict Gear Recovery Program**

**Commissioner Webber**

If I got a permit and recovered gear, do I have to sell that to the prior owner or can I keep it?

**Kelly Corbett**

No, What the House Bill did was eliminate personal property laws, if you were a permitted retriever. It would be at your discretion what to do with that gear. However, what we heard from our industry was in support of encouraging an offering back to the previous owner of that gear, we felt that was an unenforceable requirement, so our compromise was that we agreed to post all of the gear registration forms so they could be viewed on our website and contact them directly.

**Vice Chair Finley**

Lost crab pots are considered abandoned property after a certain amount of time?

**Kelly Corbett**

Yes, after 15 days gear is considered abandoned.

**Commissioner Anderson**

Where are the conditions of emergency exemptions discussed, and what would some of those be?

**Kelly Corbett**

1 Yes. Some of the exemptions would be if a vessel was destroyed prior to the end of the  
2 season, death, permanent disability and those were all strongly supported by the industry.

3

4 **Questions Issue 2: Season Start Changes**

5

6 **Vice Chair Finley**

7 Presoak means un-baited?

8

9 **Kelly Corbett**

10 No, presoak means they can set their gear baited but they cannot retrieve any gear. Gear can  
11 only go off the boat.

12

13 **Public Testimony:**

|   |  |
|---|--|
| <p>Mike Pettis, Crab Fisherman, Newport, Oregon</p> | <p>Concerned about the proposed loss of ownership of the crab pot traps after 15 days. We don't abandon these pots, we lost them. Further, this program really doesn't address the broken pots that get dumped back into the water after being retrieved. The broken pots have no value to the permitted retriever to use themselves or to sell back because of the limited room for pots on their vessels. For this program to work you need to put a bounty on each and every pot retrieved, that will ensure that derelict pots are removed. There should be a first right of refusal with this and the Oregon Crab Dungeness Commission believed that was the case when they voiced their support for it. You're headed with some issues with fishermen seeing their pots with other fishermen's gear. Put a bounty on them and make people pay their bill by restricting their ability to get their license.</p> <p><b>Commissioner Anderson</b></p> <p>What is being proposed is less than perfect but is what is before us now as proposed and agreed by the Crab Commission. What you're describing makes a lot of sense and has merit, and with this being a new program and how we might be able consider a bounty program is we need to take a cursory look of the legality of what is under our purview and make sure we are not confusing the permit itself with the actual tags that go on each individual pot.</p> <p>Also, I couldn't see on the log book form where the condition of the pot would be entered and that would be something to look at and to accurately assess a bounty to each pot.</p> <p>What we all want is to get the gear off the ocean floor.</p> |
|---|--|

14

15 Discussion:

16 **Vice Chair Finley**

17 If the Commission where to authorize staff to develop a pot retrieval and recovery program for  
18 adoption, is that something that would interest you or have you already looked into a program  
19 such as the one we heard about today?

20

1 **Kelly Corbett**

2 We did speak to the Crab Commission about their bounty program and testimony was correct  
3 in stating that the program was not sustainable because most fishermen didn't pay their bill.  
4 Also, the gear would disappear once it would get into port; the Crab Commission would call the  
5 owners to have them retrieve it from the dock their pots would be gone for one reason or  
6 another. For these reasons we think that a bounty program would be very expensive and the  
7 administration of the program we determined would be outside the scope of our program at  
8 this point.

9  
10 **Commissioner Anderson**

11 What would be the likelihood to add data to the form to capture the condition of the pot?  
12

13 **Kelly Corbett**

14 It would be very easily implemented to add the data and could be done at the beginning of this  
15 season. We could add it to the log book but more appropriately add it to the gear registration  
16 forms which would be captured by staff once the pots are at the docks.  
17

18 **Commissioner Anderson**

19 In regards to the limited reference points, was there discussions surrounding the known pitfalls  
20 as using catch as a proxy for stock size, limited entry and pot limits had an impact and what  
21 was the industry and scientist response?  
22

23 **Troy Buell**

24 There was a lot of discussion about the pitfalls of using catch only data in crab fisheries as one  
25 the main data sources. To the effect of pot limits and limited entry, especially with pot limits it  
26 doesn't appear to have an effect on the overall volume. The discussions about the pitfalls of  
27 using landing only data, is what really lead to the fourth and final criteria which is also a big  
28 concern, that the Marine Stewardship Council verification body had were these pitfalls are  
29 there and that landings could be affected by other factors like management changes or  
30 economics. That is why we did include that fourth criteria of log book data where we're looking  
31 at catch per effort; how many crab are they getting in a pot, not necessarily what the total  
32 landing for the season are. That was our method to address those concerns.  
33

34 *Action:*

35 *Commissioner Webber moved to adopt staff recommendations for commercial crab fishery rule*  
36 *modifications as shown in Attachment 3. Commissioner Akenson seconded the motion and the*  
37 *motion passed unanimously.*  
38

39 **Exhibit G: COMMERCIAL FISHERY PERMIT BOARD APPOINTMENTS**

40 *Presenter: DeAnna Erickson, License Services Manager*

41  
42 *DeAnna Erickson provided a PowerPoint presentation for the Commercial Fishery Permit*  
43 *Board Member Appointments. This presentation is available in the meeting materials and at*  
44 [http://www.dfw.state.or.us/agency/commission/minutes/14/08\\_august/Exhibit%20G%20-](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20G%20-%20Commercial%20Fishery%20Board%20Appointments.pdf)  
45 [%20Commercial%20Fishery%20Board%20Appointments.pdf](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20G%20-%20Commercial%20Fishery%20Board%20Appointments.pdf)  
46

47 **Public Testimony:** No public testimony was given.

1  
2 **Questions by Commissioners:**

3 **Commissioner Wolley**

4 It's hard to tell from this information the makeup of the current board members so we can  
5 adequately weigh what sort of background is needed for an incoming board member. Also, it  
6 appears the nominees are all male, is there adequate recruitment going out to women as well  
7 and are they just not interested?  
8

9 **DeAnna Erickson**

10 I will provide in the future a more detailed look at who currently are board members. We did  
11 recruit both men and women, there are not a lot of women who participate in the fisheries and  
12 the women we did ask, declined.  
13

14 **Commissioner Akenson**

15 It appears that some of the appointees are already currently serving on other boards; can they  
16 hold multiple board memberships?  
17

18 **DeAnna Erickson**

19 Yes, they can hold other positions, if they hold a valid permit for the fishery. Three members  
20 represent a fishery and two public at large members.  
21

22 **Commissioner Webber**

23 These boards have quasi-judicial roles?  
24

25 **DeAnna Erickson**

26 Yes, they make the final determination and if the permit holder wants to, they can have it  
27 reviewed by higher court of appeals.  
28

29 **Steve Sanders, Legal Counsel**

30 The boards review is through the Board of Appeals.  
31

32 *Action:*

33 *Commissioner Wolley moved to approve the nominations as presented by staff and appoint*  
34 *the recommended fishery members to the Commercial Fishery Permit Board. Vice chair Finley*  
35 *seconded the motion. The motion passed unanimously.*  
36

37 **Exhibit H: OREGON DEPARTMENT OF FISH AND WILDLIFE LANDS**

38 *Presenter: Keith Kohl, Wildlife Area Operations Coordinator*  
39

40 *Keith Kohl provided a PowerPoint presentation proposing changes to the Division 8 Rules*  
41 *governing ODFW lands. This presentation is available in the meeting materials and at*  
42 [http://www.dfw.state.or.us/agency/commission/minutes/14/08\\_august/Exhibit%20H%20-](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20H%20-%20ODFW%20Lands.pdf)  
43 [%20ODFW%20Lands.pdf](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20H%20-%20ODFW%20Lands.pdf)  
44

45 **Public Testimony:** No public testimony was given.  
46

47 **Discussion:**

1 **Commissioner Akenson**  
2 Are all the wildlife areas listed?

3  
4 **Keith Kohl**  
5 Yes, they are in Division 008 rules currently for the most part. Most of the changes we're taking  
6 verbiage found in other divisions and placing them all into one place, Division 008.

7  
8 *Action:*  
9 Commissioner Finley moved to approve OAR Chapter 635, Divisions 008 and 065 as  
10 proposed by staff, with the exception of the amendments to OAR 635-008-0053, subsection 1.  
11 Commissioner Webber seconded the motion and the motion was carried unanimously.

12  
13 **Exhibit I: 2014-2015 GAME BIRD REGULATIONS AND 2015-2020 UPLAND**  
14 **GAME BIRD FRAMEWORK**

15 *Staff Presentation: Dave Budeau, Upland Game Bird Framework*  
16 *Brandon Reishus, Migratory Game Bird Program Coordinator*

17  
18 *Dave Budeau provided a PowerPoint presentation on proposed changes to the Upland Game*  
19 *Bird regulations. This presentation is available in the meeting materials and at*  
20 [http://www.dfw.state.or.us/agency/commission/minutes/14/08\\_august/Exhibit%20I%20-](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20I%20-%20Upland%20Game%20Bird%20Regulations.pdf)  
21 [%20Upland%20Game%20Bird%20Regulations.pdf](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20I%20-%20Upland%20Game%20Bird%20Regulations.pdf)

22  
23 *Brandon Reishus provided a PowerPoint presentation on proposed changes to the 2014/2015*  
24 *Hunting Season and Regulation Proposals for the Migratory Game Birds. This presentation is*  
25 *available in the meeting materials and at*  
26 [http://www.dfw.state.or.us/agency/commission/minutes/14/08\\_august/Exhibit%20I%20-](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20I%20-%20Migratory%20Game%20Birds.pdf)  
27 [%20Migratory%20Game%20Birds.pdf](http://www.dfw.state.or.us/agency/commission/minutes/14/08_august/Exhibit%20I%20-%20Migratory%20Game%20Birds.pdf)

28  
**Public Testimony:**

|                                     |   |
|-------------------------------------|---|
| Robert Griffin,<br>Monmouth, Oregon | Opposes the proposed change to the Eastside Management Area at Sauvie Island Wildlife Area. It is his belief that reservation holders get a higher opportunity in being able to harvest birds by making the change if you look at the statistics for that area no hunters will have a higher opportunity, in fact those who were in support have now dropped their chances to once every three years. |
|-------------------------------------|---|

**Discussion:**

29 **Commissioner Wolley**  
30 What is the status of canvasbacks that justifies a decrease in allowable harvest from two to  
31 one bird?

32  
33 **Brandon Reishus**  
34 They are well above their long term average. Under the harvest strategy there are two liberal  
35 packages for canvas backs. One allows a one bird daily limit and one allows two birds. That  
36 two birds were actually instituted in 2008 due to record high populations and then just last year  
37 we hit that again. Nearly every season, we are actually at that one bird and just in the

1 exceptional years we are at two. Last year, we were at one of those exceptional years, so we  
2 are actually going back to more normal.

3  
4 **Commissioner Wolley**

5 What is the rate of vegetation recovery post fire in sage-grouse habitat?

6  
7 **Dave Budeau**

8 Unfortunately it can actually take decades. Because of how arid the environment is it can take  
9 a long time. There is not a simple answer because there are a lot of variables, like elevation  
10 can be one. The confounding factor we have now is the invasive annual grasses. Those can  
11 actually impact and may retard and change the stable state. You may never get sagebrush  
12 recovery without some hands-on management.

13  
14 **Commissioner Akenson**

15 What's happening with the Mourning dove populations in Oregon and are there effects from  
16 the Eurasian collared dove?

17  
18 **Brandon Reishus**

19 In Oregon, the trends over the last 10, 20 years have been stable for Mourning doves. With the  
20 Eurasian collared dove, they certainly have invaded the state and are predominately more in  
21 urban and human impacted rural landscapes. Studies have been done but they were  
22 inconclusive to find any negative relationship between collard doves and mourning doves.

23  
24 **Commissioner Akenson**

25 Are there any techniques or efforts to decrease the fire risk around sage-grouse core areas?

26  
27 **Dave Budeau**

28 The biggest threats to sage grouse are fire and invasive. Part of the SageCon process they  
29 have developed a whole chapter to fire and invasive. This includes some proactive measure  
30 trying to prevent, reduce or mitigate the size of the fires. Also the BLM is going through range  
31 wide efforts where all of their resource management plans that have sage-grouse are being  
32 revised.

33  
34 **Commissioner Akenson**

35 Are there any reseeding efforts going on in those core areas that lost sage brush?

36  
37 **Dave Budeau**

38 Yes. There are efforts to reseed areas. We spent \$30,000 from our upland game stamp funds  
39 last fall to purchase seed for restoration in some of those fire areas in south eastern Oregon.  
40 BLM is working with DOC in Ontario to grow seedlings for transplant.

41  
42 **Commissioner Webber**

43 Out of that 800 what is the success rate?

44  
45 **Dave Budeau**

46 Out of that 1730 permit number includes taking into account past participation and harvest  
47 rates. The average is about one bird per hunter per season. Of the 845 permits, there will be

1 only 75 to 80% that will actually draw them that will actually go. Our harvest next year will be  
2 about 350 to 400 birds.

3  
4 **Commissioner Finley**

5 In regards to the reservation hunters, from the correspondence I've read, some comments  
6 state that the hunters will wait up to two days, is that really occurring?  
7

8 **Mark Nebeker, Sauvie Island Wildlife Area Manager**

9 We do have a group of people that will hunt during the day turn around and go park in line right  
10 after they are done hunting. They do spend a significant amount of time in line? The 30 hours  
11 is not an overstatement.  
12

13 **Commissioner Finley**

14 There is a whole contingent of users, who don't write in but gripe, and they may come to you,  
15 do you know what that percentage is roughly?  
16

17 **Mark Nebeker**

18 I don't have a percentage we did start this review process in January at the check station and  
19 asked hunters for a full month, and we did hear varying arguments both against and in favor of  
20 this proposal.  
21

22 **Commissioner Finley**

23 From the comments I've read in the correspondence, I'd like your input on a question I saw,  
24 "Who needs more than 10 doves?"  
25

26 **Brandon Reishus**

27 I can't say if anybody does, but certainly the opportunity is there. If a hunter goes out on  
28 opening day of and reaches the bag limit and he happens to be the only hunter in the family  
29 and they enjoy eating wild game, 10 birds is a pretty meager meal because as you know doves  
30 are fairly small. So at 15 bag limit, may provide a little more dove hunter entertainment that  
31 comes after the hunt for the meal for the family.  
32

33 *Action:*

34 *Commissioner Akenson moved to amend OAR Chapter 635, Divisions 045, 051, 052, 053, 054*  
35 *and 060 as proposed by staff to set regulations for 2014-2015 game bird seasons with the*  
36 *amendment that the Western Oregon fee pheasant hunt for the Fern Ridge Wildlife area*  
37 *closes on October 8, instead of October 12, 2014. Also move to adopt as department policy*  
38 *the 2015-2020 Upland Game Bird Framework. Commissioner Webber seconded the motion*  
39 *and the motion was carried unanimously.*  
40

41 **OTHER BUSINESS**

42  
43 Chair Levy adjourned the Commission meeting at 5:40 p.m.  
44