



Oregon Fish and Wildlife Commission Minutes

Joint Workshop with California Fish and
Game Commission
Thursday, October 9, 2014 – 9:00 am
Jackson County Fairgrounds & Exposition
Center - Bob Mace Building

Meeting: Friday, October 10, - 8:00 am
Jackson County Fairgrounds & Exposition
Center - Bob Mace Building

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

5 Notice of these meetings had been made by press release of statewide media
6 circulation. Those attending part or all of the meeting included:
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- | | |
|---------------------------------|---|
| Bobby Levy, Chair | Curt Melcher, Interim Director |
| Michael Finely, Vice-Chair | Debbie Colbert, Deputy Director |
| Bob Webber, Commissioner | Steve Sanders, Sr. Asst. Attorney General |
| Holly Akenson, Commissioner | Erin Donald, Assistant Attorney General |
| Gregory J. Wolley, Commissioner | Teri Kucera, Executive Assistant |
| Laura Anderson, Commissioner | |

8 **MEETING**

9
10 On Friday, October 10, 2014, Chair Bobby Levy called the Oregon Fish and Wildlife
11 Commission (the Commission) meeting to order.
12

13 **DIRECTOR'S REPORT**

14 **Field Reports**

15 Field Reports provided in written form. *This report is available in the meeting materials*
16 *and at [October 2014 ODFW Commission Meeting Schedule and Minutes](#)*
17

18 *Presenters: Bruce Eddy, East Region Manager*
19 *Steven Marks, Acting West Region Manager*
20 *Roger Fuhrman, Information and Education Division Administrator*
21 *Tony Nigro, Columbia River Program Manager (Not Present)*
22 *Lt. David Gifford, Regional Supervisor Southwest Oregon, OSP*
23

24 **Recognition of Fish Screening Task Force Member; Tony Brauner**

25 *Presenters: Brad Fuss, Central Point Fish Screening and Passage*
26 *Shop Manager*
27 *Curt Melcher, Interim Director presented this award.*
28

29 **Forage Fish Policy Update**

30 *Presenters: Gway Kirchner, Assistant Manager on the Fisheries*
31 *Management Section*
32

33 *Gway Kirchner provided a PowerPoint presentation outlining the Forage Fish Policy*
34 *update. This presentation is available in the meeting materials and at*
35 *http://www.dfw.state.or.us/agency/commission/minutes/14/10_october/index.asp*

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Discussion:

Commissioner Akenson

In the interim before that plan is finalized, how is forage fish managed and if somebody requested a new fishery or use of those fish how is that dealt with?

Gway Kirchner

We are highly aware of the intent to prohibit directed commercial fisheries and we would likely carry that through until this is in place. At the moment there are no pending fisheries out there or folks that have been interested in it, that's why it's a good time to take this action that is truly a proactive action. It's really an informal policy that we are going to very stringent on anything might come in before the end of next year. That's also the same in the federal process as well.

Commissioner Anderson

Is any of the unmanaged forage fish currently documented in terms of bycatch in any of the directed fisheries?

Gway Kirchner

Yes, some of them are. We do have some information on that, certainly with eulachon with its federal ESA listing. We have some other documentation as well. The landings have been very low. We've had one pound of Saury landed as bycatch since 2004. We prohibited directed commercial fishing of smelt in 2011 and since then we've had a few hundred pounds landed with no value as bycatch. However, not all species have tracking.

Commissioner Anderson

Would you share with the other commissioners the progress that is being made in the eulachon bycatch with the shrimp fishery and the lights that ODFW spearheaded?

Gway Kirchner

This is very exciting research that is going on. Bob Hannah, who is the head of the research program, both with ground fish and with shrimp and is also the Shrimp Fishery manager has been working on reducing the eulachon bycatch in the shrimp fishery. That is where we see most of the eulachon bycatch come in. We first reduced the size of the bycatch reduction device grate and it reduced some, but not a lot. Then Bob started looking at the use of lights on the nets to see if he could repel the fish from coming into the grate. He tried white lights on the grate but that seemed to attract them. He moved into using blue and green lights placed on the nets and that substantially reduced the eulachon catch and had no impact on the shrimp catch. This technique has spread, not to our entire fleet, but to most of it. It has also spread to the Washington fleet and in BC, putting lights on the nets is currently prohibited. They are both looking at making rule changes so they can put these lights on their nets too.

Expenditure Report:

Staff: Debbie Colbert, Deputy Director for Administration

1 Debbie provided the expenditure report as of August 31, 2014. *This report is*
2 *available in the meeting materials and at*
3 http://www.dfw.state.or.us/agency/commission/minutes/14/10_october/index.asp
4
5

6 Department wide, expenditures are within budget projections and available revenues.
7 The Department is continuing to implement hiring and spending restrictions to help
8 ensure sufficient cash flow and to meet ending balance projections for this last biennium
9 of the six year fee cycle.

10 **Adopt Temporary Rules**

11 **1. 635-041-0075**

12 **Columbia River Treaty Indian Commercial Gill Net Salmon Season Set**

13 Adopted September 24, 2014: effective September 25, 2014 through October 31, 2014.
14 This amended rule allows commercial sales of fish caught during the Treaty Indian
15 commercial fall salmon gill net fishery in the Columbia River and its Washington
16 tributaries. The first fishing period authorized for the Treaty Indian fall commercial gill
17 net fishery is scheduled to begin at 6:00 p.m., Thursday, September 25 and run through
18 6:00 p.m., Friday, September 26, 2014. The second fishing period is scheduled to begin
19 at 6:00 p.m., Monday, September 29 through 6:00 p.m., Friday, October 3, 2014.
20 Modifications are consistent with action taken September 24, 2014 by the Columbia
21 River Compact agencies of the states of Oregon and Washington in cooperation with
22 the Columbia River Treaty Tribes.
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26 **2. 635-042-0031**

27 **Early Fall Commercial Fisheries Authorized for the Mainstem Columbia River**

28 Adopted September 24, 2014: effective September 25, 2014 through October 31, 2014.
29 This amended rule authorizes an additional 9 day fishing period for the ongoing
30 commercial gillnet fishery. The new fishing period commences at 8:00 p.m., Thursday,
31 September 25, 2014 through 6:00 a.m., Wednesday, October 15, 2014. Allowed sales
32 from the fishery include Chinook, coho, pink and sockeye salmon and shad.
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34 **3. 635-042-0032**

35 **Coho Tangle Net Season set for the Columbia River**

36 Adopted September 24, 2014: effective October 1, 2014 through October 31, 2014.
37 This rule authorizes five 12-hour commercial coho tangle net fishing periods in Zones 1-
38 3 of the Columbia River from 6:00 a.m. through 6:00 p.m. the following evenings on
39 Wednesday, October 1; Thursday, October 2; Monday, October 6; Tuesday, October 7;
40 and Wednesday, October 8, 2014. Authorized sales include Chinook, adipose fin-
41 clipped coho salmon, pink and sockeye salmon and shad. Modifications are consistent
42 with action taken September 24, 2014 by the Columbia River Compact agencies of the
43 states of Oregon and Washington.
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45 **4. 635-017-0090**

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1 **Coho Salmon Bag Limit Increased to Three Fish in Select Willamette Zone**
2 **Streams**

3 Adopted September 25, 2014: effective September 26, 2014 through December 31,
4 2014.

5 The amended rule allows the sport harvest of three adipose fin-clipped coho in each of
6 the Clackamas, Sandy, and Willamette (Section 1 only) rivers effective Friday,
7 September 26, 2014. These modifications allow sport anglers opportunities to harvest
8 substantial numbers of coho that are returning to the Clackamas, Sandy, and lower
9 Willamette rivers.

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11 **5. 635-023-0130**

12 **2014 Buoy 10 Recreational Coho Salmon Bag Limit Increased.**

13 Adopted October 1, 2014: effective October 3, 2014 through December 31, 2014.

14 This amended rule increases the number of coho salmon allowed in the daily bag limit
15 for the Buoy 10 fishery from two to three adult fish beginning Friday, October 3 through
16 the end of the fishery. Modifications were consistent with joint state action taken by the
17 Departments of Fish and Wildlife for the states of Oregon and Washington at a meeting
18 of the Columbia River Compact on October 1, 2014.

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20 **6. 635-041-0075**

21 **Columbia River Treaty Indian Commercial Gill Net Salmon Season Extended**

22 Adopted October 1, 2014: effective October 3, 2014 through October 31, 2014

23 This amended rule allows commercial sales of fish caught during the Treaty Indian
24 commercial fisheries in Zone 6 of the Columbia River and its Washington tributaries.
25 Sales from an additional fishing period of 4.5 days were authorized for the ongoing
26 Treaty Indian fall commercial gill net fishery. The additional period is scheduled to begin
27 at 6:00 a.m., Monday, October 6 and run through 6:00 p.m., Friday, October 10, 2014.
28 In addition, regulations authorizing sales of fish caught in the Yakama Nation tributary
29 fisheries were modified to allow sales to occur after fishing periods are closed.
30 Modifications are consistent with action taken October 1, 2014 by the states of Oregon
31 and Washington in cooperation with the Columbia River Treaty Tribes.

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33 **7. 635-042-0060**

34 **Mainstem Columbia River Late Fall Commercial Drift Gill Net Seasons Set**

35 Adopted October 8, 2014; effective October 9, 2014 through December 31, 2014

36 This amended rule authorizes fishing periods for the 2014 late fall commercial salmon
37 drift gill net fishery in the Columbia River mainstem. The first fishery authorizes daytime
38 fishing periods in Zones 1 through 3, the first fishing period beginning at 6:00 a.m.,
39 Thursday, October 9, 2014. The second fishery authorizes night time fishing periods in
40 Zones 4 and 5, the first authorized fishing period beginning at 7 p.m., Thursday,
41 October 16, 2014. Modifications are consistent with joint state action taken October 8,
42 2014 by the Departments of Fish and Wildlife for the states of Oregon and Washington
43 at a meeting of the Columbia River Compact.

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45 **8. 635-041-0075**

46 **Columbia River Treaty Indian Commercial Gill Net Salmon Season Extended**

47 Adopted October 8, 2014; effective October 13, 2014 through October 31, 2014

1 This amended rule allows commercial sales of fish caught during the Treaty Indian
2 commercial fall salmon gill net fishery in Zone 6 of the Columbia River. The fishing
3 period authorized for the Treaty Indian fall commercial gill net fishery is scheduled to
4 begin at 6:00 a.m., Monday, October 13 and run through 6:00 p.m., Thursday October
5 16, 2014 (3.5 days). Modifications are consistent with joint state action taken October 8,
6 2014 by the Departments of Fish and Wildlife for the states of Oregon and Washington
7 at a meeting of the Columbia River Compact in cooperation with the Columbia River
8 Treaty Tribes.

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10 **9. 635-042-0032**

11 **Coho Tangle Net Season set for the Columbia River**

12 Adopted October 8, 2014; effective October 13, 2014 through October 31, 2014

13 This rule authorizes four 12-hour commercial coho tangle net fishing periods in Zones 1-
14 3 of the Columbia River from 7:00 a.m. through 7:00 p.m. the following mornings on
15 Monday October 13, Tuesday October 14, Monday October 20, and Tuesday October
16 21, 2014. Authorized sales include Chinook, adipose fin-clipped coho salmon, pink and
17 sockeye salmon and shad. Modifications are consistent with joint state action taken
18 October 8, 2014 by the Departments of Fish and Wildlife for the states of Oregon and
19 Washington at a meeting of the Columbia River Compact.

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21 *Action: Commissioner Webber moved to adopt the temporary rule 1 through 6 as set*
22 *out on the agenda and further adopt the temporary rules 635-042-0060 and*
23 *amendments to the temporary rules set out on the agenda. Commissioner Akenson*
24 *seconded the motion and the motion passed unanimously by a vote of six.*

25
26 **PUBLIC FORUM**

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

30

Joe Liebezeit, Audubon Society of Portland Portland, Oregon	Supports the work ODFW is doing to develop a Marine Fisheries Management Framework and the importance of including protection for currently unmanaged forage fish in Oregon's coastal waters as a key component of that work.
Robin Hartmann, Oregon Shores Conservation Coalition, Roseburg, Oregon	Supports the forage fish policy and the developing of a Marine Fishery Management plan framework as a guiding document for staff to rely on in developing fishery management plans for Oregon's marine fisheries.
Gilly Lyons, Pew Charitable Trusts Central Point, Oregon	Supports the work ODFW for its work to craft a framework document developing state marine fishery management plans.

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34 **Exhibit A: COMMISSION MINUTES**

1 The Commission will be asked to approve the draft September 23, 2014 Commission
2 minutes.

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4 Action: Commissioner Webber moved to approve the minutes for the telephone
5 meeting on September 23, 2014. Commissioner Wolley seconded the motion and the
6 motion passed unanimously by a vote of six.

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9 **Exhibit B: DIRECTOR RECRUITMENT**

10 Presenter:: Enrique Sama, Department of Administrative
11 Services Executive Recruiter

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13 Enrique Sama, provided handouts outlining the proposed recruitment Plan. This
14 presentation is available in the meeting materials and at
15 http://www.dfw.state.or.us/agency/commission/minutes/14/10_october/index.asp

16
17 1st Action: Add academic requirement to Qualifications, Required & Requested Skills:
18 Minimum Qualifications (Page 5 of Attachment 2) of "Bachelor's Degree Preferred" by
19 oral vote, passed unanimously.

20
21 Screening panel consists of two current Commissioners, Bob Webber and Holly
22 Akenson.

1 Employee Representative, Debbie Colbert, Deputy Director for Administration, 1
Governor's office Representative – TBD.

23
24 **Public Testimony:**

Scott Beckstead, Humane Society of the U.S., Sutherlin, Oregon	We urge the Commission to look for a Director that is willing to consider the views of all stakeholders, everyone who is concern about wildlife and not any one narrow particular constituency. We believe a diversification of revenues is an important piece and we urge that the applicants be willing to take in a diversity of viewpoints on wildlife management.
Joe Rohleder Waldport, Oregon	I agree with everything that Mr. Beckstead said. It's very important that we get a Director who has a broad view of wildlife and fish management as well as the professional experience. It's very important that the chosen director be able to deal with conflict and build consensus.

25
26 **Action:**

27 Commissioner Akenson moved to approve the Recruiting Plan for the Fish and Wildlife
28 Director Position with the eight modifications we've addressed which are;

- 29
- 30 • Adding Executing Policy
 - 31 • Building Consensus
 - 32 • Adjusting the Mission
 - 33 • Minor change to Biennial budget
 - 34 • Adding in qualifications Bachelor's Degree Preferred
 - Add Diversity language to Number D "Working with Employees"

- Make certain we have five items listed in the qualifications and not the just the four (attachment 1, page 1)
- Under page 7, add “natural resources” to number three under degree and add “natural resources” to question four about focus of graduate work
- Question on executing policy and budgets as a question seven on page eight.

Commissioner Finley seconded the motion and the motion was carried unanimously.

A second action and vote took place after public forum to add to the above action and vote.

Action: Supplemental Recommendation

Commissioner Akenson moved to adopt the Recruitment Plan as described in the earlier motion, with the following additional changes to the recruitment process and timeline.

- Adopt the screening panel to include two Commissioners, Governor’s representative and the Deputy Director for Administration at ODFW
- Run the public survey for two weeks starting October 13, 2014
- Have the screening panel review the results of the public survey and make adjustments and additions to the criteria but no deletions of criteria adopted today by the Commission
- Commission reserves the option to add additional interview prior to making a final job offer

Commissioner Finley seconded the motion and the motion was carried unanimously.

Exhibit C: 2015 OREGON BIG GAME REGULATIONS

*Staff: Tom Thornton, Game Program Manager
Don Whittaker, Ungulate Species Coordinator*

Tom Thornton provided a PowerPoint presentation outlining the 2015 Big Game Regulations and proposals. This presentation is available in the meeting materials and at http://www.dfw.state.or.us/agency/commission/minutes/14/10_october/index.asp

Public Testimony:

Al Elkins, OHA Wilsonville, Oregon & Ty Stubblefield, Field Administrator for OHA,	Supports the cougar quota increase proposal. The proposal is based on science and is supported by OHA. Supports the Siskiyou spring bear hunt. The proposed 250 tags are not only supported by the biologists it is also supported by sound scientific data.
Deborah Catalina, Williams, Oregon	Opposes the Siskiyou spring bear hunt based on hunters cannot determine the sex of the bear.
Scott Beckstead, Senior Oregon Director and Western Region Director for the Human Society of United States.	Opposes the Siskiyou spring bear hunt based on the data of 24 other states have prohibited the hunts and that it’s an exploitation of a species when it’s at its most vulnerable time. Opposes the cougar quota increase by 25%. We are

	unsure how the agency determined that the cougar population has grown by 96% statewide and that cougars are affecting ungulate herd numbers.
Sally Mackler, Predator Defense, Applegate Valley, Oregon	Opposes the Siskiyou spring bear hunt based on the ability of the hunters to determine the sex of the bear prior to the take. Opposes to the proposal to increase the cougar quota. The data shows that only one zone is not meeting the current quota whereas all other zones are meeting the quota and most at the end of the hunt times.
Craig Starr, Oregon Bow Hunters, Lebanon, Oregon	Supports the big game archery proposals.- the 30-day controlled hunt in the three trophy elk hunts.-the late whitetail deer hunt, eliminating the one elk tag in Eastern Oregon as the only elk hunting opportunity. Opposes the control archery elk hunting in the Warner unit.
John Stone, Lebanon, Oregon	He would like to see lighted nocks legal in the state of Oregon because it would give bow hunters a more reliable way of determining once the shot taken how long do they wait to go get the game. As far as cougars and bears are concerned, if you allow bait or traps that would give hunters enough time to evaluate for the sex.
Jordan Beckett, Cascadia Wildlands and Klamath-Siskiyou Wildlife Center, Ashland, Oregon	Opposes the Siskiyou spring bear hunt, based on that female bears are in a weakened state and will leave cubs to predation and starvation.
Rich Thompson, Traditional Archers of Oregon Newberg, Oregon	TAO opposes any use of lighted nocks on archery tackle. We recommend that the Commission continue to stay true to Oregon's current archery tackle rules and regulations that match the original intent of providing hunting opportunity and experience with primitive weapons (Bow and Arrow).
Stan Steele, Chair of Outdoor Council, Corvallis, Oregon	Supports the 2015 Oregon Big Game Regulations proposals. ODFW biologists have done a good job assembling a proposal package for 2015. Hunting is a viable industry as well as an incredible heritage.

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Discussion:

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Commissioner Finley

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27% of the black bears taken during the black bear season hunt were female, what percentages of those are lactating?

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Don Whittaker

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We do not have the lactation status of those bears that are brought in. What we do have, is if we look at the proportion of the females that are in the harvest through time and it's pretty consistent to the number we stated of 27%, and in the southwestern Oregon hunt, it's 23%.

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1 If we look at the work done in the 80's, the first reproduction occurs in 3 to 4 year old
2 females. Looking at the age distribution of the females that are taken, only 13% on
3 average are in the prime reproductive age. Also, a female bear only reproduces every
4 other year, the odds of these bears being lactating is incredibly low.

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6 **Commissioner Finley**

7 How do we know that data; are these hunter interview, questionnaires, checkpoints?
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9 **Don Whittaker**

10 The data is based on checked-in bears that are brought to us.
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12 **Commissioner Finley**

13 What is the biological purpose of shifting one hunting area to another?
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15 **Tom Thornton**

16 Shifting is really not the correct term but we use it. What we are trying to do is take
17 advantage of the additional opportunity. There are some pretty high densities in a
18 couple of units to the North in Tioga and Siuslaw where the hunting success rate is
19 higher, so that is where the hunters go. We want to take advantage of some of the less
20 popular units in the south. The bears are there but it's not where the hunters go, if they
21 have an option.
22

23 **Commissioner Finley**

24 It's a social opportunity, not biological?
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26 **Tom Thornton**

27 It's somewhat social but the south coast in particular has an extremely high rate of
28 damage to Douglas fir plantations and so there is a damage component as well.
29

30 **Commissioner Finley**

31 How many bears and cougar are killed by Wildlife Services?
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33 **Don Whittaker**

34 We do not have an exact number, but I would roughly guess about half of the cougars
35 taken on an average are primarily as a result of non-hunting conflict.
36 For bears, it's more like 75% to 25% due to conflict with damage to timber, etc. and
37 what area the bears are in.
38

39 **Commissioner Akenson**

40 Why was November 30th chosen as the date for the Big Horn Sheep raffle and auction
41 date? That date falls right in the middle of the big horn rut.
42

43 **Don Whittaker**

44 The dates were chosen to be consistent on a calendar approach. The auction and raffle
45 season opens the earliest opening day of any of our seasons and closes the latest
46 closing day of any of our seasons. The dates were chosen as a consistent framework
47 date. The majority of our hunters are often successful in the first week of the season.

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Commissioner Akenson

On the big horn sheep, most of the units end in September, what does that mean for those units that are normally closed after September 21st, Can a person who has an auction or raffle tag be able to hunt until Nov. 30th in those units as well?

Don Whittaker

That is correct. Those two tags are valid in any big horn sheep unit that was authorized by the Commission for that year.

Commissioner Akenson

I would still like to see that date shortened to November 20th, because during the rut for the big horn sheep, those animals are not really smart and they congregate in very open places which would make them a very easy target.

Don Whittaker

The Commission can set those dates earlier for those two tags. We chose that date because it would be all inclusive of the entire hunt seasons dates within the current existing choice of when they open and close and it was at the end of the month following the calendar approach.

Commissioner Akenson

In regards to cougars, I was wondering what was the driver for changing the quota? Only one zone was meeting the quota.

Tom Thornton

The population has continued to grow and we do not expect to meet the quotas in most zones. We do try to manage the cougar as a big game mammal. The reasoning is not entirely placed on predation, and the population is continuing to increase and provide additional opportunity. Even if every quota was achieved we feel that there would be no long-term damage done to that population.

Commissioner Webber

In regard to the populations for bears and cougars, do you have a high level of confidence in those population projections?

Don Whittaker

For our cougars, our population model was published through a peer review process in Northwest Science. We are very confident in that model that it truly represents the population trend we are seeing since 1994.

For black bears, specifically in southwest Oregon, our researcher and in using two independent methods, both independently came up with estimate of about 5,000 bears. We are fairly confident that 250 tags and harvest rate of 9 to 10%, 25 bears coming out of those won't have any kind of effect on our populations.

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Commissioner Webber

Would it be fair to say if cougars were raised to the level proposed and the tags for the Siskiyou plus issued, that there is really no chance that we would drop below the management objectives for bears and cougars in the state plans?

Don Whittaker

As I noted in my presentation if we met the existing quota of 777 or new quota of 951 that would result in a one year decline of 5% or 9%, it would result in a decline but with that decline, the population itself would be way above the cougars plan minimum population size of 3,000.

In regards to bears, we are not in danger of hurting the black bear populations. We do not have a population management objective for black bears, but we are not in danger of driving black bears to the brink of extirpation or listing with these harvest rates.

Commissioner Wolley

How long does a female sow lactate?

Don Whittaker

Cubs are born in Dec/Jan in the den, the sows will immediately begin to lactate and continue to lactate heavily into the summer and continue to as they go back into the den in the winter time with those cubs being a year old. It tapers off after that, the sows generally are not lactating by the second year.

Commissioner Wolley

How long are the cubs dependent upon their mothers, meaning, are the sows still lactating when they are teaching the cubs to hunt or does lactation cease when that occurs but are the cubs still dependent on their mothers?

Don Whittaker

The cubs definitely are dependent on the mothers their first summer. Depending on the size of the cub, the sow may or may not den with cubs the following winter. The sow at the end of the summer may have them go a bit farther, hunting, foraging, etc., but coming out of the den the next spring, they will be loosely cohesive but that is when she will really begin to push them out. It's in the second summer when dependency starts moving away.

Commissioner Wolley

What is the probability that a sow is not lactating but still has cubs dependent on them?

Don Whittaker

If the female is not lactating, that cub is sufficient to be on their own, meaning if a non-lactating sow is taken and she has cubs 100 to 500 yards away, those yearling cubs are at a stage where they can be sufficient on their own.

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Action:
Commissioner Akenson moved to amend OAR Chapter 635, Divisions 008, 050, 060, 065, 066, 067, 068, 069, 070, 071, 072, 073 and 075 including setting furtaker reporting dates as proposed by staff; and to adopt the document entitled "2015 Oregon Big Game Regulations" as proposed by staff with the exceptions that on Exhibit 6, page 32, line 31, regarding the ending date of the Big Horn Sheep season for the auction and raffle tags that the date be changed from November 30th, to November 22nd for both auction and raffle tags. Also include the supplemental Oregon Big Game Regulations dated October 10, 2014 and exclude from the Big Game Regulations draft on page 25 the Black Bear Hunt No 722, Siskiyou Plus Hunt is eliminated. Commissioner Finley seconded the motion and the motion was carried unanimously.

Exhibit D: 2014 OREGON WOLF MANAGEMENT REPORT

Staff Presentation: Russ Morgan, Wolf Program Coordinator

Russ Morgan provided a PowerPoint presentation outlining the status of wolves and upcoming plan review for 2015. No action required for this Exhibit, informational only. This presentation is available in the meeting materials and at http://www.dfw.state.or.us/agency/commission/minutes/14/10_october/index.asp

Chair Levy excused herself from any discussion on Issue 3 and declared a conflict of interest because she is a livestock producer in an area of depredating wolves

Discussion– Issue #1 & #2

Commissioner Akenson

You want to do the plan evaluation after the ESA status is determined, if that status is not completed or goes into litigation, can we go ahead and do the plan anyway?

Russ Morgan

Yes, we could do that. They don't need to be exclusive of each other. If we have four breeding pairs for three consecutive years at the end of this year, we will be in Phase 2 next year regardless. There is a rule and plan in place.

Commissioner Akenson

Are those two documents or is the ESA status a subset of the plan?

Russ Morgan

As the plan exists today, it is not. The plan is based largely on the ESA status.

Public Testimony:

Amaroq Weiss, West Coast Wolf Organizer for the Center for Biological Diversity, Petaluma, CA	As it has been presented today you'd do the delisting first if Phase I objectives are met. We ask the Commission to reverse the order and complete the five-year plan review first and then review the status for delisting consideration. Deny the Oregon Cattlemen's Association request for point
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	location data from GPS collared wolves due to high risk to an endangered species and improper use of wildlife radio-collar data.
Al Elkins, OHA, Wilsonville, Oregon	Support the beginning of the review process to delist the wolf. Based on the administrative rule adopted to implement the Wolf Plan, it specified that the Commission will initiate the rulemaking process to consider delisting when the Phase I conservation population objective for eastern Oregon is met. Support any information that can be given to the cattlemen and sheep farmers on wolf packs.
Clint Sexson, Oregon Cattlemen's Association, Stanfield, Oregon	The Umatilla County Board of Commissioners strongly encourages the ODFW to move forward with the delisting of wolves in this state.
Todd Nash, Oregon Cattlemen's Association, Enterprise, Oregon	Support the continuing process to delisting the wolves Commissioner Webber How does the GPS location assist you since wolves are very mobile and getting a past location, how does that help you? Todd Nash If you knew exactly where they were at daylight you'd be able to get out there and interact with them. If you know the polygon that they're in, you can't interact with them most of the time. If we have the exact points from the previous 24 hours, you could go back to those exact points and you'd know if they killed a calf, elk or deer. It would be information that would be interesting to all of us.
Craig Starr, OBH, Lebanon, Oregon	OBH has not established an official position statement regarding the presence of wolves in Oregon. However we are very concerned about excessive predation on game animals by the large predators. Support the department moving forward in reviewing the delisting of wolves.
Paula Hood, CO-Director of the Blue Mountains Biodiversity Project, Portland, Oregon	They agree with Oregon Wild's written testimony that a plan review should take place either concurrently with or before a status review, since consideration of the regulations is required to inform the status review.
Wally Sykes, Wallowa County Wolf	Support the comments submitted to this Commission and the positions expressed today relevant to the wolf status

Compensation Committee, Joseph, Oregon	and wolf plan reviews by Oregon Wild, the Center for Biological Diversity and other members of the Pacific Wolf Coalition. Further we would like for the Commission to deny the request by the Oregon Cattlemen's Association for specific location data for wolves, or for any species.
Jordan Beckett, Cascadia Wildlands, Klamath Siskiyou Wildlands Center	We urge the Commission to forgo any listing status process until after the five-year status review is concluded. Further, our organizations oppose the distribution of the information locating the wolves with the GPS system to the OCA.
George Houston, Oregon Chapter Foundation for North American Wild Sheep, Sandy, Oregon	We are concerned about the ungulate prey base in Wallowa County that works around wolves 24/7. We feel that if phase I is met, move forward to delisting wolves. Further a review of the wolf management plan involving all stakeholders would be agreeable. Last, if there is a way to provide electronical information that would help producers reduce their losses, it would be worth looking at other agencies in other states and figuring out if there is a best practice that might help producers in our state.
Rich Thompson, TAO, Newberg, Oregon	We have no official standpoint on the wolf issue, but we feel that ODFW has a viable wolf program. We feel that if you stick to the wolf plan, a science dictates the schedule, and the ultimate delisting of the wolf.
Dalton Strauss, Oregon Farm Bureau, Central Point, Oregon	We request the Commission open the Plan for a full review, we further urge the Commission to start delisting efforts of the wolf.
Stan Steele, Oregon Outdoor Council, Corvallis, Oregon	The wolf plan is a good document. The delisting process needs to be engaged when those objectives occur.
Jim Welsh, Political Advocate for OCA, Elmira, Oregon	We support the proposed timeline that will bring a delisting consideration if we meet the criteria and that we'll move forward onto the five-year review. OCA request for the exact GPS location information on a daily basis can be very positive and could be a very good management tool for the ranchers.

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Action: Informational

Exhibit E: FISH PASSAGE POLICY UPDATE – DEFERRED to a future Commission meeting

1 **Exhibit F: ODOT CULVERT REPAIR FISH PASSAGE PILOT PROGRAMMATIC**
2 **AGREEMENT**

3 *Presenters: Greg Apke, Statewide Fish Passage Program Coordinator*
4 *Paul Mather, ODOT Highway Deputy Director Administrator*
5

6 *Greg Apke provided a PowerPoint presentation outlining the ODOT Culvert Repair Fish*
7 *Passage Pilot Programmatic Agreement and a recommendation for approval. This*
8 *presentation is available in the meeting materials and at*
9 http://www.dfw.state.or.us/agency/commission/minutes/14/10_october/index.asp
10

11 **Public Testimony:**

John Vial, Public Works Director for Jackson County OACES, White City, Oregon	Supports the ODOT Culvert Repair Fish Passage. Culverts are not getting fixed and the fish passage is not being addressed. Although this pilot project does not apply to them, they fully support it.
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12 **Discussion:**

13 **Commissioner Finley**

14 When you have a culvert emergency that has a critical creek or area, are there pre-cast
15 concrete steps or fish ladders that can be used in the interim basis or is that too
16 expensive?
17

18 **Paul Mather**

19 It really depends on the situation and we work each situation on a case by case basis.
20 Typically we are trying to get the road back open as soon as possible and then go back
21 and evaluate on what can be done if necessary.
22

23 **Commissioner Webber**

24 As I understand it, ODOT's problem would be that , if they choose to make a repair in a
25 timely manner that they have to deal with fish passage if there is a catastrophic failure
26 that they can go in and replace it without fish passage being an issue,
27

28 **Greg Apke**

29 That is incorrect, we do have with in our rule a clause that allows ODFW under public
30 safety emergencies, to partner with ODOT during that emergency to fix and try to
31 resolve if we have time to come up with the best fix for the emergency, as well as a fish
32 friendly fix. If the emergency fix does not meet current design criteria then we work out a
33 solution to meet the criteria.
34

35 *Action:*

36 *Commissioner Akenson moved to approve the ODOT Culvert Repair Fish Passage Pilot*
37 *Programmatic Agreement as proposed by staff in Attachment 2. Commissioner Wolley*
38 *seconded the motion and the motion passed unanimously*
39 .

40 **OTHER BUSINESS**

41 **2015 Commission Meeting Dates**
42

- 1 February 6th meeting changed to February 13th
- 2 April 24th meeting location changed to Bend
- 3 October 9th meeting location changed to Florence
- 4
- 5 Chair Levy adjourned the Commission meeting at 6:10 p.m.

DRAFT