



# Oregon Fish and Wildlife Commission Minutes

Meeting: Friday, December 5, 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*  
3 *Commission at its next meeting.*  
4

5 Notice of these meetings had been made by press release of statewide media  
6 circulation. Those attending part or all of the meeting included:  
7

Michael Finley, Chair	Curt Melcher, Interim Director
Bob Webber, Commissioner	Erin Donald, Assistant Attorney General
Holly Akenson, Commissioner	Teri Kucera, Executive Assistant
Greg Wolley, Commissioner	
Laura Anderson, Commissioner	

## 8 **MEETING**

9  
10 On Friday, December 5, 2014 at 8:00 a.m., Vice-Chair Finley called the Oregon Fish  
11 and Wildlife Commission (the Commission) meeting to order. Commissioner Akenson is  
12 participating via video stream and phone. Chair Levy is excused for personal business.  
13

## 14 **DIRECTOR'S REPORT**

### 15 **Field Reports**

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

18 [19 http://www.dfw.state.or.us/agency/commission/minutes/14/12\\_december/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/14/12_december/index.asp)  
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### 21 **Sage-Grouse Plan Update**

22 *Presenters: Richard Whitman, Governor's Office, Natural Resources Policy Director*  
23 *Judge Steve Grasty, Harney County Judge via Phone*  
24

Richard Whitman, Governor's Office, Natural Resources Policy Director	In 2010 the U.S. Fish and Wildlife Services (USFWS) made a decision that the listing of the greater sage-grouse is warranted but precluded. Since that time USFWS has been working hard with partners to strengthen our conservations measures for greater sage-grouse. Those partners include Harney County Soil and Water Conservation District and the Oregon Cattlemen's Association. We have several issues that need to be addressed and put Oregon in a good position so that we either avoid the federal listing of the sage-grouse, or if there is a listing we have measures in place that make it likely that the USFWS that will allow Oregon to continue its own management of sage-grouse.
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	Your staff has been working closely with the Governor's office and with our partners and we are close to having a first draft for addressing the habitat issues that works for both the sage-grouse habitat and the economy in that part of rural Oregon. We need the Commission to look at its adopted sage-grouse conservation rules and make sure we are in alignment.
Judge Steve Grasty, Harney County Judge	Commend Richard Whitman, the Commission and the ODFW staff for their efforts for protecting the sage-grouse and the habitat. Real solutions are locally generated. Please keep local communication and collaboration at the top of the list as we work through this issue and we will be able to protect the habitat.

1  
2       *Presenters: Eric Rickerson, Wildlife Division Deputy Administrator, Primary*  
3       *Representative to the SageCon Effort*  
4       *Jackie Cupples, Sage-Grouse Conservation Coordinator*  
5       *Theresa Burcsu, Institute for Natural Resources*  
6

7       *Eric Rickerson provided a PowerPoint presentation outlining the sage-grouse habitat*  
8       *issues, including their ecology, population trends, and conservation. This presentation is*  
9       *available in the meeting materials and at*  
10      [http://www.dfw.state.or.us/agency/commission/minutes/14/12\\_december/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/14/12_december/index.asp)  
11

12      *Jackie Cupples provided a PowerPoint presentation outlining the sage-grouse threats of*  
13      *fire and invasive along with conservation and planning actions. This presentation is*  
14      *available in the meeting materials and at*  
15      [http://www.dfw.state.or.us/agency/commission/minutes/14/12\\_december/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/14/12_december/index.asp)  
16

17      *Theresa Burcsu provided a PowerPoint presentation outlining the development of sage-*  
18      *grouse habitat and how human-caused threats can be a major problem. This*  
19      *presentation is available in the meeting materials and at*  
20      [http://www.dfw.state.or.us/agency/commission/minutes/14/12\\_december/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/14/12_december/index.asp)  
21

22      **Discussion:**

23      **Commissioner Finley**

24      Human intrusions provide perching sites for ravens to which then prey on eggs, and  
25      chicks of the sage-grouse. Is there something analogous with Oregon's ravens, do we  
26      have any research or anecdotal observations and I didn't see predation in the mix at all?  
27

28      **Jackie Cupples**

29      Sage-grouse overall are destined to be preyed upon. Certainly predation is one  
30      component of its life history. We don't have any studies in Oregon that specifically point  
31      to predation as being a limiting factor. In fact, the USFWS did not cite predation as  
32      being a limiting factor in their 2010 findings. In our state we have not documented that it  
33      is being a contributing factor.  
34

1 **Commissioner Anderson**

2 What is the overall scope for the state?

3  
4 **Richard Whitman**

5 The total package for the SageCon effort is just under \$4.5 million. It includes support  
6 for primarily range fund fire protection in both training and assistance from the Oregon  
7 Department of Forestry and equipment as well as money for juniper removal and  
8 addressing the invasive weeds. The size of the need to address the threats is far higher  
9 than the amount of money in the budget.

10  
11 **Commissioner Wolley**

12 What are the constraints here in Oregon using prescribed fire as a tool?

13  
14 **Jackie Cupples**

15 When using prescribed fire you have to look at the latest research looking at the  
16 resistance of sites that is related to soil moisture and temperatures regimes. Depending  
17 on the aspect the elevation and the original underlying vegetation that was present  
18 before you are even considering a burn can really impact what you get back after that  
19 burn is completed.

20  
21 **Commissioner Akenson**

22 Who will be responsible for the overall implementation of this plan?

23  
24 **Richard Whitman**

25 We are looking at this very carefully and how do you manage it over the long-term. We  
26 are still working out the details of that, but there is a high level commitment from  
27 USFWS, BLM, the state and the counties to have an ongoing entity set up by MOA  
28 between all the levels of government. That will essentially be a governing council for  
29 implementation of this effort and coordination of this across federal and non-federal  
30 lands. There is also been an ongoing active support through the Oregon Watershed  
31 Enhancement Board for this plan in terms of funding.

32  
33 **Commissioner Wolley**

34 How much of the universal interest in the sage-grouse has to do with the fact that it is a  
35 game species?

36  
37 **Eric Rickerson**

38 There is a lot of interest in it being a game species because the vast bulk of the funding  
39 for management of sage-grouse was coming from hunter license dollars. We run a very  
40 conservative harvest season well below what research indicates would be impacting  
41 population levels. In fact, we harvest about 2 to 3% of our fall population through a very  
42 tightly controlled season.

43  
44 **Expenditure Report**

45 *Staff:* Debbie Colbert, Deputy Director for Administration

46 Debbie provided the expenditure report as of October 31, 2014 *this report is available in*  
47 *the meeting materials and at*

1 [December 2014 ODFW Commission Meeting Schedule and Minutes](#)

2  
3 Department wide, expenditures are within budgeted projections and within available  
4 revenues.

5 On December 1, the Governor released his proposed 2015-17 state budget. Budget  
6 staff is entering the details of the Governor's Budget into the state budget system and  
7 plan to submit for audit by the end of the year. The updated budget will be posted on the  
8 department's website soon as the technical entries pass audit and budget narratives are  
9 updated.

10  
11 **Discussion:**

12 **Commissioner Anderson**

13 What was the ask for the Coastal Multi-Species plan?

14  
15 **Debbie Colbert**

16 For the Coastal Multi-Species plan, it was approximately \$350,000 of Lottery Funds, to  
17 perform some enhanced fish production and about \$700,000 for other work under the  
18 plan. Overall the plan will go forward, this ask was additional work proposed.

19  
20 **Commissioner Akenson**

21 What are other alternative funding strategies for funding the Oregon Conservation  
22 Strategy Implementation that was denied?

23  
24 **Debbie Colbert**

25 We don't have any other specific funding included in the Governor's budget. We  
26 continue to look for alternative revenue to support our conservation programs and we'll  
27 continue to work with the Governor's office and the Commission along those lines.

28  
29 **Adopt Temporary Rules**

30 *Curt Melcher, Interim Director*

31  
32 **1. 635-014-0090**

33 **Northwest Angling Zone Sport Angling Regulations Modified**

34 Adopted October 1, 2014: effective October 15, 2014 through December 31, 2014

35 This amended rule modifies previously filed temporary rule language which implied  
36 permission to angle from the Big Creek railroad trestle bridge (private property, Clatsop  
37 County) since this agency lacks sufficient authority to grant the fishing public access to  
38 private properties. Further modifications amend the July 16-November 30 closure period  
39 for Trask River Hatchery Hole, originally put in place to protect hatchery spring chinook,  
40 fall chinook and Coho broodstock, to allow fishing beginning October 16, 2014. District  
41 managers determined that all spring Chinook broodstock will have been collected and  
42 spawned before October 15, moderate to large surpluses of fall Chinook and Coho in  
43 excess of broodstock needs are expected.

44  
45 **2. 635-021-0090**

46 **Krumbo Reservoir Open for Angling through End of 2014**

47 Adopted October 1, 2014: effective November 1, 2014 through December 31, 2014

1 This amended rule extends the open period for angling at Krumbo Reservoir in Harney  
2 County in the Southeast Angling Zone through December 31, 2014. A recent change to  
3 policy at the Malheur National Wildlife Refuge allows year round fishing at Krumbo.  
4 Permanent sport fishing rules for 2014 close the reservoir from November 1 through the  
5 end of the year. Permanent rules for 2015 will allow year round fishing at Krumbo,  
6 except ice fishing will be prohibited.

7  
8 **3. 635-017-0090**  
9 **Coho Salmon Bag Limit Increased to Three Fish in Select Willamette Zone**  
10 **Streams**

11 Adopted October 8, 2014: effective October 15, 2014 through December 31, 2014  
12 The amended rule allows the sport harvest of three adipose fin-clipped Coho in each of  
13 the Tualatin, Yamhill, Molalla, Santiam, and Willamette (Section 2 only) rivers beginning  
14 Thursday, October 15, 2014. These modifications allow sport anglers opportunities to  
15 harvest substantial numbers of Coho that are returning to the Willamette River and  
16 tributaries above the Willamette Falls.

17  
18 **4. 635-004-0355**  
19 **2014 Commercial Nearshore Greenling Cumulative Trip Limits Increased for**  
20 **Periods 5 and 6**

21 Adopted October 9, 2014: effective October 13, 2014 through December 31, 2014  
22 This amended rule increases the 2014 commercial nearshore fishery cumulative trip  
23 limits for greenling from 300 to 350 pounds in periods 5 and 6. Harvest in this fishery is  
24 behind schedule. Allowable harvest levels are not expected to be attained at current  
25 harvest rates. By increasing cumulative trip limits for greenling in the fishery,  
26 commercial fishers will have greater opportunity for success in achieving the available  
27 harvest.

28  
29 **5. 635-041-0063**  
30 **Treaty Indian Commercial Fall Sturgeon Set-Line Fishery Set in The Dalles Pool**

31 Adopted October 23, 2014: effective October 23, 2014 through November 29, 2014  
32 This amended rule sets the 2014 Treaty Tribe white sturgeon set-line fishery in The  
33 Dalles Pool, effective 6:00 a.m. Monday, October 27 through 6:00 p.m. Saturday,  
34 November 29, 2014. Fishing for the purpose of commercial sales and subsistence is  
35 allowed. Modifications are consistent with joint state action taken October 23, 2014, by  
36 the Departments of Fish and Wildlife for the states of Oregon and Washington at a  
37 meeting of the Columbia River Compact in cooperation with the Columbia River Treaty  
38 Tribes.

39 **6. 635-042-0060**  
40 **Mainstem Columbia River Late Fall Commercial Drift Gill Net Season Modified**

41 Adopted October 23, 2014: effective October 23, 2014 through December 31, 2014  
42 This amended rule authorizes additional fishing periods for the 2014 late fall commercial  
43 salmon drift gill net fishery in zones 1 through 5 of the Columbia River mainstem. The  
44 first additional fishing period is in Zones 4 through 5 and is scheduled to begin at  
45 7:00 p.m. Sunday, October 26, 2014. Modifications are consistent with joint state action  
46 taken October 23, 2014 by the Departments of Fish and Wildlife for the states of Oregon  
47 and Washington at a meeting of the Columbia River Compact.

1 **7. 635-041-0045 and 635-041-0075**

2 **Columbia River Treaty Indian Commercial Fall Salmon Season Extended**

3 Adopted October 23, 2014: effective October 31, 2014 through December 31, 2014

4 This amended rule extends the period for commercial sales of fish caught during the  
5 Treaty Indian commercial fall salmon platform and hook-and-line fisheries in Zone 6 of  
6 the Columbia River. The fishing period authorized for the Treaty Indian fall commercial  
7 salmon platform and hook-and-line fisheries originally scheduled to end October 31 is  
8 extended to run through 6:00 p.m. Wednesday December 31, 2014. Modifications are  
9 consistent with joint state action taken October 23, 2014, by the Departments of Fish  
10 and Wildlife for the states of Oregon and Washington at a meeting of the Columbia  
11 River Compact in cooperation with the Columbia River Treaty Tribes.

12  
13 **8. 635-065-0765**

14 **Amend Rules to Add Ohio to Cervid Part Importation Ban**

15 Adopted October 28, 2014: effective October 28, 2014 through April 26, 2015

16 This temporary rule amends rules to add Ohio to the list of states from which the  
17 importation of certain cervid parts is banned. In June 2003, the Fish and Wildlife  
18 Commission adopted rules banning the importation of certain cervid parts from those  
19 states with documented cases of Chronic Wasting Disease (CWD). The rules noted that  
20 the Department would add additional states to the rules as new cases of CWD were  
21 documented. Based on new information, the Director amends the rule to add Ohio to  
22 the list of states from which cervid parts may not be imported. Following the permanent  
23 rule making process, rather than taking this temporary rule making action, will result in  
24 serious prejudice to the public interest because it would delay banning the importation  
25 of cervid parts from a state with documented cases of CWD. The purpose of the cervid  
26 parts ban is to protect Oregon's wildlife from disease. The purpose can only be carried  
27 out only if the ban covers all states affected by CWD, and the ban takes effect soon  
28 enough to intercept parts ban from those states. Failure to promptly add Ohio to the  
29 parts import ban could expose Oregon to risk of disease. The temporary rulemaking  
30 action will avoid this consequence by adding Ohio to the list of banned states  
31 immediately.

32  
33 **9. 635-005-0705**

34 **Prior Year 5,000 Pound Landing Requirement Temporarily Removed from Brine  
35 Shrimp Permit Renewal Rule**

36 Adopted November 7, 2014: effective November 10, 2014 through January 31, 2015

37 This amended rule allows the renewal of Brine Shrimp permits without the previously  
38 required 5,000 pound landing from the previous year. Due to low water in Lake Abert, in  
39 2014, harvesters were unable to use their boats and harvest enough Brine Shrimp to  
40 satisfy the 5,000 pounds in landings required by permanent rule for permit renewal.

41  
42 **10. 635-005-0465 and 635-005-0485**

43 **Regulations for the Commercial Dungeness Crab Fishery in the Pacific Ocean  
44 and Columbia River**

45 Adopted November 21, 2014: effective November 25, 2014 through May 23, 2015

46 On August, 1, 2014 the Oregon Fish and Wildlife Commission adopted rules to lengthen  
47 the commercial Dungeness crab fishery's presoak period prior to opening the fishery

1 from 64 hours to 73 hours to facilitate a gear retrieval start time of 9:00 a.m. on Dec 1,  
2 2014. This rule is needed to correct an error in the rules adopted at that time to align  
3 them with the intended change to the length of the presoak and start time of the fishery.  
4

5 **11. 635-041-0063**

6 **Treaty Indian Commercial Fall Sturgeon Set-Line Fishery in The Dalles Pool**  
7 **Extended**

8 Adopted November 25, 2014: effective November 25, 2014 through December 31, 2014  
9 This amended rule extends the 2014 Treaty Tribe white sturgeon set-line fishery in The  
10 Dalles Pool through 11:59 p.m. Wednesday, December 31, 2014. Fishing for the  
11 purpose of commercial sales and subsistence is allowed. Modifications are consistent  
12 with joint state action taken November 25, 2014, by the Departments of Fish and  
13 Wildlife for the states of Oregon and Washington at a meeting of the Columbia River  
14 Compact in cooperation with the Columbia River Treaty Tribes.  
15

16 *Action:*

17 *Commissioner Webber moved to adopt the temporary rules number 1 through 11 set*  
18 *forth our agenda starting Commissioner Wolley seconded the motion and the motion*  
19 *passed unanimously.*  
20

21 **PUBLIC FORUM**

22 *Note: This part of the agenda is for comments on topics not scheduled elsewhere on the*  
23 *agenda. The Commission is unable to take action on items brought to their attention in*  
24 *this forum.*  
25

Jim Wells, Astoria Oregon	Would like to see the vacant seat of Fish and Wildlife Commission seat for District One filled. It's been too long, two and a half years, going on three. Regarding impact splits, as stated by what the Commission passed, commercial fishery was to get no less than 30% of the ESA listed impacts. Right now, it is about 80/20 and that is a direct violation. I would like to see this issue brought forth and be put on the January agenda and consider a 60/40 split.
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26  
27 **Exhibit A: COMMISSION MINUTES**

28 The Commission considered approval of the June 6, September 5, and October 9, 2014  
29 Commission minutes.  
30

31 *Action:* Commissioner Webber moved to approve the draft minutes of the June 6,  
32 September 5, and October 9, 2014. Commissioner Akenson seconded the motion, and  
33 the motion passed unanimously.  
34

35 **Exhibit B: RESTORATION AND ENHANCEMENT PROJECT APPROVALS;**  
36 **RESTORATION AND ENHANCEMENT BOARD APPOINTMENTS**

37 *Presenter: Kevin Herkamp, STEP and Restoration and Enhancement Program*  
38 *Coordinator*

1 Kevin Herkamp provided a PowerPoint presentation outlining the Fish Restoration  
2 Enhancement Program Cycle 6 recommendations for approval along with Board  
3 appointments. This presentation is available in the meeting materials and at  
4 [http://www.dfw.state.or.us/agency/commission/minutes/14/12\\_december/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/14/12_december/index.asp)  
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6 Public Testimony:

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7  
8 No public testimony was given.  
9

10 **Restoration and Enhancement Project Approvals**

11 *Action:*

12 Commissioner Wolley moved to approve the recommendations of the Fish Restoration  
13 and Enhancement Board. Commissioner Webber seconded the motion and the motion  
14 passed unanimously  
15

16 **Restoration and Enhancement Board Appointments**

17 *Action:*

18 Commissioner Anderson moved to appoint Richard Heap to a four-year term as the  
19 Sport Fishing representative on the Fish Restoration and Enhancement Board and to  
20 appoint Cary Johnson to a four-year term as the Gill Net representative on the Fish  
21 Restoration and Enhancement Board. Commissioner Webber seconded the motion and  
22 the motion passed unanimously.  
23

24 **Exhibit C: COOS BAY NORTH BEND WATER BOARD FISH PASSAGE WAIVER**  
25 **REQUESTS: LOWER PONY CREEK DAM AND UPPER PONY CREEK**  
26 **DAM**

27 *Presenters:* Greg Apke, Statewide Fish Passage Program Coordinator  
28 Mike Gray, Coos Coquille Watershed District Fish Biologist  
29

30 Greg Apke provided a PowerPoint presentation outlining the Pony Creek Fish Passage  
31 Waiver for both the Upper and Lower Pony Creek Dam. This presentation is available in  
32 the meeting materials and at  
33 [http://www.dfw.state.or.us/agency/commission/minutes/14/12\\_december/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/14/12_december/index.asp)  
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35 Public Testimony:

Rob Schab, Coos Bay North Bend Water Board, Coos Bay, Oregon	Supports the Fish Passage Waiver requests for both the upper and lower Pony Creek Dam.
Shannon Souza, Southwest Coast Consulting Design, Coos Bay, Oregon	Supports the change to the MOU to provide an additional waiver of fish passage.
Esther Lev, Executive Director of the Wetlands Conservation, Portland,	Supports the Fish Passage Waiver requests for both the upper and lower Pony Creek Dam.



1  
2 **Discussion:**

3 **Commissioner Anderson**

4 Did you provide a cost of what your expenses are for the mitigation?

5  
6 **Rob Schab**

7 We were not required to but we did have those discussions with staff and we budgeted  
8 \$310,000 in our current year and we expect it to run to \$340,000 which we will  
9 appropriate those additional funds at that time.

10  
11 *Action:*

12 *Commissioner Webber moved to determine the proposed amendment in Attachment 6*  
13 *to the current MOA would result in a net benefit to native migratory fish and approve the*  
14 *Coos Bay North Bend Water Board Fish passage waiver amendment at Upper Pony*  
15 *Creek Dam in exchange for the proposed mitigation in the South Arm of Matson Creek,*  
16 *and to authorize the chair of the Oregon Fish and Wildlife Commission to enter into the*  
17 *Amended MOU with the Applicant on the Commissions behalf and allow Vice-Chair*  
18 *Finley to sign. Commissioner Wolley seconded the motion and the motion was carried*  
19 *unanimously.*

20  
21 *Action:*

22 *Commissioner Webber moved to determine that there would be a net benefit to native*  
23 *migratory fish, as shown in attachment 3, and approve the Coos Bay North Bend Water*  
24 *Board fish passage waiver at Lower Pony Creek Dam in exchange for the proposed*  
25 *mitigation in the North Arm of Matson Creek and to authorize the Vice-chair of the*  
26 *Oregon Fish and Wildlife Commission to enter into an Agreement with the Applicant on*  
27 *the Commission's behalf. Commissioner Akenson seconded the motion and the motion*  
28 *passed unanimously.*

29  
30 **Exhibit D: COLUMBIA RIVER FISHERIES TRANSITION PROGRAM**

31 *Presenters: Chris Kern, Fish Division Deputy Administrator for Ocean Salmon*  
32 *and Columbia River Program*  
33 *John Seabourne, Fish Division Operations Manager*

34  
35 *Chris Kern & John Seabourne provided a PowerPoint presentation outlining the*  
36 *package for implementation for the Columbia River Transition Program. This*  
37 *presentation is available in the meeting materials and at*

38 [http://www.dfw.state.or.us/agency/commission/minutes/14/12\\_december/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/14/12_december/index.asp)

39  
40 **Public Testimony:**

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Jim Wells, Salmon for All (SFA), Astoria, Oregon	Oppose the proposal because they don't see the economic harm and further, they are unsure of the gear they need to transition to.
Bill Hunsinger, Port of Astoria Commissioner,	Oppose. The fishermen I spoke to at a meeting said, give it to the hatcheries and have them clean up so they can raise

Astoria, Oregon	more fish. They don't want to lose their Commercial Fishing rights on the Columbia River.
Chris Cameron, Astoria, Oregon	Request that you reject the proposed new rules and delay establishing a Columbia River fisheries transition program. You're going to throw an industry that we've had for years and where is the biology behind this proposal?
Scott Sommers, Clatsop County Manager	Supports option 3, to reject the proposed new rules and delay establishing a Columbia River fisheries transition program.

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**Questions by Commissioners:**

**Commissioner Anderson**

Do you think fishermen would be interested in tangle net gear?

**Jim Wells**

It costs about \$6,000 to build one versus the \$1,000 this proposal would give us for alternate gear. Further the tangle net brings in smaller fish and processors don't really like to have to push the smaller fish.

**Discussion:**

**Commissioner Anderson**

How many counties can apply for these funds? How does a fisher determine what jurisdiction or county they apply to? How do you envision the coordination between ODFW staff and county to prepare for this?

**Chris Kern**

This program does not specify any particular county. In fact, participant holders could apply at any county and don't necessarily have to be living in that county to apply. I wouldn't focus too much in large numbers of counties coming to apply because we just haven't seen the interest. There is a cross-validating from ODFW to the county so that permit holders wouldn't be able to apply at multiple counties.

**Commissioner Wolley**

What is the guidance from ODFW and is there an oversight monitoring?

**Chris Kern**

The county will take on a big responsibility. Our intent would be to help any county that applies to the program. We don't want to be too prescriptive but we need to make sure they meet the intent of the statute. That will be done with the reporting requirement back to us from the counties.

**Commissioner Akenson**

Is the \$500,000 for the entire Transition period?

**Director Melcher**

1 There is \$500,000 sitting in the transition fund and will stay there until 2019, if it is still  
2 there at that time it reverts to the general fish and wildlife account. There is an additional  
3 \$500,000 in the Governor's proposed budget for 2015-2017 tagged for Columbia River  
4 Fisheries Transition Fund.

5  
6 **Ed Bowles**

7 Clarification: The money left in the Transition fund at the sunset of that time frame will  
8 roll over into the Enhancement Fund set up by Senate Bill 830 and that money is for the  
9 implementation of hatchery programs and research and others, which were also  
10 appropriated in the last legislative session.

11  
12 *Action:*

13 Commissioner Webber moved to adopt the administrative rules to establish procedures  
14 for implementing the Columbia River fisheries transition program as proposed by staff in  
15 the draft OAR's show in Attachment 3 as amended in OAR 635-440-0010(2) (C) (e) (B)  
16 to read "Establishing a procedure by which persons applying for compensation will  
17 provide sufficient evidence of economic harm" and to delete the balance of that  
18 sentence. Commissioner Wolley seconded the motion and the motion was passed  
19 unanimously.

20  
21 **Exhibit E: CONFEDERATED TRIBES OF SILETZ INDIANS CLAMMING**

22 *Presenter: Caren Braby, Marine Resources Program Manager*

23  
24 *Caren Braby provided a PowerPoint presentation outlining the Siletz Tribe Special*  
25 *Gathering Permit for Clam Harvest and proposed MOU. This presentation is available in*  
26 *the meeting materials and at*

27 [http://www.dfw.state.or.us/agency/commission/minutes/14/12\\_december/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/14/12_december/index.asp)

28  
29 **Public Testimony:**

Le-Ann Easton, Attorney for the Siletz Tribe, Portland, Oregon	Endorse the agreement on behalf of the tribe as they did consider it at their meeting and approved it.
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30  
31 *Action:*

32 *Commissioner Anderson moved to adopt draft OAR 635-041-0525 as shown in*  
33 *Attachment 4 incorporating the Memorandum of Understanding between the Siletz Tribe*  
34 *and the Oregon Department of Fish and Wildlife by reference. And to authorize the Vice*  
35 *Chair to sign the MOU attachment 2 Commissioner Akenson seconded the motion and*  
36 *the motion passed unanimously.*

37  
38 **Exhibit F: ACCESS AND HABITAT PROJECT FUNDING**

39 *Presenter: Keith Kohl, Access and Habitat Program Coordinator*

40  
41 *Keith Kohl provided a PowerPoint presentation outlining the Access and Habitat*  
42 *Program and funding recommendations. This presentation is available in the meeting*  
43 *materials and at*

44 [http://www.dfw.state.or.us/agency/commission/minutes/14/12\\_december/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/14/12_december/index.asp)

1  
2 Public Testimony: No public testimony was given.

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3 *Action:*  
4 *Commissioner Akenson moved to approve the recommendation of the Access and*  
5 *Habitat Board for project funding. Commissioner Wolley seconded the motion and the*  
6 *motion passed unanimously*

7  
8 **Exhibit G: OREGON HUNTER EDUCATION COURSE LENGTH**  
9 *Presenter: James Reed, Statewide Hunter Education Coordinator*

10  
11 *James Reed provided a PowerPoint presentation outlining the Oregon Hunter*  
12 *Education Course length Staff recommendations. This presentation is available in the*  
13 *meeting materials and at*  
14 [http://www.dfw.state.or.us/agency/commission/minutes/14/12\\_december/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/14/12_december/index.asp)  
15

16 Public Testimony: No public testimony was given.

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17  
18 *Action:*  
19 *Commissioner Wolley moved to amend OAR 635, Division 048 as proposed by staff.*  
20 *Commissioner Webber seconded the motion and the motion passed unanimously*

21  
22 **OTHER BUSINESS**

23  
24 **EXECUTIVE SESSION**

25 The Oregon Fish and Wildlife Commission met in executive session to consult with legal  
26 counsel with respect to litigation filed or likely to be filed against the Commission, and to  
27 conduct deliberations with persons designated by the governing body to negotiate real  
28 property transactions, as authorized by ORS 192.660(2)(e)and (h).  
29

30 **Exhibit H: WILLAMETTER WILDLIFE MITGATION PROGRAM PROPERTY**  
31 **ACQUISITIONS**

32 *Presenter: David Stroppel, Interim South Willamette Watershed Manager*  
33

34 *David Stroppel provided a PowerPoint presentation outlining the Willamette Wildlife*  
35 *Mitigation Program and proposed acquisitions. This presentation is available in the*  
36 *meeting materials and at*  
37 [http://www.dfw.state.or.us/agency/commission/minutes/14/12\\_december/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/14/12_december/index.asp)  
38

39 Public Testimony:

Ray Temple, Vice President of Salem Audubon Society, Salem Oregon	Supports the acquisition of Hayden Island to the Department and its subsequent management under a conservation easement.
Stephanie Hallock, Achtelman Legacy, Lake	Supports the acquisition of Hayden Island

Oswego, Oregon	
Owen Wozniak, Project Manager for Trust for Public Lands, Portland, Oregon	Supports the acquisition of Hayden Island and of the continuation of the enhancement and restoration of the Island.

- 1
- 2 *Action:*
- 3 *Commissioner Wolley moved to approve the acquisition of both the Coyote Creek*
- 4 *Northeast property and the Hayden Island (Gail Achterman Natural Area) property in the*
- 5 *Willamette Valley, and direct staff to proceed to escrow closing upon completion of the*
- 6 *due diligence processes required under Oregon Administrative Rules. Commissioner*
- 7 *Akenson seconded the motion, and the motion passed unanimously.*
- 8
- 9 Vic-Chair Michael Finley adjourned the meeting at 2:55 p.m.

DRAFT