



Oregon Fish and Wildlife Commission Minutes

Meeting: Friday, March 6, 2015 - 8:00 am
Oregon Department of Fish and Wildlife
Commission Room
4034 Fairview Industrial Drive S.E.
Salem, Oregon 97302

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7 *Commission minutes are considered draft until approved by the Commission.*
8 **March 6, 2015**
9

10 Notice of these meetings had been made by press release of statewide media circulation.
11 Those attending part or all of the meeting included:
12

Michael Finley, Chair	Curt Melcher, Director
Bobby Leve, Commissioner	Erin Donald, Assistant Attorney General
Bob Webber, Commissioner	Michelle Tate, Executive Assistant
Holly Akenson, Commissioner	
Greg Wolley, Commissioner	
Laura Anderson, Commissioner	

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14
15 **MEETING**
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17 On Friday, March 6, 2015, at 8:10 a.m., Chair Michael Finley called the Oregon Fish and
18 Wildlife Commission (the Commission) meeting to order.
19

20 **DIRECTOR'S REPORT**
21

22 **Field Reports**

23 *Field Reports provided in written form only. This report is available in the meeting materials*
24 *and at http://www.dfw.state.or.us/agency/commission/minutes/15/03_march/index.asp*
25

26 **Expenditure Report**

27 *Staff: Bill Herber, Acting Deputy Director for Fish and Wildlife Programs*
28 *This report is available in the meeting materials and at*
29 *http://www.dfw.state.or.us/agency/commission/minutes/15/03_march/index.asp*
30

31 Department wide expenditures are within budgeted projections and available revenues
32 and trend favorably. The department continues its process of preparation for the Ways &
33 Means presentation and is scheduled to present during the week of March 30th.
34

35 **Sage Grouse Mitigation Rulemaking**

36 *Staff: Ron Anglin, Wildlife Division Administrator*
37 *Jamie Damon, SageCon Project Manager*
38 *Sara O'Brien, Willamette Partnerships*

39 *This report is available in the meeting materials and at*
40 *http://www.dfw.state.or.us/agency/commission/minutes/15/03_march/index.asp*
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2 **Sport Fishing Regulations Streamlining**

3 *Staff: Mike Gauvin, Recreational Fisheries Program Manager*

4 *This report is available in the meeting materials and at*

5 http://www.dfw.state.or.us/agency/commission/minutes/15/03_march/index.asp

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7 **Marine Mammal Management Activites on the Willamette and Columbia Rivers**

8 *Staff: Robin Brown, Marine Mammal Program Lead*

9 *This report is available in the meeting materials and at*

10 http://www.dfw.state.or.us/agency/commission/minutes/15/03_march/index.asp

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12 **Adopt Temporary Rules**

13 Director Melcher requested the Commission adopt the three temporary rules as set forth
14 on the agenda.

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16 **1.) 635-041-0065**

17 **Treaty Indian Winter Commercial Fisheries in Zone 6 of the Columbia River Modified**

18 Adopted February 19, 2015: effective February 20, 2015 through March 31, 2015

19 This amended rule modifies the Treaty Indian winter gill net commercial season.
20 These modifications extend the close of the commercial fishing period for white sturgeon in
21 The Dalles and John Day pools by tribal fishers, from 6:00 p.m. Friday, February 20 to
22 6:00 p.m. Tuesday, February 24, 2015. Modifications are consistent with action taken
23 February 19, 2015 by the Oregon and Washington Departments of Fish and Wildlife, in
24 cooperation with the Columbia River Treaty Tribes, at a hearing of the Columbia River
25 Compact.

26
27 **2.) 635-041-0065**

28 **Columbia River Recreational Seasons for Salmon and Steelhead Modified**

29 Adopted March 4, 2015: effective March 5, 2015 through June 15, 2015

30 This amended rule modifies regulations for Columbia River recreational spring
31 Chinook and steelhead seasons with descriptions of areas, dates, and bag limits for
32 harvest of adipose fin-clipped Chinook salmon and adipose fin-clipped steelhead.
33 Revisions are consistent with action previously taken by the Washington Department of
34 Fish and Wildlife.

35
36 **3.) 635-042-0145**

37 **Commercial Winter Fisheries for Youngs Bay Select Area of the Columbia River
38 Modified**

39 Adopted March 5, 2015: effective March 9, 2015 through July 30, 2015

40 This amended rule modifies seasons for winter commercial fisheries for Chinook
41 salmon and shad in the Youngs Bay Select Area of the Columbia River that begin March 9,
42 2015.

43
44
45 **Discussion:** None

46
47 **Action:**

1 Commissioner Webber moved to adopt the three temporary rules as set out on the
2 agenda. Commissioner Anderson seconded the motion, and the motion carried
3 unanimously.
4

5 **PUBLIC FORUM**

6 *Note: This part of the agenda is for comments on topics not scheduled elsewhere on the*
7 *agenda. The Commission is unable to take action on items brought to their attention in this*
8 *forum.*
9

10 **Public Testimony:**

Biennium Budget and Fee Increase	
Blain Ackley	This written testimony is available in the meeting materials and at http://www.dfw.state.or.us/agency/commission/minutes/15/03_march/index.asp
Oregon Forest Industries Council Deer and Elk Damage Survey	
Mike Dykzeul, Director of Forest Protection, OFIC	This written testimony is available in the meeting materials and at http://www.dfw.state.or.us/agency/commission/minutes/15/03_march/index.asp
Marine Mammal Act	
Nanette Jones, Sealion Defense Brigade	90% of the states wildlife is not being represented by ODFW. In support of conservation for all. Sealions on the Columbia.

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12 **Discussion: None**

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14 **Exhibit A: COMMISSION MINUTES**

15 *Approve January 9 and February 13, 2015 Commission Minutes*

16 *Action: Differed*
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18 **Exhibit B: ACCESS AND HABITAT PROJECT APPROVAL AND BOARD**
19 **APPOINTMENTS**

20 The Commission will be asked to approve the Access and Habitat Board's
21 recommendations for project funding; and to appoint an A&H State Landowner
22 Representative

23 *Staff: Roblyn Brown, Acting Access and Habitat Coordinator*

24 *Public Testimony*

25 *Action: Approval and Appointment*
26

27 *Roblyn Brown provided a PowerPoint presentation of the staff recommendations of the*
28 *A&H Board for project funding and the A&H Board Appointments. This presentation is*
29 *available in the meeting materials and at*

30 http://www.dfw.state.or.us/agency/commission/minutes/15/03_march/index.asp
31

32 **Public Testimony: None**
33

1 **Discussion:**

2 There was some discussion on the proposed appointments and keeping an eye on the
3 geographic area that each candidate represents. Diversity of age and gender is also
4 important.

5
6 *Action: Issue 1*

7 Commissioner Akenson moved to appoint William Bronson to serve a four-year term as
8 Landowner Representative on the Access and Habitat Board. Commissioner Levy
9 seconded the motion and the motion was carried unanimously.

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11 *Action: Issue 2*

12 Commissioner Akenson moved to approve the recommendations of the Access and
13 Habitat Board for project funding. Commissioner Wolley seconded the motion and the
14 motion was carried unanimously.

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17 **Exhibit C: RESTORATION AND ENHANCEMENT PROJECT APPROVAL**

18 The Commission will be asked to approve the Restoration and Enhancement Board's
19 recommendations for project funding from the January 30, 2015 meeting and will receive
20 an informational briefing on the 2013-15 R&E report, and the 2014 STEP annual report.

21 *Staff: Kevin Herkamp, STEP and R&E Program Coordinator*

22 *Greg Silbernagel, R&E Board Chair*

23 *Tom Vanderplaats, STEP Advisory Committee Chair*

24 *Public Testimony*

25 *Action: Approval*

26
27 *Kevin Herkamp provided a PowerPoint presentation of the R&E Project Approvals for*
28 *Cycle 7 of 7 (2013-2015) and Cycle 1 of 7 (2015-2017). This presentation is available in*
29 *the meeting materials and at*

30 http://www.dfw.state.or.us/agency/commission/minutes/15/03_march/index.asp

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32 **Public Testimony: None**

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34 **Discussion:**

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36 *Action: Issue 1*

37 Commissioner Webber moved to approve the recommendations of the Fish Restoration
38 and Enhancement Board as proposed. Commissioner Levy seconded the motion and the
39 motion was carried unanimously.

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41 *Action: Issue 2*

42 Commissioner Wolley moved to approve the 2015-17 STEP and R&E Program Budget
43 recommendations of the Fish Restoration and Enhancement Board as proposed.
44 Commissioner Levy seconded the motion and the motion was carried unanimously.

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47 **Exhibit D: WOLF INFORMATIONAL BRIEFING**

1 The Commission will be given an informational briefing on the 2014 Annual Wolf Report
 2 *Staff: Russ Morgan*
 3 *Public Testimony*
 4 *Action: Informational*
 5

6 *Russ Morgan provided a PowerPoint presentation of the Oregon Wolf Conservation and*
 7 *Management. This presentation is available in the meeting materials and at*
 8 http://www.dfw.state.or.us/agency/commission/minutes/15/03_march/index.asp
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10 **Public Testimony:**

Al Elkins, OHA	Supports the beginning of Phase II. We are interested in the status of delisting process and are prepared to file a petition to encourage the Commission to do so. 2013 it was our understanding that you have a partnership with OSU to provide a study with wolf interactions and wolf predation rates; we would like to know the status of that study.
Stephanie Taylor, Portland	Grew up in a cattle ranching community, and currently seeking a degree in wolf biology. Concerned about the lethal measures that could be used for wolf management.
Jerome Rosa, Executive Director for OCA	This is the first year where there is a shortage for money in the wolf compensation plan to pay ranchers for loses while maintaining aggressive non-lethal programs. Now is the time to start thinking about maximum number of wolves that will be socially acceptable in this state. Currently working on a program that will help fund ESA projects throughout the state, this would be available to every county in the state based on the number of cattle in the county.
George Houston, FNAWS	We are very interested in the amount of wolves on the landscape and the damage they are doing to the ungulate prey base. Supports continuing forward onto Phase II.
Dave Wiley, RMEF	Strongly supports the conservation and management wolf plan.

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 12 **Discussion:**
 13 **Commissioner Wolley** – How is chasing reported and documented?
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 15 **Russ Morgan** – Chasing is not defined as a term by a rule or statute it is merely a term
 16 within the statute. There are other provisions within the rule that goes through that in detail.
 17
 18 **Commissioner Wolley** – The reporting of chasing; does that have to be observed and
 19 that is the basis of recording?
 20

1 **Russ Morgan** – If a wolf is being seen by a producer chasing their livestock and if they
2 shoot it, there is a reporting requirement within 24 hours. There is also specific statutory
3 and rule language to how the scene must be treated; it must be preserved and left
4 untouched. There would be an investigation and under what circumstances occurred.

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6 **Commissioner Wolley** – It's after the fact?

7
8 **Russ Morgan** – Yes, the rule states the animal has to be in the act of biting, wounding,
9 killing, and chasing.

10
11 **Commissioner Levy** – In the Mechum and Mt. Emily area, how many wolves are collard?

12
13 **Russ Morgan** – Two wolves in the Mechum pack and four in the Mt. Emily area.

14
15 **Commissioner Levy** – On the East side we are nearing enough breeding pairs to move
16 into Phase III, what are your thoughts on that?

17
18 **Russ Morgan** – Essentially we have the met the first leg of the criteria and can't move into
19 Phase III until 2017 at the earliest.

20
21 **Commissioner Levy** – is interested in the data of the program study at OSU.

22
23 **Russ Morgan** - Research project with OSU and ODFW. We have a full time PHD student
24 right now. Essentially the project is focused on understanding more indepth how wolves
25 interact with cougars and other predators. We don't have a great deal of data because
26 we've just started getting wolves' collard.

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28 **OTHER BUSINESS**

29
30 **Executive Session**

31 *The Commission will hold an executive session to consult with legal counsel with respect*
32 *to litigation filed or likely to be filed against the Commission, as authorized by ORS*
33 *192.660(2)(h).*

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36 Chair Michael Finley adjourned the meeting at 5:19 p.m.