

1
2 Commissioner Atkinson - the film has been a tremendous success since it became
3 available on Netflix a couple weeks ago. It is also available on iTunes and Amazon. It is
4 widely received and is going to be distributed on the east coast. It is a triumphant story
5 of people and a monumental failure of government.

6
7 **DIRECTOR'S REPORT**
8

9 Field Reports – in written form only

10 *This report is located in the commission material and can be viewed at*
11 http://www.dfw.state.or.us/agency/commission/minutes/16/01_january/index.asp
12

13 Expenditure Report:

14 *Staff: Bill Herber, Deputy Director for Administration*

15 *This report is located in the commission material and can be viewed at*
16 http://www.dfw.state.or.us/agency/commission/minutes/16/01_january/index.asp
17

18 Department wide, expenditures are within budgeted projections and available
19 revenue. The \$1.29M expenditure within the Capital Construction category
20 represents the acquisition of the Lower Deschutes River Ranch property.

21
22 December 31, 2015 marked the official close for the 2013-15 biennium. Below are
23 listed the actual ending balances for the Department's Other Fund types. Across
24 the board the Department's efforts at cost savings and efficiencies have
25 contributed to a much better financial position than previously projected. However,
26 the \$16.1 million ending balance in Other Fund License puts the Department in a
27 position to cover only a little more than a month worth of expenditures, which is
28 still well below the targeted 3 month Operating Reserve.
29

30 Wolf Plan Review Process

31 *Ron Anglin, Wildlife Division Administrator*

32 *This report is located in the commission material and can be viewed at*
33 http://www.dfw.state.or.us/agency/commission/minutes/16/01_january/index.asp
34

35 Ron Anglin, Wildlife Division Administrator- There has been concern that we may be
36 having some sick bighorn sheep in the Owyhee River Canyon; we have documented
37 this by disease sampling. Recent survey indicates that there has been approximately a
38 60% die off as a result of disease outbreak. The sheep tested positive for a new strain
39 of a respiratory pathogen linked to pneumonia picked up from domestic sheep. This is
40 not uncommon if wild and domestic sheep mingle. As a result we are going to use some
41 of the rules that the Commission has adopted to zero out three hunts in the Owyhee
42 Canyon (567A1, 567A2, and 567A3) for a total of ten tags. We will be reaching out to
43 applicants to these hunts to let them know what is going on and provide them options.
44
45
46
47

1 **Adopt Temporary Rules**

2 Curt Melcher, Director, requested the Commission ratify the following temporary rules.
3 The six temporary rules were previously adopted by the director under his emergency
4 action authority.

5 **1) 635-435-0010**

6 **Amendment to Wildlife Control Operator Rules**

7 Adopted: December 9, 2015. Effective Dates: December 9, 2015 through June 1,
8 2016.

9 This temporary rule amendment is necessary to correct Wildlife Control Operators time
10 frame for bat control. The Commission approved amendments to Division 435, Wildlife
11 Control Operators, on December 4, 2015. Additional amendments are needed to correct
12 435-0010(3) regarding the time frame for bat control activities. Failure to amend the rule
13 would result in serious prejudice to Wildlife Control Operators conducting their activities
14 under the Wildlife Control Operators permit
15

16 **2) 635-005-0465**

17 Commercial Dungeness crab Season Opens in the Pacific Ocean and Columbia River
18 Adopted December 22, 2015: effective January 1, 2016 through June 28, 2016.
19

20 This amended rule sets the opening of the 2016 commercial Dungeness crab season in
21 the Pacific Ocean and Columbia River as January 4, 2016. Previously, the season
22 opening was delayed beyond the December 1 start date set in permanent rule due to
23 elevated levels of the biotoxin domoic acid detected in crab samples during preseason
24 testing. Three recent consecutive rounds of testing by the Oregon Department of
25 Agriculture have shown domoic acid levels below U.S. Food and Drug Administration
26 alert levels. This rule also establishes regulations preventing vessels choosing to
27 participate in Oregon’s fishery from participating in California’s fishery until 30 days after
28 those areas open. California fisheries remain closed at this time due to Domoic Acid in
29 those areas. Finally, rule modifications suspend the provision in permanent rule that
30 suspends crab permit transfers during split-area openings within the Tri-State area
31 (WA/OR/CA) due to the indeterminate nature of the closures in California.
32

33 *Action:*

34 Commissioner Webber moved to ratify the temporary rules. Commissioner Akenson
35 seconded the motion, and the motion carried unanimously.
36

37 **PUBLIC FORUM**

38 *Note: This part of the agenda is for comments on topics not scheduled elsewhere on the*
39 *agenda. The Commission is unable to take action on items brought to their attention in*
40 *this forum.*
41

Sale of Taxidermy Mounts	
<i>Patrick Ackerson</i>	Currently, in Oregon, other than taxidermists who can sell unclaimed mounts to recover their costs; individuals can only sell taxidermy mounts of game mammals that occur in Oregon, “one-time”, as part of

	an estate. We are now downsizing, will not have a place to display the mounts, and would like to take care of getting rid of these instead of leaving for the family to deal with.
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1 Discussion: the Commission directed the Department to look into the feasibility and
2 consequences of extending the one-time opportunity to sell taxidermy mounts. The
3 Commission raised the idea of extending the option to individuals who reach a
4 specific age.

5
6 **Exhibit A: COMMISSION MINUTES**
7 Deferred

8
9 **Exhibit B: SCHEDULE OF DAMAGES FOR COMMERCIAL FISHING VIOLATIONS**
10 *The Commission will be asked to adopt the schedule of damages used in assessing*
11 *commercial fishing violations during 2016.*
12 *Staff: Aaron Jenkins, Economist*
13 *Public Testimony*
14 *Rulemaking*

15
16 *Aaron Jenkins provided a presentation this presentation is located in the commission*
17 *material and can be viewed at*
18 http://www.dfw.state.or.us/agency/commission/minutes/16/01_january/index.asp
19

20 No public testimony was given.

21 *Action:*
22 Commissioner Wolley moved to amend the Schedule of Damages for Commercial
23 Fishing contained in OAR 635-006-0232 as proposed by staff in Attachment 4;
24 Commissioner Webber seconded the motion and the motion was carried unanimously.

25
26 **Exhibit C: REGULATIONS FOR 2016 GROUND FISH AND 2014 NEARSHORE**
27 **LOGBOOK REPORT**

28 *The Commission will be asked to adopt the 2016 regulations for groundfish and review*
29 *the 2014 annual commercial nearshore logbook report.*
30 *Staff: Maggie Sommer, Marine Fisheries Section Manager*
31 *Public Testimony*
32 *Rulemaking*

33
34 *Maggie Sommer provided a presentation on the 2014 Nearshore Logbook Report and*
35 *the 2016 state nearshore groundfish regulations.*
36 *This presentation is located in the commission material and can be viewed at*
37 http://www.dfw.state.or.us/agency/commission/minutes/16/01_january/index.asp
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Public testimony	
Derek Barclay	Submitted written testimony. <i>This testimony is located in the commission material and can be viewed at</i> http://www.dfw.state.or.us/agency/commission/minutes/16/01_j

1
2 *Action:* Commissioner Anderson moved to adopt the recommended recreational and
3 commercial groundfish regulations as proposed by staff in Attachment 3. Commissioner
4 Buckmaster seconded the motion and the motion was carried unanimously.

5
6 Chair Finley asked that the co-mingling issue be further discussed during next year's
7 Commission presentation on groundfish regulations.

8
9 Commissioner Webber asked the department to look at the logbook compliance for a
10 better way to encourage people to achieve logbook compliance without having to use
11 our staff's time chasing down the information.

12
13 **ACCESS and HABITAT BOARD APPOINTMENT**

14 *The Commission will be asked to approve an Access and Habitat Board Appointment.*

15 *Staff: Isaac Sanders, Access and Habitat Program Coordinator*

16 *Public Testimony*

17 *Approval*

18
19 *Staff Presentation: This presentation is located in the commission material and can be
20 viewed at*

21 http://www.dfw.state.or.us/agency/commission/minutes/16/01_january/index.asp

22

Public Testimony	
Al Elkins, OHA	Supports the recommendation to appointing Jim Morrell to chairman position on the Access and Habitat Board.

23
24 *Action:*
25 Commissioner Akenson moved to appoint James Morrell to the Access and Habitat
26 Board as Chairman. Commissioner Webber seconded the motion and the motion was
27 carried unanimously.

28
29 **Exhibit E: BIG GAME HUNTING SEASON and TAG SETTING FRAMEWORK**

30 *The Commission will be provided an informational briefing on proposed changes
31 to the process and timelines for setting big game hunting seasons and tag numbers.*

32 *Staff: Nick Myatt, Grand Ronde Watershed District Manager*

33 *Kevin Blakely, Wildlife Division Deputy Administrator*

34 *Public Testimony*

35 *Informational*

36
37 *Staff Presentation: Nick Myatt and Kevin Blakely provided a presentation describing the
38 proposed changes to the big game hunting season and tag setting framework. The
39 proposed changes develop efficiencies in the setting of the season and tag numbers.
40 These efficiencies in the process will provide more time for hunters to review and*

1 comment on proposals, and be able to provide actual tag numbers in the regulation
2 book.

3 *This presentation is located in the commission material and can be viewed at*
4 http://www.dfw.state.or.us/agency/commission/minutes/16/01_january/index.asp
5

public testimony	
Al Elkins, OHA	This proposal has received enthusiastic support; OHA supports this proposal moving forward.
Jim Akenson, OHA	From a conservation aspect the only concern is the capability to adapt to emergency situations. From a decision making perspective, I hope that the Commission will have time to make scientifically based decisions under the new timelines. OHA indorses this proposal.
Ted Netter	Submitted written testimony. <i>This testimony is located in the commission material and can be viewed at</i> http://www.dfw.state.or.us/agency/commission/minutes/16/01_january/index.asp
Casey Brook	Supports Ted Netter's comments
George Houston, OR FNWS	FNWS supports the proposal

6

7 **Executive Session**

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

11

12 **OTHER BUSINESS**

13 The February Commission meeting will include a reception at the 2016 Sportsman
14 Show on the 11th, the Commission Meeting will be held at the Embassy Suites in Tigard
15 on the 12th.

16

17 Commission Anderson asked to be provided an update to on the Columbia River
18 reform.

19 This update will be scheduled for the March 18th Commission Meeting in Salem. The
20 Department will invite two panels of representatives from interested stakeholder groups
21 to provide testimony and presentations to tell their perspective and concerns on this
22 topic.

23

24 The Commission approved the 2016 Proposed Commission Meeting Dates March
25 through December, as proposed by staff.

26

27 Chair Michael Finley adjourned the meeting at 12:57 p.m.