



Oregon Fish and Wildlife Commission Agenda

Thursday, October 6, 2016 – 8:30 a.m.
Americas Best Value Sandman Inn
Lobby
2410 E R Ave.
La Grande, OR 97850

Meeting:
Friday, October 7, 2016 – 8:00 a.m.
Blue Mountain Conference Center
404 12th Street
La Grande, OR 97850

Friday October 7, 2016

DIRECTOR'S REPORT

Field Reports – in written form only

Expenditure Report

Staff: Curt Melcher, Director

Adopt Temporary Rules

Curt Melcher, Director

1.) 635-042-0031

Allowable sales for Two Fishing Period of the Ongoing Commercial Seine Fishery Modified.

Adopted August 25, 2016: effective August 28, 2016 through September 30, 2016.

This amended rule:

- 1) Modifies allowable sales of fish caught in two 10-hour fishing periods of the ongoing non-Indian commercial fall salmon seine fishery. Non-finclipped Chinook caught with purse seine gear in the fishing period on September 7 and caught with beach seine gear on September 14 added to allowable sales for those periods only.
- 2) Authorizes two additional 9-hour fishing periods for the ongoing commercial fall salmon gill net fishery in zones 4 and 5 of the Columbia River. The first new period is set to begin at 9:00 p.m. Sunday, August 28, 2016. Allowed sales include: Chinook, coho, pink and sockeye salmon, and shad.

Rule modifications are consistent with action taken August 25, 2016 by the Departments of Fish & Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

2.) 635-004-0275 and 635-004-0355

In-season Adjustments to Commercial Nearshore and Commercial Sablefish Fishery Trip Limits

Adopted September 12, 2016: effective September 15, 2016 through December 31, 2016.

Both these amended rules implement changes to in-season trip limits for the Oregon commercial nearshore fishery and adopt federal in-season decreases to sablefish trip limits. Federal in-season decreases are adopted through reference in Oregon Administrative Rules. For periods 5 and 6 in 2016, trip limits for blue and deacon rockfish combined increased from 50 to 150 pounds, other nearshore rockfish increased from 350 to 450 pounds, and greenling increased from 600 to 800 pounds.

3.) 635-023-0130

Columbia River Mainstem Recreational Steelhead Fishery Bag Limit Modified

Adopted September 13, 2016: effective September 15, 2016 through December 31, 2016.

This amended rule reduces the daily bag limit for steelhead from two to one fish in the fall

recreational fishery on the Columbia River in the area from McNary Dam upstream to the Oregon/Washington border (upstream of McNary Dam). The reduction, originally set for November 1, has been rescheduled for September 15, 2016. With this harvest modification, the fishery continues to meet species and stock-specific allocations while remaining within ESA guidelines. This modification is consistent with action taken September 13, 2016 by the Departments of Fish and Wildlife for the States of Oregon and Washington.

4.) 635-041-0030 and 635-041-0061

Columbia River Treaty Indian Sturgeon Fisheries Regulations Modified

Adopted September 9, 2016: effective September 15, 2016 through December 31, 2016.

These amended rules modify regulations for Treaty Indian sturgeon fisheries in the Columbia River and its tributaries. Modifications are consistent with action taken by the parties of US v. Oregon at a recent meeting.

5.) 635-039-0090

In-season Modifications to Pacific Ocean Recreational Groundfish Depth Restrictions

Adopted September 13, 2016: effective October 1, 2016 through December 31, 2016.

This amended rule re-opens the Pacific ocean to retention of groundfish at all depths from 12:01 a.m. October 1 through December 31, 2016. This action is intended to allow opportunity at all depths while not exceeding the allocation for yelloweye rockfish. These modifications replace current depth restrictions adopted previously by temporary rule effective on July 14, 2016 and returns regulations to those listed under the "season" column on page 77 of the **2016 Oregon Sport Fishing Regulations** for: "*Rockfish, Greenling, Pacific Cod, Cabezon, Skates, Spiny Dogfish, Leopard Shark, Soupin Shark, Topsmelt, Jacksmelt other marine species not listed here on page 77*" beginning October 1, 2016.

6.) 635-005-0387

Netarts Bay Commercial Cackle Clam Fishery Closes

Adopted September 13, 2016: effective September 16, 2016 through December 31, 2016.

This amended rule closes the Netarts Bay commercial cackle fishery at 12:01 a.m. September 16, 2016 due to the projected attainment of the 22,000 pound annual harvest quota allowed under bay clam catch limits. Modifications are consistent with requirements described in section (1) of OAR 635-005-0387.

7.) 635-023-0130

Ongoing Columbia River Fall Recreational Salmon Seasons Modified

Adopted September 14, 2016: effective September 15, 2016 through December 31, 2016.

This amended rule extends, by eight days, the ongoing Buoy-10 and lower Columbia River recreational salmon fisheries. The closures originally set for September 15 have been rescheduled for September 23, 2016. With this harvest modification, the fishery continues to meet species and stock-specific allocations while remaining within ESA guidelines. Modifications are consistent with action taken September 14, 2016 by the Departments of Fish and Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

8.) 635-041-0045 and 635-041-0075

Sales from Columbia River Treaty Indian Fall Commercial Gill Net Fishery Authorized

Adopted September 14, 2016: effective September 16, 2016 through December 31, 2016.

This amended rule authorizes the sales of fish caught in a four-and-a-half day Treaty

Indian fall commercial gill net fishery set for the Columbia River. The fishery begins at 6:00 a.m. Monday, September 19 and runs through 6:00 p.m. Friday, September 23, 2016. Modifications are consistent with action taken September 14, 2016 by the Departments of Fish and Wildlife for the States of Oregon and Washington in cooperation with the Columbia River Treaty Tribes at a meeting of the Columbia River Compact.

9.) 635-042-0031

Fishing Periods Authorized for the Columbia River Late Fall Chinook Commercial Salmon Fishery

Adopted September 14, 2016: effective September 16, 2016 through September 30, 2016.

This amended rule authorizes two fishing periods for the late fall Chinook commercial drift gillnet fishery on the Columbia River in Zones 4-5 and one in Zones 1-5. The first period is set to begin at 8:00 p.m. Sunday, September 18 and run through 5:00 a.m. Monday, September 19, 2016 (9 hours). Allowed sales include: Chinook, Coho, Pink and Sockeye salmon, and shad. Modifications are consistent with action taken September 14, 2016 by the Departments of Fish and Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

10.) 635-023-0130

Ongoing Columbia River Fall Recreational Salmon Seasons Modified

Adopted September 22, 2016: effective September 23, 2016 through December 31, 2016.

This amended rule extends Chinook retention in the ongoing Buoy-10 and lower Columbia River recreational salmon fisheries through September 30, 2016. With this harvest modification, the fishery continues to meet species and stock-specific allocations while remaining within ESA guidelines. Modifications are consistent with action taken September 22, 2016 by the Departments of Fish and Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

11.) 635-041-0075

Sales from Columbia River Treaty Indian Fall Commercial Gill Net Fishery Authorized

Adopted September 22, 2016: effective September 23, 2016 through December 31, 2016.

This amended rule authorizes the sales of fish caught in a four-and-a-half day Treaty Indian fall commercial gill net fishery set for the Columbia River. The fishery begins at 6:00 a.m. Monday, September 26 and runs through 6:00 p.m. Friday, September 30, 2016. Modifications are consistent with action taken September 22, 2016 by the Departments of Fish and Wildlife for the States of Oregon and Washington in cooperation with the Columbia River Treaty Tribes at a meeting of the Columbia River Compact.

12.) 635-042-0031

Additional Commercial Seine Fishing Periods Authorized for the Columbia River Fall Chinook Salmon Fishery

Adopted September 22, 2016: effective September 23, 2016 through September 30, 2016.

This amended rule authorizes three additional fishing periods for the fall Chinook commercial seine net fishery on the Columbia River in Zones 1-3. The first new period is set to begin at 7:00 a.m. Tuesday, September 27 and run through 5:00 p.m. (10 hours). Allowed sales include: Adipose or ventral fin-clipped Chinook, adipose-clipped coho, pink and sockeye salmon and shad. Modifications are consistent with action taken September 22, 2016 by the Departments of Fish and Wildlife for the States of Oregon and Washington at a meeting of the

Columbia River Compact.

13.) 635-014-0090

Clarification of the Wild Coho Bag Limits In Siltcoos Lake and Tahkenitch Lake

Adopted September 22, 2016: effective October 1, 2016 through December 31, 2016.

This amended rule restores recreational bag limits for wild adult and jack coho at Siltcoos Lake and Tahkenitch Lake (Northwest angling zone) inadvertently removed from the **2016 Oregon Sport Fishing Regulations** during the publishing process. These rule modifications are necessary to properly inform anglers and clarify for the Oregon State Police enforcement. The daily bag limit for these waters is one wild adult coho and one wild jack coho per day. No more than 5 wild coho, in aggregate from both the Northwest and Southwest angling zones, may be retained per year.

14.) 635-042-0031

Previously Authorized Columbia River Commercial Drift Net Fishing Period Rescinded

Adopted September 27, 2016: effective September 27, 2016 through September 30, 2016.

This amended rule rescinds a previously authorized fishing period for the fall Chinook commercial drift net fishery on the Columbia River in Zones 1-5. The period was set to begin at 8:00 p.m. Wednesday, September 28 and run through 6:00 a.m. Thursday, September 29 (10 hours). Given the latest run size estimate, upriver bright (URB) impacts remain available for Chinook and coho directed fisheries during October, but any further reductions in the URB run size will require additional review. Rescinding the previously scheduled fishing period will reduce the risk of exceeding the conservation threshold of 15.0% for URB Chinook. Modifications are consistent with action taken September 27, 2016 by the Departments of Fish and Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

15.) 635-042-0100

Commercial Anchovy Fishery Trip Limits for the Columbia River

Adopted September 26, 2016: effective October 3, 2016 through March 31, 2017.

This amended rule establishes daily and weekly trip limits for the commercial anchovy fishery inside the Columbia River. Anchovy landings into Oregon have substantially increased in 2016 from recent years, with the majority of the catch coming from inside the Buoy 10 line at the mouth of the Columbia River. There have been approximately 5,200 metric tons (mt) landed in Oregon so far this season. In past seasons since 2000, the total annual harvest into Oregon averaged around 67 mt. The magnitude of anchovy landings into Oregon from the Columbia River area alone has been a point of concern for all management entities involved (the states of Oregon and Washington, the Pacific Fishery Management Council, and the National Marine Fisheries Service) and a variety of stakeholders, including both fishing industry and environmental groups.

16.) 635-014-0090

Big Creek In the Northwest Zone Closes to Angling for All Species October 1-31

Adopted September 28, 2016: effective October 1, 2016 through December 31, 2016.

This amended rule prohibits sport angling for all fish species on Big Creek in the Northwest angling zone from the hatchery deadline downstream to the railroad trestle (inclusive) from October 1 through 31, 2016. Permanent rules allow fishing starting October 1. Current numbers of returning Chinook and coho have been unseasonably low. The

modifications are necessary to protect returning hatchery adults to be used as hatchery broodstock.

17.) 635-041-0075

Sales from Columbia River Treaty Indian Fall Commercial Gill Net Fishery Authorized

Adopted September 29, 2016: effective October 1, 2016 through December 31, 2016.

This amended rule authorizes the sales of fish caught in a four-and-a-half day Treaty Indian fall commercial gill net fishery set for the Columbia River. The fishery begins at 6:00 a.m. Monday, October 3 and runs through 6:00 p.m. Friday, October 7, 2016. Modifications are consistent with action taken September 29, 2016 by the Departments of Fish and Wildlife for the States of Oregon and Washington in cooperation with the Columbia River Treaty Tribes at a meeting of the Columbia River Compact.

18.) 635-042-0160

Fall Commercial Salmon Seasons for Knappa Slough Rescinded

Adopted September 29, 2016: effective October 1, 2016 through October 31, 2016.

This amended rule rescinds sixteen fall commercial salmon seasons previously authorized for the Knappa Slough Select Area of the Columbia River. This action is taken due to concerns about adequate numbers of returning hatchery Chinook and coho salmon needed for broodstock at Big Creek Hatchery. Modifications are consistent with action taken September 29, 2016 by the Departments of Fish and Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

19.) 635-075-0020, 0022, 0023

Amend Rules for Issuing “Leftover Limited Landowner Preference Tags” after the June Controlled Hunt Drawing

Adopted: September 29, 2016. Effective Dates: September 30, 2016 through March 15, 2017

The current process for issuing leftover Limited Landowner Preference (LOP) elk tags limits each landowner to one tag. Limited LOP mule deer tags do not have the same constraint. A landowner may be issued more than one Limited LOP deer tag for themselves or hunters on their LOP Tag Distribution Form. The temporary rules will make the process consistent for issuing leftover Limited LOP tags for mule deer and elk hunts. This change is necessary to make leftover Limited LOP elk tags available to landowners who have not received all of the tags their property qualifies for based on acreage as set forth in 635-075-0005 (8).

Elk Distribution - Invited Guests

Oregon Hunters Association, Jim Akenson
Land Owners Group, Tom Birkmeier
US Forest Service; Mark Penninger
ODFW District Biologist, Pat Mathews

Exhibit A: COMMISSION MINUTES

The Commission will be asked to approve draft April 22, May 13, and September 2, 2016 Commission meeting minutes.

Exhibit B: ACCESS AND HABITAT PROJECT FUNDING

The Commission will be asked to approve the Access and Habitat Board recommendations for project funding.

Staff: Isaac Sanders, Access and Habitat Program Coordinator
Public Testimony
Approval

Exhibit C: COUGAR MANAGEMENT PLAN REVIEW

The Commission will be given an informational update on the Cougar Management Plan review.

*Staff: Derek Broman, Carnivore/Furbearer Coordinator
Public Testimony
Informational*

Exhibit D: WOLF MANAGEMENT PLAN REVIEW

The Commission will be given an informational update on the Wolf Conservation and Management Plan

*Staff: Russ Morgan, Wolf Program Coordinator
Public Testimony
Informational*

OTHER BUSINESS

ADJOURN

FUTURE PROPOSED COMMISSION TOPICS

* Written public comments for future Commission Topics can be submitted in writing prior to the meeting date at ODFW.Commission@state.or.us or mailed to 4034 Fairview Industrial Drive SE Salem, OR 97302

November 9, 2016 – Salem

*Written public comment period will open September 15, 2016

- Update on Columbia River Harvest Reform - Informational

December 2, 2016 – Salem

*Written public comment period will open October 15, 2016

- Access & Habitat Projects – Approval
- Restoration & Enhancement Projects - Approval
- Columbia River Harvest Reform – Rulemaking
- Draft Wolf Conservation and Management Plan – Informational
- Sensitive Species List and Threatened and Endangered Species List Update – Rulemaking
- Regulations for 2017 Groundfish Fisheries and 2015 Nearshore Logbook Report - Rulemaking

PLEASE NOTE

AGENDA

The Commission meeting will begin at 8:00 a.m. October 7, 2016, and proceed chronologically through the agenda. If you wish to receive written materials prepared for any of the agenda items, please contact the Director's Office in Salem at 503.947.6044 to request a packet for those items which interest you or see the agency's website at <http://www.dfw.state.or.us/Comm/schedule.htm> .

A recess will be taken at 12:00 Noon, when the Commission will have lunch and may discuss matters of general interest. The public is welcome to attend, and an announcement will be made of the location of the lunch. Lunch will not be provided to the public.

PUBLIC TESTIMONY

If you wish to give testimony on any item scheduled on this agenda, please sign up on the sheets provided the day of the meeting. You will be called to testify by the Commission Chair. The Commission places great value on information received from the public, and wants to avoid arbitrary limits on the time or attention allocated to each witness. Therefore, persons desiring to testify or otherwise present information to the Commission are encouraged to:

- (1) Provide written summaries of information to the Commission twenty (20 sets);
- (2) Limit testimony to three (3) minutes, recognizing that substance, not length, determines the value of testimony or written information;
- (3) Endorse rather than repeat testimony of other witnesses; and
- (4) Groups or organizations wishing to testify should designate one spokesperson whenever possible.

Thank you for taking the time to present your views.

Materials delivered to the Director's Office sufficiently in advance of the meeting can be copied and distributed to the Commission. If you bring written materials to the hearing, please provide twenty (20) copies. If you have questions regarding this Agenda, please contact the Director's Office, Oregon Department of Fish and Wildlife, 4034 Fairview Industrial Dr. SE, Salem, OR 97302, 503.947.6044.

PARKING

Parking is available to anyone who attends the Commission meeting.

REASONABLE ACCOMMODATION OF DISABILITIES

Reasonable accommodation, such as assistive hearing devices, sign language interpreters, and materials in large print or audiotope, will be provided as needed. In order to ensure availability, please contact the Director's Office at 503.947.6044 at least 72 hours prior to the meeting to make your request. TTY users can reach ODFW by using the Oregon Telecommunications Relay Service. Please dial 711 and ask to be connected to 503-947-6044.