



Oregon Fish and Wildlife Commission Agenda

Thursday, February 9, 2017; 4:30 – 5:45
Fish and Wildlife Commission Reception
Pacific Northwest Sportsmen's Show
Portland Expo Center, Green Theater
2060 North Marine Dr.
Portland, OR 97217

Meeting:
Friday February 10, 2017 – 8:00 a.m.
Embassy Suites Portland Washington Square
Metolius River Ballroom
900 SW Washington Square Rd.
Tigard, Oregon 97223

Friday February 10, 2017

DIRECTOR'S REPORT

Field Reports – in written form only

Expenditure Report

Staff: Cameron Smith, Acting Deputy Director for Administration

Adopt Temporary Rules

Curt Melcher, Director

1) 635-041-0065

2017 Treaty Indian Winter Commercial Fisheries Set In Zone 6 of the Columbia River

Adopted January, 2017: effective February 1, 2017 through March 31, 2017.

This amended rule sets both the platform hook-and-line and gill net Treaty Indian winter commercial seasons for 2017. The modifications allow commercial sales, in Oregon, of fish caught in the Bonneville, The Dalles, and John Day pools by tribal fishers beginning February 1, 2017. Modifications are consistent with action taken January 31, 2017 by the Oregon and Washington Departments of Fish and Wildlife, in cooperation with the Columbia River Treaty Tribes, at a meeting of the Columbia River Compact.

2) 635-042-0130

2017 Commercial Smelt Season Set for the Columbia River

Adopted January, 2017: effective February 2, 2017 through February 27, 2017.

This amended rule sets a commercial gill net fishing season for smelt in Zones 1-3 of the Columbia River. The fishery consists of 7-hour fishing periods beginning 7:00 a.m. through 2:00 p.m., Mondays and Thursdays of each week from February 2 through February 27, 2017. Revisions are consistent with the action taken January 31, 2017 by the Oregon and Washington Departments of Fish and Wildlife in a meeting of the Columbia River Compact.

3) 635-006-0210

Electronic Fish Tickets Reporting Commercial Sales of Salmon, Sturgeon, Smelt and Shad Required

Adopted February, 2017: effective February 2, 2017 through July 29, 2017.

This amended rule requires, by way of electronic fish receiving tickets (e-ticket), the reporting of commercial sales of salmon, sturgeon, smelt and shad landed downstream of Bonneville Dam and purchased by wholesale fish dealers, wholesale fish bait dealers, and food fish canners. Modifications also require e-tickets be submitted within 24 hours of the closure of a fishing period or within 24 hours of the landing when fishing periods are longer than 24 hours.

4) 635-05-0465

Commercial Dungeness crab Health Closure

Adopted February, 2017: effective February 2, 2017 through July 31, 2017.

In coordination with Oregon Department of Agriculture temporary rule making, this amended rule implements a health closure area closed for bio-toxins for the ocean commercial Dungeness crab fishery from the Coos Bay North Jetty (43° 21.60' N. Lat.) northward to Heceta Head (44° 08.30' N. Lat.) due to detection of elevated levels of domoic acid in crab viscera in the specified area. The rule requires that all Dungeness crab taken from the health closure area from 12:01 AM January 25, 2017 through 12:01 AM February 10, 2017 be sold to a food processor licensed by the Oregon Department of Agriculture for evisceration and otherwise prohibits take of Dungeness crab after the effective date and time of this rule. This rule allows crab gear to be left in the area after the closure date so long as it is un-baited with the lids open, and allows vessels with crab on board to transit the area during the closure.

5) 635-042-0145, 635-042-0160, 635-042-0170, 635-042-0180

2017 Commercial Seasons Set for Columbia River Select Areas

Adopted January, 2017: effective February 6, 2017 through March 28, 2017.

These amended rules implement the 2017 winter, spring and summer commercial salmon seasons for the Deep River, Youngs Bay, Blind Slough/Knappa Slough and Tongue Point/South Channel Select Areas. The first authorized fishing period in these Select Area sites is set to begin February 6. Modifications are consistent with action taken January 31, 2017 by the Departments of Fish & Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

6) 635-041-0165

2017 Treaty Indian Winter Commercial Season Extended in John Day Pool of the Columbia River

Adopted February, 2017: effective February 7, 2017 through March 31, 2017.

This amended rule extends the Treaty Indian winter commercial gill net season in the John Day Pool through February 15, 2017. Modifications are consistent with action taken February 7, 2017 by the Oregon and Washington Departments of Fish and Wildlife, in cooperation with the Columbia River Treaty Tribes, at a meeting of the Columbia River Compact.

7) 635-005-0465

Commercial Dungeness Crab Evisceration Requirement for Biotoxin Management Area

Adopted February, 2017: effective February 8, 2017 through August 5, 2017.

In coordination with Oregon Department of Agriculture (ODA) temporary rule making (see OAR 635-025-0400), this amended rule implements a biotoxin management area for the ocean commercial Dungeness crab fishery from the Coos Bay North Jetty (43° 21.60' N. Lat.) northward to Heceta Head (44° 08.30' N. Lat.) due to detection of elevated levels of domoic acid in crab viscera in the specified area. In combination, this rule and ODA rule require that all Dungeness crab taken from the biotoxin management area since 12:01 AM January 25, 2017 be sold to a food processor licensed by the Oregon Department of Agriculture for evisceration. Temporary rules filed February 2, 2017 by ODFW and ODA implemented a short-term evisceration requirement followed by a fishery closure in the biotoxin management area which would have been effective at 12:01 AM February 10, 2017. These rules effectively extend the evisceration requirement until further domoic acid test results are available and removes the fishery closure. These rules prohibit the sale of live crab caught in the affected areas and prohibit the sale of any crab that is not processed consistent with these rules.

Limited LOP Tags for Mule Deer Review Update

Staff: Doug Cottam, Wildlife Division Administrator

PUBLIC FORUM

Note: This part of the agenda is for comments on topics not scheduled elsewhere on the agenda. Please contact the Oregon Department of Fish and Wildlife Office of the Director at least 24 hours prior to the meeting to be included in the public forum. If you bring written summaries or other materials to the meeting please provide the Commission Assistant with 20 copies prior to your testimony. The Commission is unable to take action on items brought to their attention in this forum.

Statewide Tags

David Bender, Oregon Hunters Association

Al Elkins, Oregon Hunters Association

Burns Paiute Tribe, Ceremonial Hunts

Joe DeLaRosa, Chairman Burns Paiute Tribal Council

Dean Adams, Vice Chair Burns Paiute Tribal Council

Columbia River Fisheries Reform

Jim Wells, President Salmon for All

Exhibit A: COMMISSION MINUTES

The Commission will be asked to approve draft December 2, 2016 and January 20, 2017 Commission meeting minutes.

Exhibit B: UPDATE COLUMBIA RIVER TREATY FISHERY RULES

The Commission will be asked to adopt amendments to Columbia River treaty fishery rules to incorporate new clarifying language approved by the US v. Oregon parties during 2016.

Staff: Chris Kern; Deputy Fish Division Administrator
Public Testimony
Rulemaking

Exhibit C: LOWER COLUMBIA RIVER STURGEON POPULATION STATUS UPDATE

The Commission will be briefed on the results of the 2016 stock assessment and current population status of lower Columbia River and Willamette River White Sturgeon.

Staff: Tucker Jones, Ocean Salmon and Columbia River Program Manager
Public Testimony
Informational

Exhibit D: RESOLUTION SUPPORTING NATIONAL BLUE RIBBON PANEL FUNDING RECOMMENDATIONS

The Commission will be asked to approve a resolution supporting the National Blue Ribbon Panel recommendations and federal legislation. Staff: Ed Bowles, Fish Division Administrator

Staff: Roger Fuhrman;
Public Testimony
Approval

Exhibit E: ACCESS AND HABITAT PROGRAM BIENNIUM REPORT

The Commission will be briefed on the 2015-17 Access & Habitat Program Biennium Report

Staff: Isaac Sanders; Access and Habitat Program Coordinator
Public Testimony
Informational

Exhibit F: WHEELER II ACQUISITION BY DONATION

The Commission will be asked to approve a land acquisition.

Staff: Tim Walters; Umpqua Watershed District Manager
Public Testimony
Approval

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

March 17, 2017 – Corvallis

*Written public comment period will open January 15, 2017

- Director’s Performance Evaluation – Executive Session
- Restoration & Enhancement Project Approval, R&E Annual Report, and STEP Annual Report – Approval
- 2017 Ocean Salmon Fisheries Briefing – Informational
- Access & Habitat Project Funding Approval – Approval
- Threatened and Endangered Species List Update – Rulemaking
- Limited Landowner Preference Mule Deer Tag Allocation – Rulemaking
- Renaming River Ranch Parcel of the Lower Deschutes Wildlife Area to “Woosley Tract”. – Rulemaking
- Buena Vista Boat Ramp Adjacent Property Acquisition – Approval
- ODOT Culvert Repair Fish Passage Pilot Programmatic Agreement (CRPA) - Interim Report - Informational

April 21, 2017 – Klamath Falls

*Written public comment period will open February 15, 2017

- 2017-18 Game Bird Regulations – Rulemaking
- 2017 Ocean Salmon Fisheries and Ocean Terminal Fisheries Rulemaking – Rulemaking
- 2017 Sport and Commercial Pacific Halibut Regulations – Rulemaking
- DRAFT Wolf Plan – Informational
- Leftover Limited LOP Tags and Transfer Tags to Terminally Ill Individuals - Rulemaking

May 2017 – No meeting scheduled

June 9, 2017 – Salem

*Written public comment period will open April 15, 2017

- 2018 Auction and Raffle Tag Allocations – Approval
- Access & Habitat Project Funding - Approval
- Commercial Coastal Pelagic Species (CPS) Fisheries – Rulemaking

July 2017 – No meeting scheduled

August 4, 2017 – Salem

*Written public comment period will open June 15, 2017

- Pride Awards Recognition
- DRAFT Cougar Plan - Informational
- Restoration & Enhancement Project Approvals – Approval

September 15, 2017 – TBD

*Written public comment period will open July 15, 2017

- Access & Habitat Project Funding - Approval
- Big Game Regulations (2018 Tag Setting, Seasons, and Regulations – Rulemaking

October 13, 2017 – TBD

*Written public comment period will open August 15, 2017

- Cougar Management Plan Review – Action

November, 2017 – No meeting scheduled

December 8, 2017 – Salem

*Written public comment period will open October 15, 2017

- Restoration & Enhancement Project Approval and Board Member Appointment – Approval
- Regulations for Groundfish Fisheries and Nearshore Logbook Report – Rulemaking
- Access & Habitat Project Funding Approval - Approval

PLEASE NOTE

AGENDA

The Commission meeting will begin at 8:00 a.m. February 10, 2017, 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.

PUBLIC FORUM

If you wish to give testimony on any item not scheduled elsewhere on the agenda, please contact the Director's Office, Oregon Department of Fish and Wildlife, 503.947.6044, at least 24 hours prior to the meeting. You will be called by the Commission Chair immediately following the Director's report portion of the agenda. Please provide twenty (20) sets of written summaries or other materials to the Commission Assistant prior to your testimony. The Commission is unable to take action on items brought to their attention in this forum.

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 audiotape, 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.