

Agenda Item Summary

BACKGROUND

The Oregon Department of Fish and Wildlife (Department) has worked with the Confederated Tribes of the Coquille Indians of Oregon (Coquille Tribe) to provide opportunity for ceremonial and subsistence tribal harvest of clams through establishment of a Special Gathering Permit. Rules are proposed to adopt a new Memorandum of Understanding (MOU) between the Coquille Tribe and the Commission to provide for tribal harvest of clams for non-commercial purposes. This MOU is the result of discussions between the Coquille Tribe and the Department over the past four years.

PUBLIC INVOLVEMENT

No public hearings or public meetings have been held regarding this issue.

ISSUE 1

SPECIAL GATHERING PERMIT FOR CLAMS, FOR COQUILLE TRIBE CLAM HARVEST

ANALYSIS

The Coquille Tribe and the Commission recognize a mutual interest in sustainable harvest of clams and the value of non-commercial clam harvest to the Coquille Tribe. Through a series of discussions, the Coquille Tribe and Department staff have developed a MOU (Attachment 2) that provides harvest opportunity to the Coquille Tribe through annual issuance of a Special Gathering Permit for clams.

For the purposes of this MOU, “clams” includes 7 species: razor, butter, gaper, cockle, native littleneck, softshell and purple varnish clams. The MOU outlines common management principles including: no wastage of the clam resource, a requirement that harvesters carry identification and specified license, harvest is allowable only using hand or hand tool harvest methods, harvest information is shared with officials in the field (peace officers and Department staff), and is shared in annual data reports to support rigorous estimates of harvest of the clam resource. The MOU is limited to non-commercial clam harvest (in areas and in seasons when non-commercial harvest is allowed) and is limited to harvest in Coos and Curry Counties. This level of harvest opportunity will both meet tribal historical uses and be sustainable to the clam resources.

The MOU does not alter any tribal or treaty rights of the Coquille Tribe, nor does it alter the State’s authority to regulate or manage harvest.

OPTIONS

1. Adopt OAR 635-041-0550 to adopt the Memorandum of Understanding between the Coquille Tribe and the Commission.
2. No action (status quo).

STAFF
RECOMMENDATION

1. Option 1.

DRAFT MOTION	I move to adopt OAR 635-041-0550 as proposed by staff.
EFFECTIVE DATE	Upon filing.