

## Agenda Item Summary

### BACKGROUND

Oregon law requires the Oregon Fish and Wildlife Commission (Commission) to adopt angling regulations annually. These proposals developed by Oregon Department of Fish and Wildlife (ODFW) staff following the categorical guidelines shown below. Proposals were developed in consultation with the Oregon Department of Justice (DOJ), Oregon State Police (OSP), and key constituent groups as necessary. The majority of the 2018 proposals are comprised of regulations that provide new non-controversial angling opportunities or serve a critical conservation need.

The proposed changes to the 2018 Oregon Sport Fishing Regulations fit into one or more of the following categories:

- Critical conservation needs
- Housekeeping and error corrections and simplification
- Inadvertent restrictions
- Regulation changes directed by basin plan adoption
- New or expanded non-controversial angling opportunities including actions identified in the 25-Year Angling Enhancement Plan

Issues 1 and 2 of this summary address adoption of these rules.

### PUBLIC INVOLVEMENT

No formal public meetings were held.

### ISSUE 1

#### **ADOPT THE 2018 OREGON SPORT FISHING REGULATIONS AS ADMINISTRATIVE RULES, AND UPDATE UNIVERSAL DATE CHANGES.**

### ANALYSIS

Staff proposes that the Commission re-adopt the 2017 Oregon Sport Fishing Regulations as administrative rule for 2018. This allows staff to incorporate any pertinent information from the 2017 Oregon Sport Fishing Regulations into the 2018 Sport Fishing Regulations.

Staff proposes that the Commission allow staff to update necessary universal date changes for the 2018 Sport Fishing Regulations such as dates associated with the standard Free Fishing Weekend (first full weekend in June) and other applicable universal dates.

Staff considers these tasks to be non-controversial and therefore have consolidated these proposal into one draft motion.

### OPTIONS

1. Accept the proposed regulation changes.
2. Modify the proposed regulation changes.
3. Reject the proposed regulation changes.

### STAFF RECOMMENDATION

Accept proposed changes to the printed version of the 2017 rules and make universal date changes to the 2018 Oregon Sport Fishing Regulations as needed.

DRAFT MOTION

I move to amend OAR Chapter 635 Divisions 011, 013, 014, 016, 017, 018, 019, 021, 023 and 039 as proposed by staff in Attachment 3 and to universally reflect the calendar dates [with the following exceptions . . .].

EFFECTIVE DATE

January 1, 2018.

ISSUE 2

**STATEWIDE AND ZONE ANGLING REGULATION CHANGES PROPOSED FOR THE 2018 OREGON SPORT FISHING REGULATIONS PAMPHLET**

ANALYSIS

The proposals for rule changes for the 2018 Oregon Sport Fishing Regulations pamphlet are displayed in Attachment 4. Each proposal has been assigned a unique proposal number, describes the current and proposed regulation to be modified, the page number where current regulation can be located, type of regulation to be modified, the purpose of the change, and justification for the change.

The majority of the 44 proposed changes to fishing regulations are new non-controversial angling opportunities (21) and critical conservation needs (12). There are five proposals to make housekeeping corrections, five proposals to further simplify regulations and one categorized as an inadvertent restriction. District staff was specifically asked to analyze the current regulations and provide input to further simplify and clarify the current angling regulations.

A subset of the regulation modifications are summarized below.

**Statewide:**

Staff is proposing to implement new regulations that will allow anglers increased opportunity in lakes when ice fishing. Many states allow angler to utilize multiple rods or lines when ice fishing. Staff proposes that anglers who possess a two rod endorsement will be allowed to use up to 5 rods or lines when ice fishing.

**Northwest Zone:**

There are 19 proposals for the Northwest zone. Fifteen of these proposals are categorized as providing new non-controversial angling opportunities. A proposed change removes the September closure period in Gnat Creek and Bear Creek and will provide year round harvest opportunity of hatchery spring chinook and/or hatchery steelhead. Conservation protections remain in effect for wild salmon and wild steelhead, as they are required to be released unharmed. A proposal to increase harvest opportunity for hatchery spring Chinook in the Nestucca River and Bay, Tillamook Bay, Kilchis, Wilson, Trask, Three River(s) will allow anglers to harvest hatchery spring Chinook from January 1 until July 3, this provides consistent regulations in these areas. There are some additional angling opportunity proposals and a few proposals to simplify and clarify

regulation language.

**Southwest:**

There are five proposals for the Southwest zone. There is one proposal for Cooper Creek Reservoir allowing that all landlocked salmon are considered trout. Excess coho smolts from the South Umpqua hatchery will be released in to the reservoir to provide angling opportunity. For Diamond Lake, beginning in 2017, triploid (sterile) brown trout were outplanted to serve as a biological control for cyprinids. These brown trout must remain in the lake to provide the intended benefit, the proposed regulations requires catch-and-release of brown trout. A proposal for the East Fork Coquille River allowing the harvest of 1 wild steelhead per day and 3 per year as directed by the Coastal Multi-Species Conservation and Management Plan. This opportunity is consistent with current regulations for the mainstem Illinois, Chetco, Elk, Pistol, Rogue, Sixes, and Winchuck River(s).

**Willamette Zone:**

There are two proposals for the Willamette Zone. In 2017, Mill Creek was opened as a new trout fishing opportunity, a proposal to open the tributaries of Mill Creek will clarify the open areas and broaden opportunity. The other proposal clarifies that the Long Tom River is open all year for trout.

**Central Zone:**

There are eight proposals for the Central Zone, six are categorized as critical conservation need. Three proposals are for the three sections of the Lower Deschutes River to remove harvest limits on the size and number of bass. Currently, bass are managed under the zone regulation allowing for the harvest of five bass per day. In recent years, bass are becoming more prevalent in the lower Deschutes River, this change will allow for control of potential negative interactions with native salmonids and will provide consistency with bass regulations in the Columbia River.

Odell Lake has a small and isolated population of ESA-listed bull trout. The lake is currently managed under zone regulations and is open all year. To provide conservation protections for this important population staff is recommending that the lake would close from November 1 to April 21.

Water management at Wickiup Reservoir has resulted in the reservoir pool begin drawn down earlier and more severely than in previous years. This has resulted in reduced spawning habitat for both kokanee and brown trout and increased vulnerability to spawning fish including native redband trout. Two regulations are being proposed in Wickiup Reservoir, one is to close the season on August 31 and change the closed area to the ODFW marker at Gull point. This will provide protections for fish that are concentrated as they stage for spawning in this narrow section of river. In addition, staff is proposing to modify the kokanee bonus bag limit from 25 fish to five fish. This will allow anglers to harvest five kokanee under the current trout bag limit and an additional five kokanee

for a total of ten fish. The five kokanee bonus bag limit is also being proposed for all sections of Lake Billy Chinook to provide additional harvest opportunity.

**Northeast Zone:**

There are three proposals for the Northeast zone. Of these, two are categorized as housekeeping corrections and one is considered a critical conservation need. Housekeeping corrections are necessary on the Umatilla River to better define the Confederated Tribes of the Umatilla reservation boundary and the other clarifies the catch-and-release regulations for bull trout in the Wenaha River. In Umatilla River the section of river above Umatilla reservation to Ryan creek restricts the use of bait to provide conservation protection for native fish.

**Southeast Zone:**

There are two proposals for the Southeast zone. Of these, one is categorized non-controversial fishing opportunity allowing McDermitt Creek to reopen after recovery of major fires that burned through the basin. McDermitt Creek will be managed under zone regulations.

The Sprague River is proposed to be opened from April 22 to October 31 to protect spawning redband trout. The trout are vulnerable to harvest and over exploitation in the late winter and early spring. This regulation was adopted in January 2017 by emergency rule and is now being proposed as a permanent change for 2018.

**Snake River Zone:**

There were no proposals submitted in the Snake River Zone.

**Columbia River Zone:**

There was one proposal submitted for the Columbia River Zone to incorporate the Youngs Bay Control Zone permanently based upon Commission policy. This change will include the incorporation of a map in to the regulation book to help clarify the location.

**Marine Zone:**

For the Marine zone there were two proposals submitted by staff. One was a housekeeping correction to allow for better enforcement in the fisheries that occur in the mouths of bays and cross into the ocean. The second was to provide a web link and contact information for the public to access the latest information regarding rockfish daily bag limits and to update the ground fish identification photos.

In closing, as staff continues to further synthesize the regulations into the new layout with the publisher there may be changes that are currently unknown to address clarity and consistency. Staff proposes that the Commission authorize staff to make formatting changes, to correct spelling or grammar errors, address inadvertent inconsistencies and to improve the overall readability as needed.

**OPTIONS**

1. Accept the proposed regulation changes.
2. Modify the proposed regulation changes.

**STAFF  
RECOMMENDATION**

Accept the proposed regulation changes as recommended by staff.

<b>DRAFT MOTION</b>	I move to adopt Oregon Sport Fishing Regulations for 2018 that include staff proposed changes to fishing regulations set forth in Attachment 4 and authorize staff to make formatting changes, to correct spelling or grammar errors, address inadvertent inconsistencies, and improve readability.
<b>EFFECTIVE DATE</b>	January 1, 2018