



# Oregon Fish and Wildlife Commission Minutes

Commission Tour  
Thursday, October 12, 2017  
Stafford Inn  
1773 NE 3<sup>rd</sup> Street  
Prineville, OR 97445

Meeting:  
Friday, October 13, 2017 – 8:00 AM  
Crook County Fairgrounds  
1280 Main St  
Prineville, OR 97754.

1  
2 *Commission minutes are considered draft until approved by the Commission.*

3  
4 Notice of these meetings had been made by press release of statewide media circulation.  
5 Those attending part or all of the meeting included:

6  
Michael Finley, Chair  
Bob Webber, Commissioner  
Holly Akenson, Commissioner  
Greg Wolley, Commissioner  
Bruce Buckmaster, Commissioner  
Jim Bittle, Commissioner

Curt Melcher, Director  
Shannon Hurn, Deputy Director  
Bruce Eddy, East Region Manager  
Mark Vargas, Acting Rogue Watershed  
Manager  
Erin Donald, Assistant Attorney  
Michelle Tate, Executive Assistant  
Ed Bowles, Fish Division Administrator  
Doug Cottam, Wildlife Division Administrator  
Captain Jeff Samuels; Oregon State Police

## 7 MEETING

8  
9 On Friday, **October 13, 2017 at 8:00 AM**, Chair **Michael Finley** called the **Oregon Fish**  
10 **and Wildlife Commission** (the Commission) meeting to order.

11  
12 Commissioner Anderson was excused from the meeting for business.

## 13 DIRECTOR’S REPORT

14  
15 Field Reports – in written form only; *this report is available in the meeting materials and at*  
16 *This report is located in the commission material and can be viewed at*  
17 [http://www.dfw.state.or.us/agency/commission/minutes/17/10\\_oct/October%2013,](http://www.dfw.state.or.us/agency/commission/minutes/17/10_oct/October%2013,%202017%20Field%20Report%20.pdf)  
18 [%202017%20Field%20Report%20.pdf](http://www.dfw.state.or.us/agency/commission/minutes/17/10_oct/October%2013,%202017%20Field%20Report%20.pdf)

19  
20  
21 Expenditure Report  
22 Staff: Erica Kleiner, Management Resources Division Administrator  
23 *This report is located in the commission material and can be viewed at*  
24 [http://www.dfw.state.or.us/agency/commission/minutes/17/10\\_oct/2017-](http://www.dfw.state.or.us/agency/commission/minutes/17/10_oct/2017-10%20October%20Commission%20Financial%20Report.pdf)  
25 [10%20October%20Commission%20Financial%20Report.pdf](http://www.dfw.state.or.us/agency/commission/minutes/17/10_oct/2017-10%20October%20Commission%20Financial%20Report.pdf)

## 26 Adopt Temporary Rules

27  
28 Curt Melcher, Director, requested the Commission ratify the following temporary rules.  
29 The ten (10) temporary rules were previously adopted by the director under his  
30 emergency action authority.  
31

1       **1.) 635-041-0075**

2       **Zone 6 Treaty Indian Fall Commercial Gillnet Fisheries Adopted**

3       Adopted September 8, 2017: effective September 11, 2017 through December 31, 2017.

4       These rules authorize fall Treaty commercial gillnet fisheries for Zone 6 of the  
5       Columbia River. Modifications are consistent with action taken September 6, 2017 by the  
6       Departments of Fish & Wildlife for the States of Oregon and Washington in cooperation  
7       with the Columbia River Treaty Tribes at a meeting of the Columbia River Compact.

8  
9       **2.) 635-039-0090**

10       **Close Recreational Bottomfish Fishing for All Species Except for Flatfish; Opens  
11       Flatfish Fishing to All-Depths**

12       Adopted September 12, 2017: effective September 18, 2017 through December 31, 2017

13       Amended rule closes the recreational bottomfish fishery to retention of all species  
14       except for flatfish species and opens fishing for flatfish to all-depths. The rule changes are  
15       necessary to keep impacts from the Oregon recreational bottomfish fishery within  
16       specified harvest guidelines.

17  
18       **3.) 635-042-0060**

19       **Non-Treaty Fall Commercial Gillnet Fisheries Adopted**

20       Adopted September 14, 2017: effective September 17, 2017 through October 31, 2017

21       This rule authorizes late fall non-Treaty commercial gillnet fisheries in Zones 4-5 of  
22       the lower Columbia River. Modifications are consistent with action taken September 14,  
23       2017 by the Departments of Fish & Wildlife for the States of Oregon and Washington at a  
24       meeting of the Columbia River Compact.

25  
26       **4.) 635-041-0075**

27       **Zone 6 Treaty Indian Fall Commercial Gillnet Fisheries Adopted**

28       Adopted September 14, 2017: effective September 18, 2017 through December 31, 2017

29       These rules authorize fall Treaty commercial gillnet fisheries for Zone 6 of the  
30       Columbia River. Modifications are consistent with action taken September 14, 2017 by  
31       the Departments of Fish & Wildlife for the States of Oregon and Washington in  
32       cooperation with the Columbia River Treaty Tribes at a meeting of the Columbia River  
33       Compact.

34  
35       **5.) 635-039-0090**

36       **Exempt Spear Fishing for Lingcod from Sport Bottomfish Closure**

37       Adopted September 20, 2017: effective September 20, 2017 through December 31, 2017

38       Amended rule allows recreational harvest of lingcod by spear only. The rule  
39       change provides for an exception to the sport bottomfish closure to allow harvest of  
40       lingcod by spear only. Because spear fishing involves visual identification of an individual  
41       target fish, it is a highly selective method of take without bycatch of other species which  
42       have already reached preseason harvest guidelines.

1       **6.) 635-041-0075, 635-042-0060, 635-042-0180**

2       **Modifications to Columbia River Mainstem and Deep River Select Area Fisheries**

3       Adopted September 21, 2017: effective September 21, 2017 through December 31, 2017

4       These rules extend the fall Treaty commercial gillnet fisheries for Zone 6 of the  
5       Columbia River. In addition, a non-treaty commercial late fall fishing period for Zones 4  
6       and 5 of the Columbia River is rescinded and the Deep River Select Area times have  
7       been modified to allow fishing from 6:00 p.m. to 9:00 a.m. the following day on previously  
8       set fishing periods. Modifications are consistent with action taken September 21, 2017  
9       by the Departments of Fish & Wildlife for the States of Oregon and Washington in  
10      cooperation with the Columbia River Treaty Tribes at a meeting of the Columbia River  
11      Compact.

12  
13      **7.) 635-039-0085**

14      **Pacific Halibut Recreational Summer All-Depth Season from Cape Falcon to**  
15      **Humbug Mt. Closed**

16      Adopted September 21, 2017: effective September 22, 2017 through October 31, 2017

17      This amended rule closes the recreational nearshore Pacific halibut season in the  
18      area between Cape Falcon and Humbug Mt. beginning at 11:59 p.m. Friday, September  
19      22, 2017. The National Oceanic & Atmospheric Administration (NOAA), International  
20      Pacific Halibut Commission (IPHC), and the Department (ODFW) conferred on  
21      September 21, 2017 and determined that the allocation had been attained.

22  
23      **8.) 635-039-0090**

24      **Reopen Sport Groundfish Fishery For Some Species Outside 40 Fathoms, With**  
25      **Long-Leader Gear Required.**

26      Adopted September 25, 2017: effective October 1, 2017 through December 31, 2017

27      Amended rule allows recreational fishing for some groundfish species outside the  
28      40 fathom management line, with long-leader gear required, beginning October 1. The  
29      rule change provides for a partial reopening of the sport groundfish fishery in an area and  
30      with a gear type expected to allow selective harvest of abundant species with minimal  
31      bycatch of other species which have already reached preseason harvest guidelines.

32  
33      **9.) 635-041-0075, 635-042-0145, 635-042-0160, 635-042-0170, 635-042-0180**

34      **Modifications to Columbia River Zone 6 and Select Area Fisheries**

35      Adopted September 27, 2017: effective October 1, 2017 through December 31, 2017

36      These rules extend the fall Treaty commercial gillnet fisheries for Zone 6 of the  
37      Columbia River. In addition, the possession and sale of white sturgeon in Youngs Bay,  
38      Blind Slough/Knappa Slough, Tongue Point, South Channel and Deep River select areas  
39      of the Columbia River is prohibited. Modifications are consistent with action taken  
40      September 27, 2017 by the Departments of Fish & Wildlife for the States of Oregon and  
41      Washington in cooperation with the Columbia River Treaty Tribes at a meeting of the  
42      Columbia River Compact.

1       **10.)       635-039-0090**

2       **Increase Marine Fish Bag Limit for Longleader Fishing, and Prohibit Nearshore**  
3       **Rockfish**

4       Adopted September 29, 2017: effective October 1, 2017 through December 31, 2017

5       Amended rule increases marine fish bag limit from 7 to 10 fish and adds “other  
6       nearshore rockfish” to the list of species anglers are not allowed to retain, beginning  
7       October 1. The rule change increases the marine fish bag limit while prohibiting retention  
8       of additional species for which the annual recreational harvest guideline has already been  
9       met. The increased bag limit is intended to help mitigate the economic impacts on  
10      coastal and recreational fishing communities from the September bottomfish closure.

11  
12      *Action:*

13      Commissioner Webber moved to ratify the ten (10) temporary rules set forward on the tan  
14      agenda. Commissioner Akenson seconded the motion, and the motion carried  
15      unanimously.

16  
17      **PUBLIC FORUM**

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

24  
25      Commercial Fisheries

26              Steve Fick

27              *This testimony begins at 0:6:39 on the recording*

28  
29      Columbia River B-run Steelhead

30              Jim Coleman

31              Jeff Pobelite

32              *This testimony begins at 0:24:00 on the recording; written testimony can be viewed at*

33              [http://www.dfw.state.or.us/agency/commission/minutes/17/10\\_oct/Columbia%20River%20](http://www.dfw.state.or.us/agency/commission/minutes/17/10_oct/Columbia%20River%20Gill%20net%20closure.pdf)  
34              [Gill%20net%20closure.pdf](http://www.dfw.state.or.us/agency/commission/minutes/17/10_oct/Columbia%20River%20Gill%20net%20closure.pdf)

35  
36      Will Preference Points to family members upon death

37              Steve Janego

38              *This testimony begins at 0:37:53 on the recording; written testimony can be viewed at*

39              [http://www.dfw.state.or.us/agency/commission/minutes/17/10\\_oct/Pass%20It%20On%20](http://www.dfw.state.or.us/agency/commission/minutes/17/10_oct/Pass%20It%20On%20Proposal%20-%20Publilc%20Forum.pdf)  
40              [Proposal%20-%20Publilc%20Forum.pdf](http://www.dfw.state.or.us/agency/commission/minutes/17/10_oct/Pass%20It%20On%20Proposal%20-%20Publilc%20Forum.pdf)

1 **Exhibit A: COMMISSION MINUTES**

2 The Commission approved the draft September 15, 2017 Commission meeting minutes.

3  
4 *Action:*

5 Commissioner Webber moved to approve the September 15, 2017 meeting minutes.  
6 Commissioner Wolley seconded the motion and the motion was carried unanimously.

7  
8 **Exhibit B: ADOPTION OF ADMINISTRATIVELY SET FEES**

9 The Commission was asked to approve the adoption of fee schedules for 2018  
10 Staff: Erica Kleiner, Management Resources Division Administrator  
11 Presentation Erica provided the Commission with information relating to  
12 increasing administratively set licenses and fees. This presentation can be  
13 heard at 0:43:24 on the recording.

14 No Public Testimony  
15 Rulemaking

16  
17 *Action:*

18 Commissioner Webber moved to amend Chapter 635, Division  
19 001,007,043,044,046,047,049, 050075, 200,435, relating to increasing administratively  
20 set licenses and fees, as proposed by staff; and an addendum 2 and exhibit B addendum  
21 2. Commissioner Akenson seconded the motion and the motion was carried unanimously.

22  
23 **Exhibit C: COUGAR MANAGEMENT PLAN ADOPTION**

24 The Commission was asked to adopt the updates to the Oregon Cougar  
25 Management Plan and administrative rules.

26 Staff: Derek Broman; Carnivore-Furbearer Coordinator

27 *Presentation:* Derek provided the Commission with a presentation on the review  
28 process, plan overview and recent changes, and plan summary. .

29  
30 *This presentation is located in the commission material and can be viewed at*  
31 [http://www.dfw.state.or.us/agency/commission/minutes/17/10\\_oct/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/17/10_oct/index.asp); and can be  
32 heard on the recording at 0:50:45.

33  
34 Public Testimony: testimony for this agenda item begins at 1:10:05 on the  
35 recording and written testimony can be viewed at

36 [http://www.dfw.state.or.us/agency/commission/minutes/17/10\\_oct/index.asp](http://www.dfw.state.or.us/agency/commission/minutes/17/10_oct/index.asp)

Jim Akenson, Oregon Hunters Association	Provided written testimony
Jim Hamm	
Al LePage	Provided written testimony
Marv Summer	
Betty Patton	Provided written testimony
Zach Russel	
Wes York	Did not testify
Scott Beckstead, US Human Society	Provided written testimony
Cindy Davis	
Mike Thomas	
Jenny Jolicoeur	

Courtney Dillard	Provided written testimony
Jenny Dressler, Oregon Farm Bureau	Provided Written testimony
Lynn Cullens, Mountain Lion Organization	Provided written testimony

1 Rulemaking

2  
3 *Action:*

4 Commissioner Wolley moved to amend OAR Chapter 635, Division 180 as proposed by  
5 staff. Commissioner Webber seconded the motion and the motion was carried: in favor five  
6 (5) Finley, Webber, Akenson, Buckmaster, Bittle; opposed one (1) Wolley.

7  
8 **OTHER BUSINESS**

9 Commissioner Buckmaster will serve as the State Fish and Wildlife Commission  
10 representative on the Oregon Watershed Enhancement Board (OWEB). His appointment  
11 will begin when Commissioner Webber's term ends in February 2018.

12  
13 Commissioner Bittle will serve as a judge at the ODFW Conservation, Waterfowl, and  
14 Upland Bird art contests on Saturday November 4, 2017. The art contest will be held in  
15 Dundee, OR at Duck Pond Cellars.

16  
17 Chair Michael Finley adjourned the meeting at 10:57 a.m.