



Oregon Fish and Wildlife Commission Minutes

Thursday, February 8, 2018 –4:30 -
5:30
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 9, 2018 – 8:00 AM
Sheraton Hotel, Portland Airport
Mt. Adams Room
8235 NE Airport Way
Portland, Oregon 97220

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

4
5 Notice of these meetings had been made by press release of statewide media
6 circulation. Those attending part or all of the meeting included:
7

Bob Webber, Vice- Commissioner	Curt Melcher, Director
Holly Akenson, Commissioner	Cameron Smith, Deputy Director
Greg Wooley, Commissioner	Ken Loffink, Interim Deputy Director
Laura Anderson, Commissioner	Bernadette Graham-Hudson, West Region Manager
Bruce Buckmaster, Commissioner	Mark Kirsch, John Day Watershed Manager
Jim Bittle, Commissioner	Erin Donald, Assistant Attorney
	Michelle Tate, Executive Assistant
	Ed Bowles, Fish Division Administrator
	Doug Cottam, Wildlife Division Administrator

MEETING

8 On Friday, **February 9, 2018 at 8:07 AM, Vice-Chair Bob Webber called the Oregon**
9 **Fish and Wildlife Commission** (the Commission) meeting to order.

10
11 Chair Mike Finley excused for other business

12 13 DIRECTOR'S REPORT

14
15 Field Reports – in written form only; *this report is available in the meeting materials and*
16 *at*
17 http://www.dfw.state.or.us/agency/commission/minutes/18/02_Feb/February%202018%20Field%20Report.pdf
18

19 20 Expenditure Report

21 Staff: Cameron Smith, Deputy Director for Administration
22 Revenues and expenditures are close to projections. The department is still in beginning
23 stages of developing the 2019-21 Agency Request Budget. The Secretary of State's
24 office audit of the agency's Wildlife Assistance grants is still occurring.
25

1 This report is available in the meeting materials and at
2 [http://www.dfw.state.or.us/agency/commission/minutes/18/02_Feb/2017-
3 19%20February%202018%20Commission%20Financial%20Report.pdf](http://www.dfw.state.or.us/agency/commission/minutes/18/02_Feb/2017-19%20February%202018%20Commission%20Financial%20Report.pdf)
4

5 **PUBLIC FORUM**

6 This part of the agenda is for comments on topics not scheduled on the agenda. The
7 Commission will be unable to take action on items brought to their attention in this forum.
8

9 Overview of the Turn in Poacher (TIP) Program

10 John Gander, Oregon Hunters Association Board Member

11
12 Oregonian Participation in Hunting and Angling

13 Asha Aiello, Oregon Outdoor Council – provided written testimony
14

15 **Adopt Temporary Rules**

16 Curt Melcher, Director, requested the Commission ratify the following temporary rules.
17 The six (6) temporary rules were previously adopted by the director under his emergency
18 action authority.
19

20 **1.) 635-041-0065**

21 **2018 Winter Commercial Platform and Hook and Line and Gillnet Treaty Indian 22 Fisheries Set**

23 Adopted January 30, 2018: effective February 1, 2018 through March 31, 2018

24 This amended rule sets the Treaty Indian winter commercial gill net season in The
25 Dalles and John Day pools and the Zone 6 commercial platform and hook and line
26 fishery effective 6:00 a.m. February 1, 2018. Modifications are consistent with action
27 taken January 30, 2018 by the Oregon and Washington Departments of Fish and
28 Wildlife, in cooperation with the Columbia River Treaty Tribes, at a meeting of the
29 Columbia River Compact.
30

31 **2.) 635-042-0130**

32 **2018 Commercial Smelt Season Set for the Columbia River**

33 Adopted January 30, 2018: effective February 1, 2018 through February 26, 2018

34 This amended rule sets a commercial gill net fishing season for smelt in Zones 1-
35 3 of the Columbia River. The fishery consists of 7-hour fishing periods beginning
36 7:00 a.m. through 2:00 p.m., Mondays and Thursdays of each week from February 1
37 through February 26, 2018. Revisions are consistent with the action taken January 30,
38 2018 by the Oregon and Washington Departments of Fish and Wildlife in a meeting of
39 the Columbia River Compact.
40

41 **3.) 635-023-0095**

42 **Closure of the 2018 White Sturgeon Recreational Fisheries in the Mainstem 43 Columbia**

44 Adopted January 30, 2018: effective February 4, 2018 through July 18, 2018

45 Retention of white sturgeon from the mainstem Columbia River and tributaries
46 from the Bonneville Dam upstream to The Dalles Dam (Bonneville Pool), and from John

1 Day Dam upstream to McNary Dam (John Day Pool), is prohibited effective February 4
2 and 12, respectively. Catch-and-release angling is allowed during periods closed to
3 sturgeon retention.

4
5 **4.) 635-042-0145, 635-042-0160, 635-042-0170**

6 **2018 winter, spring and Summer Commercial Seasons in the Select Areas of the**
7 **Columbia River**

8 Adopted January 30, 2018: effective February 5, 2018 through June 18, 2018

9 These amended rules implement the 2018 winter, spring and summer commercial
10 salmon seasons for the Youngs Bay, Blind Slough/Knappa Slough and Tongue
11 Point/South Channel Select Areas. The first authorized fishing period in these Select
12 Area sites is set to begin February 5. Modifications are consistent with action taken
13 January 30, 2018 by the Departments of Fish & Wildlife for the States of Oregon and
14 Washington at a meeting of the Columbia River Compact.

15
16 **5.) 635-005-0465**

17 **Commercial Dungeness crab Season Opening South of Cape Blanco**

18 Adopted February 1, 2018: effective February 2, 2018 through July 9, 2018

19 This amended rule sets the opening date and related management measures for
20 the 2017-2018 ocean commercial Dungeness crab fishery from Cape Blanco (42° 50' 00"
21 N. Lat) southward to the California border (42° 00' 00" N. Lat.) on February 7, 2018.

22
23 **6.) 635-017-0080**

24 **Temporary allowance for Two-Rod Usage in portions of the Willamette Angling**
25 **Zone.**

26 Adopted February 7, 2018: effective March 1, 2018 through August 15, 2018

27 This rule allows for usage of a Two-Rod Validation in all areas of the Willamette
28 River downstream of Willamette Falls and in the Clackamas River. Modifications allow
29 the use of two fishing rods while fishing for both game and non-game fish species,
30 except sturgeon, in certain areas of the Willamette River and the Clackamas River,
31 including flowing waters that are open to angling for hatchery Chinook, hatchery
32 steelhead, trout, or warm water gamefish.

33
34 Action:

35 Commissioner Anderson moved to ratify the six (6) temporary rules set forth in
36 today's tan agenda. Commissioner Wolley seconded the motion, and the motion carried
37 unanimously, six (6) in favor; Finley excused.

38
39 **Exhibit A: COMMISSION MINUTES**

40 Action:

41 Commissioner Akenson moved to approve the January 19, 2018 meeting minutes
42 with continued authority to correct grammar and punctuation. Commissioner Bittle
43 seconded the motion and the motion was carried six (6) in favor; Finley excused.

1 **Exhibit B: CRIMINAL BACKGROUND CHECKS**

2 The Commission was asked to approve Criminal Records Requirements in
3 reference to HB3168.

4 Staff: Roxie Burns, Human Recourses Administrator

5 No Public Testimony

6 Rulemaking

7
8 Action:

9 Commissioner Wolley moved to adopt OAR635, Division 600 as proposed by
10 staff. Commissioner Akenson seconded the motion and the motion was carried six (6) in
11 favor; Finley excused.

12
13 **Exhibit C: 2017/2018 LOWER COLUMBIA RIVER WHITE STURGEON POPULATION
14 AND FISHERIES UPDATE.**

15 The Commission was updated on the population status of white sturgeon and
16 2017 sturgeon fisheries.

17 Staff: Tucker Jones, Ocean Salmon, and Columbia River Program Manager

18 Presentation: Tucker provided the Commission with a presentation updating them
19 on long-term population metrics; 2017 stock assessment results and current population
20 status; and status of lower Columbia River White sturgeon fisheries.

21
22 *This presentation is located in the commission material and can be viewed at*
23 [http://www.dfw.state.or.us/agency/commission/minutes/18/02_Feb/Exhibit_C/Exhibit%20](http://www.dfw.state.or.us/agency/commission/minutes/18/02_Feb/Exhibit_C/Exhibit%20C_White%20Sturgeon%20Presentation.pdf)
24 [C_White%20Sturgeon%20Presentation.pdf](http://www.dfw.state.or.us/agency/commission/minutes/18/02_Feb/Exhibit_C/Exhibit%20C_White%20Sturgeon%20Presentation.pdf)

25
26 Public testimony

Mike Cassirselli	
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27 Action: Informational

28
29 Chair Webber posed the question to the Commissioners – “Is everyone supportive
30 of the conservative approach that we took last year”; all six Commissioners responded
31 with yes head nods.

32
33 **DIRECTOR’S REPORT -continued**

34 *Oregon State University Marbled Murrelet Research*

35 *Jim Rivers, PHD; College of Forestry Principal Investigator*

36
37 Dr. Rivers provided the Commission with a presentation on

38
39 *Dr. Rivers provided the Commission with an informational presentation relating to the*
40 *ongoing research that the Oregon State University is conducting titled “Oregon Marbled*
41 *Murrelet Project”.*

42
43 *This report is available in the meeting materials and at*
44 [http://www.dfw.state.or.us/agency/commission/minutes/18/02_Feb/Exhibit_D/Presentation](http://www.dfw.state.or.us/agency/commission/minutes/18/02_Feb/Exhibit_D/Presentation_Jim%20Rivers_Marbled%20Murrelet.pdf)
45 [n Jim%20Rivers_Marbled%20Murrelet.pdf](http://www.dfw.state.or.us/agency/commission/minutes/18/02_Feb/Exhibit_D/Presentation_Jim%20Rivers_Marbled%20Murrelet.pdf)

1 **EXHIBIT D: MARBLED MURRELET**

2 The Commission considered Uplisting Petition and Potential Reclassification of
3 the Marbled Murrelet under the Oregon ESA.

4 Staff: Christina Donehower, Strategy Species Coordinator
5 Nick Palazzotto; Oregon Department of Forestry Wildlife Biologist
6

7 Presentation: Christina provided the Commission with a presentation on the
8 petition background, the associated rulemaking process, key considerations identified in
9 status review, reclassification decision framework, and next steps in the event of an
10 uplisting.

11 Nick provided the Commission with a presentation on the State Forest
12 management mandates; forest management plans, Murrelet specific policies and
13 practices, and potential impacts of up-listing murrelets.
14

15 **EXECUTIVE SESSION**

16 The Executive Session is held pursuant to ORS 192.660 (2)(f) and ORS 192.660(2)(h)
17 which allow the Commission to meet in executive session to consider information or
18 records that are exempt by law from public inspection and to consult with legal counsel
19 with respect to litigation filed or likely to be filed against the Commission.
20

21 *This presentation is located in the commission material and can be viewed at*
22 http://www.dfw.state.or.us/agency/commission/minutes/18/02_Feb/index.asp

23 Public Testimony

Clair Klock	
Bob Salinger, Audubon	Provided written testimony
Joe Lebozcit, Audubon	
David Eisler, timberland owner	
Shelley Reeder- Lueth	
Jim James, Oregon Small Woodlands association	Provided written testimony
Rick Barns, Oregon Small Woodlands Association	Provided written testimony
Gordon Culbertson, Whitewater Forest; Small Woodlands Association	Provided written testimony
Fran Cafferata Coe, CWB- Giustina Land and Timber, Greenwood Resources, Hampton Family Forest, Lone Rock Timber, and Starkey Forest	Provided written testimony
Teresa Bird, Kalmiopsis Audubon Society	
Brodie Cass Talbot	did not testify
Meg Ruby, Oregon Audubon Council	did not testify
Nadia Gardner, Small woodland owner	
Joanie Beldin	did not testify
Jules Evans, Woodlands Conservancy, PSG	

Paul Englemeyer, Audubon Society	Provided written testimony
Seth Barns, Oreogn Forest & Industries Council	Provided written Testimony
Judy Todd	did not testify
Juliet Grables, Rogue Valley Audubon Society	Provided written testimony
Tierra Curry, Center for Biological Diversity	
Jeremy Felty, DSWA	did not testify
Alyson Berman	
Max Beeken, Coast Range Forest Watch, Manager	
Nick Cady, Cascadia Wildlands	
Parker Jones, UO school of Law	
Jim Fairchild, Audubon Society of Corvallis	Provided written testimony
Lloyd Vivola, Portland Audubon	
Quinn Read, Defenders of Wildlife	
Eric Owen, Haystack Rock Awareness Program	
Charlotte Persons, Willaup Hills Audubon Society	
Linda Leyva	
Liz Dent, Oregon Department of Forestry	did not testify
Stephany Taylor, NW Eco Tours and Guide Service	Provided written testimony (Abigail DeYoung)
Jennifer Wolfsong	
Heath Curtiss	
Micah Meskel	
Jay Withgott, Portland Audubon	Provided written testimony
Walt Gavin	

1 Approval

2

3 Action:

4 Commissioner Webber moved to deny the Petitioners recommendation to
5 reclassify the Marbled Murrelet as endangered under the Oregon Endangered Species
6 Act; and direct staff to prepare survival guidelines for the Marbled Murrelet. Commissioner
7 Bittle seconded the motion and the motion did not carry three (3) in favor (Webber,
8 Buckmaster, Bittle); three (3) opposed (Akenson, Anderson, Wolley), Finley excused.

9

10 Commissioner Wolley moved to accept the Petitioners' recommendation to
11 reclassify the Marbled Murrelet as endangered under the Oregon Endangered Species
12 Act and direct staff to develop survival guidelines for adoption at the time of
13 reclassification. Commissioner Akenson seconded the motion and the motion was
14 carried four (4) in favor (Webber, Akenson, Wolley, Anderson); two (2) opposed
15 (Buckmaster, Bittle) Finley excused.

16

1 **OTHER BUSINESS**

2

3 Vice-Chair Bob Webber adjourned the meeting at 4:15 p.m.