



Oregon Fish and Wildlife Commission Minutes

Fish and Wildlife Commission Tour
Thursday, April 19, 2018 9:00 AM
Riverwalk Inn Lobby
400 Industrial St
Astoria, OR 97103

Meeting:
Friday, April 20, 2018 – 8:00 AM
Clatsop County Fair & Expo Center
Exhibit Hall
92931 Walluski Loop
Astoria, OR 97103

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
5 circulation. Those attending part or all of the meeting included:

6

Mike Finley, Chair	Curt Melcher, Director
Bob Webber, Vice- Chair	Cameron Smith, Deputy Director
Holly Akenson, Commissioner	Shannon Hurn, Deputy Director of Programs
Greg Wolley, Commissioner	Ken Loffink, Interim Deputy Director
Bruce Buckmaster, Commissioner	Bernadette Graham-Hudson, West Region Manager
	Bruce Eddy, East Region Manager
	Erin Donald, Assistant Attorney General
	Anika Marriott, Assistant Attorney General
	Michelle Tate, Executive Assistant
	Doug Cottam, Wildlife Division Administrator
	Ed Bowles, Fish Division Administrator
	Captain Jeff Samuels, Oregon State Police

MEETING

7 On Friday, **April 20, 2018 at 8:00 AM**, Chair **Mike Finley** called the **Oregon Fish and**
8 **Wildlife Commission** (the Commission) meeting to order.

9
10 Five Commissioners present, Commissioner Bittle excused for personal business

11 12 **DIRECTOR'S REPORT**

13
14 Field Reports – in written form only; *this report is available in the meeting materials and*
15 *at*
16 [http://www.dfw.state.or.us/agency/commission/minutes/18/04_april/Field%20Report%20](http://www.dfw.state.or.us/agency/commission/minutes/18/04_april/Field%20Report%20April%202018.pdf)
17 [April%202018.pdf](http://www.dfw.state.or.us/agency/commission/minutes/18/04_april/Field%20Report%20April%202018.pdf)

18
19 Expenditure Report
20 Staff: Cameron Smith, Deputy Director for Administration
21 Cameron provided the Commission the Department Financial Report for the 2017-
22 19 biennium as of February 28, 2018. The report included information relating to the
23 2019-2021 budget development; audit updates; weekly sales comparison between 2017
24 and 2018; and a budget town hall summary.

25

1 This report is available in the meeting materials and at
2 [http://www.dfw.state.or.us/agency/commission/minutes/18/04_april/2017-
3 19%20April%202018%20Commission%20Financial%20Report.pdf](http://www.dfw.state.or.us/agency/commission/minutes/18/04_april/2017-19%20April%202018%20Commission%20Financial%20Report.pdf)
4

5 2017 Wolf Conservation and Management Program Annual Report
6 Roblyn Brown, Wolf Program Field Coordinator
7

8 This report is available in the meeting materials and at
9 [http://www.dfw.state.or.us/Wolves/docs/2017%20Annual%20Wolf%20Report%20180405
10 %20FINAL.PDF](http://www.dfw.state.or.us/Wolves/docs/2017%20Annual%20Wolf%20Report%20180405%20FINAL.PDF)
11

12 Roblyn provided the Commission with a presentation on the 2017 Annual Report Oregon
13 Wolf Conservation and Management. This presentation included information of legal
14 status, the number of wolves, distribution, monitoring and livestock depredation.
15

16 This presentation is located in the commission material and can be viewed at
17

18 PUBLIC FORUM

19 This part of the agenda is for comments on topics not scheduled on the agenda. The
20 Commission will be unable to take action on items brought to their attention in this forum.
21

22 ~~Economic importance of commercial fisheries in rural areas” not present when called~~

23 ~~—— Karl Hellberg, former Mayor of Warrenton~~

24 ~~—— Dirk Rohne, Port Commissioner~~
25

26 Columbia River gillnet issues

27 Jim Wells, President; Salmon for All - provided written materials

28 ~~Scott Wintermute not present when called~~
29
30

31 Columbia River Fisheries Reform

32 Bill Hunsinger

33 Mark Kujala

34 Derek Wall- yielded time

35 Kyle Smith – yielded time

36 Ottis Hunsinger- provided written materials

37 Jim Coleman

38 Peter Roscoe
39

40 Summer Chinook

41 Robert Sudar
42

43 Fishing Regulations, Spring Chinook on Deschutes and ODFW Strategic Plan

44 David Moskowitz
45

1 **Adopt Temporary Rules**

2 Curt Melcher, Director, requested the Commission ratify the following temporary rules.
3 The 13 temporary rules were previously adopted by the director under his emergency
4 action authority.

5
6 **1.) 635-005-0355**

7 **Tillamook Bay Commercial Cockle Clam Dive Fishery Closes.**

8 Adopted March 21, 2018: effective April 1, 2018 through September 27, 2018

9 Amended rule closes the Tillamook Bay commercial cockle clam dive fishery at
10 12:01 a.m. April 1, 2018 due to a projected attainment of the 185,000-pound annual
11 harvest quota allowed under bay clam dive permits. Modifications are consistent with
12 requirements described in OAR 635-005-0355 sections (1) and (2).

13
14 **2.) 635-042-0145, 635-042-0160, 635-042-0170**

15 **Modify 2018 Commercial Seasons for Columbia River Select Areas.**

16 Adopted March 28, 2018: effective March 29, 2018 through July 26, 2018

17 These amended rules modify the 2018 winter commercial salmon seasons for the
18 Tongue Point/South Channel, Youngs Bay and the Blind/Knappa Sloughs Select Areas.
19 The first authorized fishing period in the Blind/Knappa Slough Select Areas has been
20 modified with additional fishing periods set in the Tongue Point/South Channel and
21 Youngs Bay select areas. Modifications are consistent with action taken March 28, 2018
22 by the Departments of Fish & Wildlife for the States of Oregon and Washington at a
23 meeting of the Columbia River Compact.

24
25 **3.) 635-073-0005**

26 **Amend Rule to Correct General Archery Season Elk Bag Limits in the Sumpter
27 Unit**

28 Adopted: April 3, 2018 Effective Dates: April 3, 2018 through September 29, 2018

29 The text on page 43 of the 2018 Oregon Big Game Hunting Regulations has the bag
30 limits for North and South Sumpter (Wildlife Management Unit #51) reversed. The
31 correct bag limits are, "One elk" in the southern portion of Unit 51, and "One bull elk" in
32 the northern portion of Unit 51. These bag limit errors result in allowing antlerless elk
33 harvest on public lands in the northern portion of the Sumpter Unit where reducing the
34 population is not desired and not allowing antlerless elk harvest in the southern portion of
35 the Sumpter Unit where it was intended to help address damage to private property. To
36 reduce harvest on public lands and increase harvest on private lands to address property
37 damage the Department is correcting the General Archery Season elk bag limits in the
38 northern and southern portions of the Sumpter Unit.

39
40 **4.) 635-042-0145**

41 **Modify 2018 Commercial Seasons for Columbia River Select Areas.**

42 Adopted April 4, 2018: effective April 5, 2018 through July 26, 2018

43 The amended rule modifies the 2018 winter commercial salmon season for the
44 Youngs Bay Select Area. The previously authorized fishing period scheduled for April 5,
45 2018 in the Youngs Bay Select Area has been modified to expand the open area.

1 Modification is consistent with action taken April 4, 2018 by the Department of Fish &
2 Wildlife for the State of Oregon.

3
4 **5.) 635-014-0090**

5 **Rules for Two-Rod Validation Usage in Specific Waters of the Northwest Zone.**

6 Adopted April 5, 2018: effective May 1, 2018 through July 31, 2018

7 These rules clarify new regulations for usage of two-rod validation in the
8 Northwest angling zone. Modifications allow the use of two fishing rods while fishing for
9 both hatchery spring chinook and hatchery steelhead in the Tillamook Bay Basin and in
10 the Nestucca Bay and Tributaries. Only a single rod can be used when angling for any
11 other game and non-game fish species.

12
13 **6.) 635-006-0210**

14 **Electronic Fish Tickets Reporting Commercial Sales of Salmon, Sturgeon, Smelt
15 and Shad Required.**

16 Adopted April 6, 2018: effective April 6, 2018 through October 2, 2018

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

23
24 **7.) 635-042-0145**

25 **Modify 2018 Commercial Seasons for Columbia River Select Areas.**

26 Adopted April 5, 2018: effective April 9, 2018 through July 26, 2018

27 The amended rule modifies the 2018 winter commercial salmon season for the
28 Youngs Bay Select Area. The previously authorized fishing period scheduled for April 9,
29 2018 in the Youngs Bay Select Area has been modified to expand the open area.
30 Modification is consistent with action taken April 6, 2018 by the Department of Fish &
31 Wildlife for the State of Oregon.

32
33 **8.) 635-017-0090**

34 **2018 Gilbert River Sturgeon Closure and Angling Limitations and Two-Rod Usage
35 on the Willamette.**

36 Adopted April 6, 2018: effective April 16, 2018 through October 2, 2018

37 The amended rule closes all sturgeon angling including catch and release, as well
38 as closing all angling from April 16 through May 15, 2018 in the Gilbert River. The area
39 includes the Gilbert River from the upstream end of the Gilbert River Fishing Pier located
40 near the confluence with Multnomah Channel, upstream to Sturgeon Lake. This
41 amendment also allows for the usage of the two-rod validation in the Willamette angling
42 zone, above Willamette Falls. Modifications allow the use of two-rod validation while
43 fishing for both game and non-game fish species, except sturgeon, in areas of the
44 Willamette River and its tributaries, above Willamette Falls, including flowing waters that

1 are open to angling for hatchery Chinook, hatchery steelhead, trout, or warmwater
2 gamefish.

3
4 **9.) 635-004-0355**

5 **Commercial Nearshore Fishery In-season Trip Limit Adjustments for Period 3.**

6 Adopted April 10, 2018: effective May 1, 2018 through June 30, 2018

7 This amended rule implements in-season trip limit adjustments for the State
8 Commercial Nearshore fishery for Period 3 only. Black rockfish trip limits will be
9 decreased from 1,800 to 1,500 pounds, Blue/Deacon Rockfish will be decreased from
10 300 to 100 pounds, Other Nearshore Rockfish will be decreased from 450 to 250
11 pounds, and Cabezon will be reduced from 2,500 to 1,500 pounds.

12
13 **10.) 635-042-0145, 635-042-0160, 635-042-0170**

14 **Modify 2018 Commercial Seasons for Columbia River Select Areas.**

15 Adopted April 11, 2018: effective April 12, 2018 through July 26 2018

16 These amended rules modify the 2018 winter commercial salmon seasons for the
17 Tongue Point/South Channel, Youngs Bay, and the Blind/Knappa Sloughs Select Areas.
18 The first authorized fishing period in the Blind/Knappa Slough Select Areas has been
19 modified with additional fishing periods set in the Tongue Point/South Channel and
20 Youngs Bay select areas. Modifications are consistent with action taken April 11, 2018
21 by the Departments of Fish & Wildlife for the States of Oregon and Washington at a
22 meeting of the Columbia River Compact.

23
24 **11.) 635-023-0125**

25 **Columbia River Recreational Seasons for Salmon, Steelhead and Shad Set.**

26 Adopted April 12, 2018: effective April 14, 2018 through June 15, 2018

27 These amended rules are necessary to set the 2018 recreational spring Chinook,
28 steelhead and shad seasons on the Columbia River. The rule modifications detail the
29 areas, dates for harvest, and catch limits for these fisheries in the Columbia River
30 mainstem and Select Areas. There is insufficient time to initiate the permanent
31 rulemaking process prior to the scheduled start of these fisheries. Failure to adopt these
32 rules would cause serious prejudice to the public interest in that recreational fishermen
33 would not be allowed to harvest their allocations of this valuable resource.

34
35 **12.) 635-042-0145**

36 **Modify 2018 Commercial Seasons for Columbia River Select Areas.**

37 Adopted April 13, 2018: effective April 16, 2018 through July 26, 2018

38 These amended rules modify the 2018 winter commercial salmon seasons for the
39 Youngs Bay Select Area. Modifications are consistent with action taken April 13, 2018 by
40 the Oregon Department of Fish & Wildlife.

41

1 **13.) 635-042-0133**

2 **Modifications to Allowable Sturgeon Size Catch**

3 Adopted April 11, 2018: effective April 19, 2018 through September 30, 2018

4 This amended rule is for housekeeping purposes to eliminate conflict with
5 corresponding rules in place defining legal sturgeon length of 44 to 50 inch fork length.

6
7 Action:

8 Commissioner Webber moved to ratify the 13 temporary rules set forth in the
9 today's tan agenda. Commissioner Wolley seconded the motion, and the motion carried
10 unanimously, five (5) in favor. Commissioner Bittle excused

11
12 **Exhibit A: COMMISSION MINUTES**

13
14 Action:

15 Commissioner Akenson moved to approve the March 16, 2018 meeting
16 minutes with continued authority to correct grammar and punctuation. Commissioner
17 Wolley seconded the motion and the motion was carried five (5) in favor. Commissioner
18 Bittle excused

19
20 **Exhibit B: 2018-2019 OREGON GAME BIRD REGULATIONS**

21 The Commission adopted the game bird season regulations for 2018-19.

22 Staff: Brandon Reishus, Migratory Game Bird Coordinator

23 Kelly Walton, Game Bird Program Assistant Game Bird Biologist

24
25 Presentation: Brandon and Kelly provided the Commission with a presentation on
26 the proposed 2019-2019 upland gamebird and migratory game bird regulations. This
27 presentation included upland bird information on population status; harvest surveys;
28 regulation framework; legal hunting methods for turkey; youth hunts; workshops; fee
29 pheasant hunts; and controlled hunt for sage-grouse. The presentation included
30 migratory game bird information on regulation setting process, status quo seasons;
31 seasons and bag limit changes proposed and department lands rules.

32
33 *This presentation is located in the commission material and can be viewed at*
34 https://www.dfw.state.or.us/agency/commission/minutes/18/04_april/B/Presentation_2018%20Game%20Bird.pdf
35

36 Public testimony

Joe Reed	Provided written materials
Ed Tarbell	
Eric Strand	
Mike Horn	
Samantha Bayer, Oregon Farm Bureau	Provided written testimony

37
38 Action:

39 Commissioner Akenson moved to amend OAR 635, Divisions 008, 045,
40 047, 051, 052, 053, 054, and 060 as proposed by staff to set regulations for the 2018-

1 2019 game bird seasons and regulations for the use of Department lands. Commissioner
2 Buckmaster seconded the motion and the motion was carried five (5) in favor.
3 Commissioner Bittle excused.

4
5 **Exhibit C: RECORD KEEPING REQUIREMENTS FOR COMMERCIAL DUNGENESS**
6 **CRAB SALES**

7 The Commission adopted new record keeping requirements for commercial
8 Dungeness crab sales applying to all types of fish and shellfish dealers and
9 cannerys.

10 Staff: Staff: Caren Braby, Marine Resources Program Manager
11 Rulemaking

12
13 Presentation: Caren provided a presentation to the Commission on recordkeeping
14 requirements for commercial Dungeness crab to support product traceability. The
15 presentation included the need for additional record-keeping requirements; Biotoxin
16 events and crab fishery impacts and traceability; public process for proposed rules and
17 staff recommendations.

18
19 *This presentation is located in the commission material and can be viewed at*
20 [https://www.dfw.state.or.us/agency/commission/minutes/18/04_april/C/Crab%20Present](https://www.dfw.state.or.us/agency/commission/minutes/18/04_april/C/Crab%20Presentation.pdf)
21 [ation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/04_april/C/Crab%20Presentation.pdf)

22
23 Public testimony

John Corbin, Fisherman/ODCC	
Elizabeth Bingold, Pacific Seafood	Provided written testimony
Hakan Calik, Pacific Seafood	

24
25 Action:

26 Commissioner Webber moved to adopt staff recommendation for modification of
27 Dungeness crab record keeping requirements as described in attachment 3 (rule
28 language), and in Attachment 8 (harvest areas). Commissioner Akenson seconded the
29 motion and the motion was carried five (5) in favor. Commissioner Bittle excused.

30
31 Commissioner Buckmaster: I am in support of the intent and the efforts in this
32 potential rule, it is something that has to be done. It is an improvement on what has been
33 done in the past; it is of benefit of the fishing fleet; and processors. My only heartburn is
34 by adopting this as it is currently written, we are potentially penalizing companies that
35 already have in place an effective solution to providing information consistent to the
36 intent of the rule. Asking them to spend the money and time to reengineer; what at this
37 time may be the best system out there. Previously, the Chair had stated that we can
38 move forward with this rule, but that does not preclude us from making adaptations or
39 tweaking it in a way that will reward best practice. Today I will vote with the majority on
40 this rule, with a plea that we look at trying to incorporate best practices, and have as
41 much flexibility within the intent of rule moving forward – not to penalize the companies

1 that are doing what we want them to do but in a different way than what we are telling
2 them.

3
4 Chair Finley asked each of the commissioners how they feel about Commissioner
5 Buckmasters remarks.

6
7 Chair Finley: "associates with those remarks."
8

9 Commissioner Wolley - agreed – "I agreed that we should applaud those who are doing
10 the best job and have that as a standard."
11

12 Commissioner Akenson – "I am comfortable with that commitment. Even more so, I feel
13 it is essential that we have both forward and backward ability to look at product
14 traceability
15

16 Commissioner Webber- "If we can figure out a way that is easier for everyone, especially
17 for the forward/ backward enforcement issues. Then I have no problem with it."
18

19 **EXHIBIT D: 2018 PACIFIC HALIBUT REGULATIONS**

20 The Commission will be asked to adopt the 2018 regulations for recreational and
21 commercial Pacific Halibut Fisheries
22 Staff: Lynn Mattes, Halibut Project Leader
23 Rulemaking
24

25 Presentation: Lynn provided a presentation to the Commission on the 2018
26 Pacific Halibut Fisheries.

27 The presentation included information on sport and commercial Pacific Halibut
28 fisheries; harvest levels specified by National Marine Fishery Service; changes to the
29 federal Catch Sharing Plan; recreational season dates; and International Pacific Halibut
30 Commission commercial opening dates.
31

32 *This presentation is located in the commission material and can be viewed at*
33 [https://www.dfw.state.or.us/agency/commission/minutes/18/04_april/D/Halibut%20Prese](https://www.dfw.state.or.us/agency/commission/minutes/18/04_april/D/Halibut%20Presentation.pdf)
34 [ntation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/04_april/D/Halibut%20Presentation.pdf)
35
36

Public testimony

Steve Godin, Oregon Coast Anglers	
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37 Action:

38 Commissioner Buckmaster moved to adopt the staff recommendations for the
39 2018 sport and commercial Pacific Halibut fisheries as shown in attachment 3.
40 Commissioner Wolley seconded the motion and the motion was carried five (5) in favor.
41 Commissioner Bittle excused.
42

1
2 **EXHIBIT E: 2018 OCEAN SALMON FISHERIES AND TERMINAL FISHERIES**
3 **RULEMAKING**

4 The Commission will be asked to adopt 2018 ocean salmon fishing seasons and
5 terminal fisheries for Oregon state waters.

6 Staff: Chris Kern, Assistant Fish Division Administrator
7 Rulemaking

8
9 Presentation: Chris provided the Commission a presentation on the 2018 Ocean
10 Salmon regulations; this presentation included information on Sacramento Fall Chinook.

11
12 *This presentation is located in the commission material and can be viewed at*
13 [https://www.dfw.state.or.us/agency/commission/minutes/18/04_april/E/Ocean%20Salmon](https://www.dfw.state.or.us/agency/commission/minutes/18/04_april/E/Ocean%20Salmon%20Presentation.pdf)
14 [n%20Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/04_april/E/Ocean%20Salmon%20Presentation.pdf)

15
16 Public testimony

Peter Roscoe, Restaurateur	Not present when called
David Moskowitz, The Conservation Angler	Not present when called

17 Action:

18 Commissioner Akenson moved to adopt the 2018 regulations for ocean sport and
19 commercial salmon fisheries, and ocean terminal sport and commercial fisheries as set
20 forth in revised attachment 3. Commissioner Wolley seconded the motion and the motion
21 was carried five (5) infavor. Commissioner Bittle excused.

22
23 **OTHER BUSINESS**

24
25 **ADJOURN**

26 Chair Mike Finley adjourned the meeting 2:41p.m.