



Oregon Fish and Wildlife Commission Minutes

Meeting
Thursday, June 7, 2018 8:00 AM
Geiser Grand Hotel
The Queen City Room
1996 Main Street
Baker City, OR 97814

Meeting:
Friday, June 8, 2018 – 8:00 AM
Geiser Grand Hotel
The Queen City Room
1996 Main Street
Baker City, OR 97814

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 | Bernadette Graham-Hudson, West Region Manager |
| | Bruce Buckmaster, Commissioner | Bruce Eddy, East Region Manager |
| | Jim Bittle, Commissioner | Erin Donald, Assistant Arrorney General |
| | | Michelle Tate, Executive Assistant |
| | | Doug Cottam, Wildlife Division Administrator |
| | | Captian Jeff Samuels, Oregon State Police |

MEETING

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

9
10 **DIRECTOR’S REPORT**

11
12 Field Reports – in written form only; *this report is available in the meeting materials and*
13 *at*
14 [https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/June%20Field%20R](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/June%20Field%20Report%202018.pdf)
15 [eport%202018.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/June%20Field%20Report%202018.pdf)

16
17 Wildlife issues in Baker County
18 Mark Bennett, Baker County Commissioner

19
20 **Adopt Temporary Rules**

21 Curt Melcher, Director, requested the Commission ratify the following temporary rules.
22 The eleven (11) temporary rules were previously adopted by the director under his
23 emergency action authority.

- 24
25 **1) 635-023-0134**
26 **Open Spring Chinook Sport Fishery on the Snake River below Hells Canyon Dam**

1 Adopted April 13, 2018: effective April 28, 2018 through September 30, 2018
2 Amended rule opens a spring Chinook fishery from Dug Bar Boat Ramp upstream
3 to the deadline below Hells Canyon Dam on the Snake River beginning on April 28, 2018
4 to coincide with the State of Idaho's regulations for this fishery.
5

6 **2) 635-023-0095**

7 **2018 White Sturgeon Recreational Fisheries Set in the Mainstem Columbia**

8 Adopted April 11, 2018: effective May 14, 2018 through July 18, 2018

9 This amended rule allows recreational retention of white sturgeon on the
10 Mainstem Columbia River. Beginning May 14 through June 4, 2018 on Monday's,
11 Wednesday's and Saturday's only, retention of white sturgeon is allowed from the
12 Wauna power lines downstream to the mouth at Buoy 10, including Youngs Bay, and all
13 adjacent Washington tributaries. Legal size limit is between 44-inch minimum and 50-
14 inch maximum fork length. On Friday, June 15, 2018, retention of white sturgeon is
15 allowed from the Bonneville Dam upstream to The Dalles Dam, including adjacent
16 tributaries. Legal fork length is between 38-inches and 54 inches. Retention also allowed
17 from The Dalles Dam upstream to John Day Dam, including adjacent tributaries where
18 the legal fork length is between 43 inches and 54 inches. Revisions are consistent with
19 emergency action taken April 11, 2018 by the Departments of Fish and Wildlife for the
20 States of Oregon and Washington.
21

22 **3) 635-039-0085**

23 **Sport Pacific Halibut All-Depth Season from Leadbetter Point, WA to Cape Falcon,
24 OR Closes**

25 Adopted May 9, 2018: effective May 11, 2018 through September 30, 2018

26 Amended rule closes the all-depth sport fishery for Pacific halibut in the area
27 between Leadbetter Point, WA and Cape Falcon, OR at 11:59 p.m. on Friday, May 11,
28 2018 due to the projected attainment of the pre-season quota of 11,182 pounds. This
29 rule is consistent with regulations previously implemented by the federal government and
30 the International Pacific Halibut Commission for the 2018 Oregon sport fishery for Pacific
31 halibut.
32

33 **4) 635-017-0090**

34 **Allow Use of Bait on Muddy Creek during Trout Retention Season**

35 Adopted May 15, 2018: effective May 22, 2018 through October 2, 2018

36 Allow use of bait in Muddy Creek from May 22 to October 31.
37

38 **5) 635-039-0085**

39 **Sport Pacific Halibut Nearshore Season from Leadbetter Point, WA to Cape
40 Falcon, OR Open 7 Day Per Week**

1 Adopted May 21, 2018: effective May 24, 2018 through September 30, 2018

2 This amended rule expands the recreational nearshore Pacific halibut season,
3 from three days per week (Monday-Wednesday) to seven, in the area between
4 Leadbetter Point, Washington and Cape Falcon, Oregon beginning at 12:01 a.m. on
5 Thursday, May 24, 2018. The National Oceanic & Atmospheric Administration (NOAA),
6 International Pacific Halibut Commission (IPHC), Washington Department of Fish and
7 Wildlife (WDFW), and the Department (ODFW) conferred on May 21, 2018 in order to
8 increase angler opportunity to reach the harvest quota.

9
10 **6) 635-023-0125**

11 **Columbia River Recreational Seasons for Salmon and Steelhead Extended**

12 Adopted May 23, 2018: effective May 25, 2018 through June 15, 2018

13 This amended rule extends area-specific season dates for Columbia River
14 recreational spring Chinook and steelhead seasons. Beginning May 25, 2018, retention
15 of two-adult hatchery salmonids per day is allowed; only one may be a Chinook. The
16 amended rule also modifies the daily bag limit for Select Area fisheries. Revisions are
17 consistent with action taken May 23, 2018 by the Oregon and Washington Departments
18 of Fish and Wildlife in a meeting of the Columbia River Compact.

19
20 **7) 635-019-0090**

21 **Sport Chinook Fishery on Lookingglass Creek**

22 Adopted May 23, 2018: effective June 2, 2018 through July 1, 2018

23 This amended rule allows recreational anglers opportunity to harvest adipose fin-
24 clipped adult and jack Chinook salmon, which are in excess of the Department's
25 hatchery production needs, in Lookingglass Creek. This fishery is scheduled for the
26 period from Saturday, June 2 through Saturday, June 23, 2018.

27
28 **8) 635-021-0090**

29 **Burns Paiute Tribal Experimental Spring Chinook Fishery Opens**

30 Adopted May 30, 2018: effective June 12, 2018 through August 15, 2018

31 This modification allows Burns Paiute Tribal members to angle for hatchery
32 Chinook salmon released in the Malheur River using traditional methods as regulated by
33 adopted tribal regulations. The general public is allowed to fish for hatchery salmon with
34 a valid angling license and using methods allowed by the 2018 regulations.

35
36 **Action:**

37 Commissioner Webber moved to ratify the eight (8) temporary rules set forth in the
38 today's tan agenda. Commissioner Akenson seconded the motion, and the motion
39 carried unanimously, six (6) in favor.

40
41 **Exhibit G - Public testimony**

Tim Josey-Tillamook County Commissioner	Provided written testimony from David Yamamoto, Tillamook county Board Vice Chair
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John Sweet, CoosCounty Commissioner	Provided written testimony
Simon Hare, Josephine County Commission	Provided written testimony
Bob Main, Coos County Commission	Provided written testimony

1
2 **Exhibit A: COMMISSION MINUTES**

3 Action:

4 Commissioner Akenson moved to approve the April 20, 2018 meeting
5 minutes with continued authority to correct grammar and punctuation. Commissioner
6 Buckmaster seconded the motion and the motion was carried six (6) in favor.

7
8 **Expenditure Report**

9 Staff: Cameron Smith, Deputy Director for Administration

10 Cameron provided the Commission the Department Financial Report for the
11 2017-19 biennium as of April 28, 2018. The report includes changes made during the
12 February 2018 session. The department expects expenditures in the last part of the
13 biennium will be higher but still be below budgeted amount barring unforeseen costs.
14 The Secretary of State’s Audits Division began its audit of 2018 financial statements,
15 which should be completed December 2018. The Secretary of State’s office audit on
16 internal audit processes is completed but the report hasn’t been issued yet. The US. Fish
17 and Wildlife Service began an audit of Pittman-Robertson and Sport Fish Restoration
18 program spending for the federal fiscal years of 2016 and 2017. This audit should be
19 completed in autumn 2018.

20
21 *This report is available in the meeting materials and at*
22 [https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/2017-](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/2017-19%20June%202018%20Commission%20Financial%20Report.pdf)
23 [19%20June%202018%20Commission%20Financial%20Report.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/2017-19%20June%202018%20Commission%20Financial%20Report.pdf)

24
25 **Exhibit B: 2019-21 BUDGET**

26 The Commission approved the proposed 2019-21 Agency Budget.

27 Staff: Cameron Smith, Deputy Director

28 Public Testimony

29 Approval

30
31 Presentation: Cameron provided a presentation to the Commission on the
32 Governor’s vision for 2019-2021 Budget; our principles for developing a budget; timeline;
33 EBAC and Town Halls; comments received; long term projections for statewide lottery
34 funds; federal wildlife assistance grants revenue analysis; Oregon hunting and fishing
35 trends per capita; resident and nonresident trends; cumulative license sales; license
36 revenues only; how hatcheries are funded; policy option packages, 2019 legislative
37 concepts, package summary, continuations, and new; limited duration position life cycle
38 analysis and options.

1 *This presentation is located in the commission material and can be viewed at*
2 [https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20B/Exhibit](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20B/Exhibit%20B_Presentation.pdf)
3 [%20B_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20B/Exhibit%20B_Presentation.pdf)
4

5 Public testimony

David Moskowitz, The Conservation Angler	
Thomas Huff, Rancher	Did not testify
Kelly Rowan, Rancher	Did not testify
Delcorto, Rancher	Did not testify
Blake Dennis, Rancher	Did not testify

6
7 Action:

8 Commissioner Webber moved to approve the department's 2019-21 Agency
9 Request Budget as proposed by staff and amend policy option packages priorities as
10 proposed by the Director by moving 123 and 127 to between 114 and 115.
11 Commissioner Bittle seconded the motion and the motion was carried six (6) in favor.
12

13 **EXHIBIT C: ACCESS AND HABITAT PROJECT FUNDING APPROVAL**

14 The Commission approved the Access and Habitat Board recommendations for
15 project funding.

16 Staff: Tom Thornton, Game Program Manager

17 Public Testimony

18 Approval
19

20 Presentation: Tom provided a presentation to the Commission on the eight
21 projects requesting A & H funds.
22

23 *This presentation is located in the commission material and can be viewed at*
24 [https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20C/Exhibit](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20C/Exhibit%20C_Presentation.pdf)
25 [%20C_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20C/Exhibit%20C_Presentation.pdf)
26

27 No Public testimony

28 Action:

29 Commissioner Akenson moved to approve the eight projects as recommended by
30 the Access and Habitat Board. Commissioner Wolley seconded the motion and the
31 motion was carried six (6) in favor.
32

33 **EXHIBIT D: 2019 AUCTION & RAFFLE TAG ALLOCATION**

34 The Commission approved recommendations of the Access and Habitat Board
35 and ODFW staff for the 2019 auction and raffle tag allocations.

36 Staff: Tom Thornton, Game Program Manager

37 Public Testimony

38 Approval
39

1 Presentation: Tom provided the Commission a presentation on the 2019 Auction
2 and Raffle Tag Allocation. This presentation included Program information; Allocation
3 process and species proposals.

4
5 *This presentation is located in the commission material and can be viewed at*
6 [https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20D/Exhibit](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20D/Exhibit%20D_Presentation.pdf)
7 [%20D_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20D/Exhibit%20D_Presentation.pdf)

8
9 No Public testimony

10
11 Action:

12 Commissioner Webber moved to approve the 2019 auction and raffle big game
13 tag allocations as proposed by staff. Commissioner Bittle seconded the motion and the
14 motion was carried six (6) in favor.

15
16 **EXHIBIT E: FURBEARER REGULATIONS FOR 2018-2020**

17 The Commission approved amendments to Furbearer Regulations.

18 Staff: Derek Broman, Carnivore-Furbearer Coordinator

19 Public Testimony

20 Rulemaking

21
22 Presentation: Derek provided the Commission a presentation on the 2018-2019
23 Furbearer Trapping and Hunting Regulations. This presentation included information on
24 license and pelt trends; species and season information; general regulation proposals
25 and program notes.

26
27 *This presentation is located in the commission material and can be viewed at*
28 [https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20E/Exhibit](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20E/Exhibit%20E_Presentation.pdf)
29 [%20E_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20E/Exhibit%20E_Presentation.pdf)

30

Buddy Woodberry, Oregon United Sporting Dog	
David Walker, Oregon United Sporting Dog	
Jim Soares, Oregon Trappers Association	
Doug Nichol, Oregon Trappers Association	

31
32 Action

33 *Commissioner Akenson moved to amend Oregon Administrative Rule Chapter*
34 *635, Division 050 as proposed by staff to set regulations and seasons for the harvest*
35 *and pursuit of furbearing mammals. Commissioner Bittle seconded the motion and the*
36 *motion was carried five (5) in favor: Webber, Akenson, Buckmaster, Bittle, Finley, one (1)*
37 *abstained: Wolley.*

1
2 **Exhibit F: CONFEDERATED TRIBES OF WARM SPRINGS HUNTING AGREEMENT**

3 The Commission approved hunting rules as part of the agreement with the
4 Confederated Tribes of the Warm Springs Reservation.
5 Staff: Kevin Blakely, Wildlife Division Deputy Administrator
6 Public Testimony
7 Rulemaking
8

9 Presentation: Kevin provided the Commission with a presentation on the
10 Confederated Tribes of Warm Springs off-Reservation hunting agreement. Tis
11 presentation included information on the key features of the Memorandum of Agreement.
12

13 *This presentation is located in the commission material and can be viewed at*
14 [https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20F/Exhibit%20F%20_Presentation.pdf)
15 [%20F/Exhibit%20F%20_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20F/Exhibit%20F%20_Presentation.pdf)
16
17

No Public testimony

Simon Hare, Josephine Co Commissioner	Did not testify
Pete Bigelow, Rancher	Did not testify
Chad DelCorte, Rancher	Did not testify
K. Rowan, Rancher	Did not testify

18
19 Action:

20 Commissioner Wolley moved to enter into the Memorandum of Agreement
21 between the Confederated Tribes of the Warm Springs Reservation and the State of
22 Oregon Regarding Off-Reservation Hunting Subject to the 1855 Treaty with the Tribes of
23 Middle Oregon and to approve rules as proposed by staff to implement the Agreement.
24 Commissioner Buckmaster seconded the motion and the motion was carried six (6) in
25 favor.
26

27 **EXHIBIT G: MARBLED MURRELET RECLASSIFICATION AND ADOPTION OF**
28 **SURVIVAL GUIDELINES**

29 The Commission was asked to amend the State List of Threatened and
30 Endangered Species to reclassify the Marbled Murrelet as endangered, adopt
31 survival guidelines for the species, determine that state lands have a role to play
32 in the conservation of the Marbled Murrelet, and direct staff to notify and consult
33 with affected state agencies.

34 Staff: Christina Donehower, Strategy Species Coordinator
35 Rod Kramer, Forest Program Coordinator
36 Martin Nugent, Threatened, Endangered, and Sensitive Species
37 Coordinator
38 Rulemaking
39

40 Presentation: Christina, Rod and Martin provided the Commission a presentation
41 on Marbled Murrelet Reclassification and Adoption of Survival Guidelines. The

1 presentation included information on Marbled Murrelet description and current legal
 2 status; background on petition and associated rulemaking process; survival guidelines;
 3 requirements for the Commission and affected state agencies following reclassification;
 4 and Commission action.

5
 6 *This presentation is located in the commission material and can be viewed at*
 7 [https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20G/Exhibit](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20G/Exhibit%20G_Presentation.pdf)
 8 [%20G_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/Exhibit%20G/Exhibit%20G_Presentation.pdf)
 9

10 Public testimony

Jennifer Bakke, Hancock Forest Management	Provided written testimony
Fran Cafferata, CEO Cafferata Consulting	Provided written testimony
Lee Adkins, NW Hardwoods	
Mark Wall, Timber Lands Manager	Provided written testimony
Tim Tracy, NW Hardwoods	
Lindsay Warness, Boise Cascade	Provided written testimony
Renee Seacor, Cascadia Wildlands	Provided written testimony
Mari Galloway, Audubon, Oregon Wild	Provided written testimony
Susan Morgan, Association of Oregon Counties	
Doug Cooper, Hampton Lumber	Provided written testimony
Heath Curtis, Oregon Forest Industry Commission	Provided written testimony
Rex Storm, Associated Oregon Loggers Inc. / Oregon Tree Farmer System	Provided written testimony
Jerome Rosa, Oregon Cattleman's Association, Executive Director	Provided written testimony
Lyn E. Akers, Rancher	
Jim James, Oregon Small Woodlands Association	Provided written testimony
Chris Heffernan, Landowner	Provided written testimony
Keith Williams, Stimson Lumber	
Joe Liebezeit, Portland Audubon.	
Joe Steere, Rancher, Small Woodlands	Provided written testimony
Meghan Tuttle, Weyerhaeuser Company	
Leland Brown, The Wildlife Society	
Cheryl Martin, Oregon Cattleman's Association	Provided written testimony

Bob Salinger, Portland Audubon	
Seth Barns, Oregon Forest Industry Commission	Provided written testimony
Representative David Brock Smith, Port Orford, District 1	

1
2 Action:
3 Commission Chair Finley moved to deny the petitions recommendation to
4 reclassify the Marbled Murrelet as endangered under the Oregon Endangered Species
5 Act. Commissioner Bittle seconded the motion and the motion was carried four (4)
6 Finley, Webber, Buckmaster, Bittle in favor; two (2) Akenson, Wolley opposed.

7
8 Carried over to Friday morning, June 8, 2018.

9
10 **OTHER BUSINESS**

11
12 **ADJOURN**

13 Chair Mike Finley adjourned the meeting 5:40 p.m.