



Oregon Fish and Wildlife Commission Minutes

Meeting:
Friday, December 7, 2018 – 8:00 AM
Oregon Dept. of Fish & Wildlife
Commission Room
4034 Fairview Industrial Dr SE
Salem, Oregon 97302

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

2

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

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|--------------------------------------|--|
| Mike Finley, Chairman | Curt Melcher, Director |
| Bob Webber, Vice-Chair, Commissioner | Shannon Hurn, Deputy Director |
| Holly Akenson, Commissioner | Bruce Eddy, East Region Manager |
| Greg Wooley, Commissioner | Bernadette Graham-Hudson, West Region Manager |
| Bruce Buckmaster, Commissioner | Anika Marriott, Assistant Attorney General |
| Jim Bittle, Commissioner | Erin Donald, Assistant Attorney |
| | Michelle Tate, Executive Assistant |
| | Doug Cottam, Wildlife Division Administrator |
| | Chris Kern, Fish Division Deputy Administrator |
| | Captain Jeff Samuels, Oregon State Police |

6

7

MEETING

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

10

DIRECTOR'S REPORT

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/18/12_Dec/Directors%20Repor](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/Directors%20Report/December%20Field%20Report%20.pdf)
15 [t/December%20Field%20Report%20.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/Directors%20Report/December%20Field%20Report%20.pdf)

16

Expenditure Report

18 Staff: Erica Kleiner, Management Resources Division Administrator

19 *This report is available in the meeting materials and at*

20

21 [https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/Directors%2](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/Directors%20Report/2017-19%20(2018-12)%20Commission%20Financial%20Report.pdf)
22 [0Report/2017-19%20\(2018-12\)%20Commission%20Financial%20Report.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/Directors%20Report/2017-19%20(2018-12)%20Commission%20Financial%20Report.pdf)

23

24 *and Governor's Recommended Budget Summary for ODFW at*

25

26 [https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/Directors%2](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/Directors%20Report/19-21%20GRB%20summary.pdf)
27 [0Report/19-21%20GRB%20summary.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/Directors%20Report/19-21%20GRB%20summary.pdf)

1 Update on Wolf Plan Stakeholder Representatives Working Group
2 Derek Broman, Carnivore/Furbearer Coordinator
3 Deb Nudelman, Kearns and West
4

5 American Fisheries Society, Sport Fish Restoration Award Nomination, Oregon
6 STEP project
7 Jim Fredericks, Idaho Fish and Game
8

9 **PUBLIC FORUM**

10 This part of the agenda is for comments on topics not scheduled on the agenda. The
11 Commission will be unable to take action on items brought to their attention in this
12 forum.
13

14 Elk River Update
15 Mary Wahl and Ann Vilesis
16

17 Oregon Disabilities Hunting Permit Eligibility and Permit Process
18 Bill Wolfe, Disabled Hunter
19

20 Prohibited Methods, Hunting
21 Andy York, SIG SAUER, President Electro- Optics
22 [https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/Andy%20York_](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/Andy%20York_PF%2012.7.18.pdf)
23 [PF%2012.7.18.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/Andy%20York_PF%2012.7.18.pdf)
24

25 **Adopt Temporary Rules**

26 Curt Melcher, Director, requested the Commission ratify the following temporary rules.
27 The four (4) temporary rules were previously adopted by the director under his
28 emergency action authority.
29

30 **1.) 635-014-0090**
31 **Modifications to Chinook Fishery in the Northwest Zone Effective**
32 **November 10, 2018**
33

34 **2.) 635-005-0465**
35 **Commercial Dungeness crab Season Opening Delay**
36 Adopted November 14, 2018: effective November 14, through February 15,
37 2019.
38

1 This amended rule delays the opening of the 2018-2019 commercial
2 ocean Dungeness crab fishing season from December 1, 2018 until at least
3 December 16, 2018 in accordance with the Tri-State Memorandum-Of-
4 Understanding and Preseason Testing Protocol. Additional Temporary Rules will
5 be promulgated to open the fishery in accordance with that agreement. A
6 housekeeping amendment clarifies the definition of fishing in relation to the Tri-
7 State Preseason Testing Protocol for regional consistency.
8

9 **3.) 635-014-0090**

10 **Modifications to Chinook Fishery in the Northwest Zone Effective**
11 **November 17, 2018**

12 Adopted November 7, 2018: effective November 10, through December 31,
13 2018.

14 From the mouth of the Siletz to the ODFW marker 1,200 feet above the
15 Ojalla Boat Ramp, Chinook Fishing re-opens beginning November 10, through
16 December 31, 2018. This rule is needed to open a section of the Siletz River to
17 allow the public angling opportunities.
18

19 Adopted November 15, 2018: effective November 17, through December 31,
20 2018.

21 Chinook fishing reopens in parts of the Yaquina and Alsea rivers
22 beginning November 17, through December 31, 2018.
23

24 **4.) 635-016-0090**

25 **Modifications to the Chetco and Winchuck Rivers in the Southwest Zone.**

26 Adopted November 26, 2018: effective November 27, through December 31,
27 2018.

28 Modifications to the Chetco and Winchuck rivers are needed to remove all
29 temporary angling restrictions previously put in place.
30

31 **Action:**

32 Commissioner Webber moved to ratify the four temporary rules set forth in the today's
33 agenda. Commissioner Akenson seconded the motion, and the motion carried
34 unanimously, six (6) in favor.
35

36 **Exhibit A: COMMISSION MINUTES**

37 **Action:**

38 Commissioner Akenson moved to approve the October 12 and November 6,
39 2018 meeting minutes with continued authority to correct grammar and punctuation.
40 Commissioner Buckmaster seconded the motion and the motion was carried six (6) in
41 favor.
42
43
44

1 **Exhibit B: A&H PROJECT FUNDING AND BOARD APPOINTMENTS**

2 The Commission was asked to approve the Access and Habitat Board
3 recommendations for project funding.

4 Staff: Travis Schultz, Access and Habitat Program Coordinator

5
6 *Presentation:* Travis provided the Commission with a presentation on Emergency Fire
7 Reseedings; and approval of board Recommended projects

8
9 *This presentation is located in the commission material and can be viewed at*
10 [https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20B_PDF%20](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20B_PDF%20FILES/Ex%20B_Presentation.pdf)
11 [FILES/Ex%20B_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20B_PDF%20FILES/Ex%20B_Presentation.pdf)

12
13 Public Testimony

| | |
|---|----------------------------|
| Al Elkins, Oregon Hunters Association | Provided written testimony |
| Jim Akenson, Oregon Hunters Association | |

14 Approval

15
16 Action:

17 Commissioner Bittle moved to approve funding for the two projects
18 recommended by the Access and Habitat Board. Commissioner Webber seconded the
19 motion and the motion was carried six (6) in favor.

20
21 **EXHIBIT C: URBAN DEER POPULATION CONTROL PILOT PROGRAM**

22 The Commission was asked to approve rules pertaining to
23 the Urban Deer Population Control Pilot Program.

24 Staff: Trevor Watson, Malheur and Klamath Watershed
25 District Manager

26
27 *Presentation:* Trevor provided the Commission with a presentation on Urban Deer
28 Population issues; Senate Bill 373 (2017); rule development; and proposed
29 administrative rules.

30
31 *This presentation is located in the commission material and can*
32 *be viewed at*
33 [https://www.dfw.state.or.us/agency/commission/minutes/18/12_D](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20C_PDF%20FILES/Ex%20C_Presentation.pdf)
34 [ec/EX%20C_PDF%20FILES/Ex%20C_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20C_PDF%20FILES/Ex%20C_Presentation.pdf)

35
36 Public Testimony

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|--------------------------------------|--|
| Brian Posewitz, Humane Voters Oregon | |
|--------------------------------------|--|

37 Rulemaking

1 Action:
2 Commissioner Wolley moved to adopt OAR Chapter 635, Division 043 as
3 proposed by staff. Commissioner Akenson seconded the motion and the motion was
4 carried six (6) in favor.

5
6 EXHIBIT D: moved to after lunch break
7

8 **EXHIBIT E: BURNS PAIUTE TRIBE CEREMONIAL HUNTING TAGS**

9 The Commission was asked to approve ceremonial big game tags for the Burns
10 Paiute Tribe.

11 Staff: Kevin Blakely, Wildlife Division Deputy Administrator
12 Trevor Watson, Malheur and Klamath Watershed District
13

14 *Presentation:* Kevin provided the Commission with a presentation on Ceremonial
15 Hunting tags for the Burns Paiute Tribe.

16
17 *This presentation is located in the commission material and can be viewed at*
18 [https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20E_PDF%20](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20E_PDF%20FILES/Ex%20E_Presentation.pdf)
19 [FILES/Ex%20E_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20E_PDF%20FILES/Ex%20E_Presentation.pdf)
20

21 Public Testimony

| | |
|--|--|
| Zach Adams, Burns Paiute Tribal Member | |
| Dean Adams, Burns Paiute Tribal Council Member | |

22 Rulemaking
23

24 Action:
25 Commissioner Buckmaster moved to amend OAR Chapter 635, Division 043 as
26 proposed by staff. Commissioner Wolley seconded the motion and the motion was
27 carried six (6) in favor.
28

29 **SPECIAL EMPLOYEE RECOGNITION**

30
31 **EXHIBIT D: BIG GAME HUNTING TAGS TO NONPROFIT ORGANIZATIONS**
32 **FOR USE BY QUALIFIED DISABLED VETERANS**

33 The Commission was asked to approve rules on big game hunting tags to nonprofit
34 organizations for use by qualified disabled veterans.

35 Staff: Tom Thornton, Game Program Manager
36

37 *Presentation:* Tom provided the Commission with a presentation on the background of
38 the Program and proposed changes to add tags for use by disabled veterans.
39

1 *This presentation is located in the commission material and can be viewed at*
2 [https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20D_PDF%20](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20D_PDF%20FILES/Ex%20D_Presentation.pdf)
3 [FILES/Ex%20D_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20D_PDF%20FILES/Ex%20D_Presentation.pdf)

4 No Public Testimony
5 Rulemaking
6

7 Action:

8 Commissioner Akenson moved to amend OAR Chapter 635, Division 065 as
9 proposed by staff. Commissioner Wolley seconded the motion and the motion was
10 carried six (6) in favor.

11
12 **EXHIBIT F: WILD TURKEY MANAGEMENT PLAN**

13 The Commission was asked to approve the Wild Turkey Management Plan.
14 Staff: Mikal Cline, Upland Game Bird Program Coordinator
15

16 *Presentation:* Mikal provided the Commission with a presentation on the review
17 process; notable updates; overview; management strategies; trap and transplant
18 guidelines; and proposed rules.
19

20 *This presentation is located in the commission material and can be viewed at*
21 [https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20F_PDF%20](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20F_PDF%20FILES/Ex%20F_Presentation.pdf)
22 [FILES/Ex%20F_Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20F_PDF%20FILES/Ex%20F_Presentation.pdf)
23

24 Public Testimony

| | |
|---|--|
| Jim Akenson, Oregon Hunters Association | |
|---|--|

25 Rulemaking
26

27 Action:

28 Commissioner Akenson moved to adopt OAR Chapter 635, Division 135 as
29 proposed by staff. Commissioner Bittle seconded the motion and the motion was
30 carried six (6) in favor.
31

32 **EXHIBIT G: PETITION TO MODIFY ANGLING REGULATIONS FOR ROGUE**
33 **SPRING CHINOOK - "PETITION WITHDRAWN BY PETITIONER"**
34

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| The Oregon Fish and Wildlife Commission has withdrawn per petitioners request, and 35 revoked the request for Public Comment on this subject matter 36 |
|--|

1 **EXHIBIT H: 2019 GROUND FISH FISHERIES REGULATIONS AND 2017**
2 **NEARSHORE LOGBOOK REPORT**

3 The Commission was asked to adopt 2019 regulations for recreational and
4 commercial groundfish fisheries and review the 2017 commercial nearshore
5 logbook report.

6 Staff: Maggie Sommer, Marine Fisheries Section Leader

7
8 *Presentation:* Maggie provided the Commission with a presentation on the 2017
9 Commercial Nearshore Logbook Report, geographic distribution, nearshore fishing
10 activities, 2017 Summarized logbook catch by block; return rate; 2019 groundfish
11 fishery regulations, 2019 state harvest guidelines, 2019 Commercial nearshore fishery
12 regulations, recent trip limit performance, commercial nearshore trip limits, recreational
13 groundfish fishery, 2018 season setup, 2018 season progress, 2018 long leader fishery-
14 charter effort and private effort, long leader fishery species caught, 2019 recreational
15 groundfish fishery regulations, 2019 seasonal depth restrictions, 2019 general marine
16 bag limit; move jacksmelt and topsmelt from general marine bag limit to baitfish bag
17 limit, offshore long leader fishery, lingcod bag limit, flatfish bait limit, and a summary of
18 staff recommendations.

19
20 *This presentation is located in the commission material and can be viewed at*
21 [https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20H_PDF%20](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20H_PDF%20FILES/Presentation.pdf)
22 [FILES/Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20H_PDF%20FILES/Presentation.pdf)

23
24 Public Testimony

| | |
|-----------------------------------|--|
| Joe Watkins, Commercial Fisherman | |
| Andy Martin, Charter Operator | |

25 Rulemaking

26
27 Action:

28 Commissioner Webber moved to adopt the recommended recreational and
29 commercial groundfish regulations as proposed by staff in attachment 3. Commissioner
30 Finley seconded the motion and the motion was carried six (6) in favor.

31
32 **EXHIBIT I: R&E PROJECT APPROVAL**

33 The Commission was asked to approve the Restoration and Enhancement Board's
34 recommendations for project funding from their September 14, 2018 meeting (Cycle
35 6) and appoint Sport and Commercial Representatives to RE Board.

36 Staff: Kevin Herkamp; Fish Restoration and Enhancement Program and Trout
37 Enhancement Program Coordinator

38
39 *Presentation:* Kevin provided the Commission with a presentation on the 2019 R & E
40 legislative concept, R & E Board appointments, R & E Board selection criteria,

1 Recommended project locations, recommended enhancement projects, and 17-058
2 ODFW small Hatchery projects bundle 2018, R & E budget status 2017-2019 biennium,
3 and staff recommendations.

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/18/12_Dec/EX%20I_PDF%20F](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20I_PDF%20FILES/Presentation.pdf)
7 [ILES/Presentation.pdf](https://www.dfw.state.or.us/agency/commission/minutes/18/12_Dec/EX%20I_PDF%20FILES/Presentation.pdf)

8
9 No Public Testimony
10 Approval

11
12 Action:

13 Commissioner Webber moved to appoint Heap to four-year term as the Sport
14 Fishing representative and Johnson to a four-year term as the Gill Net representative on
15 the Fish Restoration and Enhancement Board. Commissioner Wolley seconded the
16 motion and the motion was carried six (6) in favor.

17
18 Commissioner Akenson moved to approve the recommendations of the Fish
19 Restoration and Enhancement Board. Commissioner Bittle seconded the motion and
20 the motion was carried six (6) in favor.

21
22 **OTHER BUSINESS**

23
24 Washington Fish and Wildlife Commission, Columbia River Fishing reform for 2019.
25 ODFW Commission has been asked to participate in a series of joint WA/OR meetings
26 over the next four months. These meeting will be about reaching concurrency and open
27 to the public. Three Commissioners were requested to be on the subgroup; finalized as
28 Webber/Finley, Buckmaster, and Akenson.

29
30 Chair Mike Finley adjourned the meeting at 3:52 p.m.