



Oregon Fish and Wildlife Commission Minutes

Meeting:
Friday, January 18, 2019 – 8:00 AM
Oregon Dept. of Fish & Wildlife
Commission Room
4034 Fairview Industrial Dr SE
Salem, Oregon 97302

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

Mike Finley, Chairman	Curt Melcher, Director
Bob Webber, Vice-Chair Commissioner	Erica Kleiner, Deputy Director
Holly Akenson, Commissioner	Shannon Hurn, Deputy Director
Greg Wooley, Commissioner	Mark Vargas, Interim Deputy Director
Laura Anderson, Commissioner	Bruce Eddy, East Region Manager
Bruce Buckmaster, Commissioner	Bernadette Graham-Hudson, West Region Manager
Jim Bittle, Commissioner	Anika Marriott, Assistant Attorney General
	Michelle Tate, Executive Assistant
	Ed Bowles, Fish Division Administrator
	Doug Cottam, Wildlife Division Administrator
	Jeff Samuals, Captain Oregon State Ploice

7
8 **MEETING**

9
10 On Friday, **January 18, 2019 at 8:00 AM**, Chair **Mike Finley** called the **Oregon Fish**
11 **and Wildlife Commission** (the Commission) meeting to order.

12
13 **DIRECTOR'S REPORT**

14
15 Field Reports – in written form only; *this report is available in the meeting materials and at*
16 [https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/Field%20Report%20J](https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/Field%20Report%20January%202019.pdf)
17 [anuary%202019.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/Field%20Report%20January%202019.pdf)

18
19 **Expenditure Report**

20 Staff: Erica Kleiner, Deputy Director for Administration

21 The Commission Financial Report for the 2017-19 biennium as of November 30, 2018 is
22 provided as an attachment. Revenues continue to be strong. Federal revenues are still
23 leaning towards flat funding or reductions. The department has only been minimally
24 impacted by the partial Federal government shutdown. Our major funding sources are still
25 intact and we continue to be able to draw Federal Funds. Other Funds spending is
26 currently below projections. The department still expects expenditures in the last part of
27 the biennium will be higher but still be below budgeted amount barring unforeseen costs.
28 The Department is currently preparing the Governor's Recommended Budget document,

1 which should be completed around the end of January. The Secretary of State's audit of
2 2018 financial statements continues and should be completed soon.

3
4 *This report is available in the meeting materials and at*
5 [https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/2017-19%20\(2019-01\)%20Commission%20Financial%20Report.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/2017-19%20(2019-01)%20Commission%20Financial%20Report.pdf)
6

7 8 **Big Game Hunting Review**

9 Nick Myatt, Big Game Hunting Review Project Lead

10
11 *Presentation:* Nick provided the Commission with a presentation on the Big Game
12 Hunting Review that the department is currently undergoing. This presentation included
13 information on project background, goals and objectives, project timelines, hunter survey
14 and public outreach.

15
16 *This presentation is located in the commission material and can be viewed at*
17 https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/Big%20Game%20Hunting%20Review%20Commission%201%2018%2019.pdf
18

19 20 **PUBLIC FORUM**

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

23
24 *The Elimination of all Commercial Crabbing in the Columbia River Estuary*

25 *Larry Dean Sene- did not testify*

26
27 *New Licensing System Changes*

28 *Roy Bertolani – did not testify*

29 *Jeff Keightley, Astoria Fishing Charter*

30
31 *Columbia River*

32 *Jim Wells, Salmon for All*

33
34 *Resource and Market Analysis of Oregon's Hagfish Fishery*

35 *Gway Kirchner; The Nature Conservancy, Project Director*

36 Provided Written Testimony – This testimony is located in the commission material and can be
37 viewed at

38 [https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/Public%20Forum](https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/Public%20Forum%20Hagfish%20January%204%202019.pdf)
39 [Hagfish January%204%202019.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/Public%20Forum%20Hagfish%20January%204%202019.pdf) , and

40 [https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/Resource%20an](https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/Resource%20and%20Market%20Analysis%20of%20Oregon's%20Hagfish%20Fishery%20January%204%202019.pdf)
41 [d%20Market%20Analysis%20of%20Oregon's%20Hagfish%20Fishery January%204](https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/Resource%20and%20Market%20Analysis%20of%20Oregon's%20Hagfish%20Fishery%20January%204%202019.pdf)
42 [%202019.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/Resource%20and%20Market%20Analysis%20of%20Oregon's%20Hagfish%20Fishery%20January%204%202019.pdf)
43

1 **Adopt Temporary Rules**

2 Curt Melcher, Director

3 The Commission ratified the following temporary rules. The six (6) temporary rules were
4 previously adopted by the director under his emergency action authority.

5
6 1.) **635-019-0090**

7 **Extend reduced steelhead bag limit in Snake River tributaries through April,**
8 **2019**

9 Adopted December 19, 2018: effective January 1, through April 30, 2019.

10 This rule reduces the summer steelhead daily bag limit from three (3) to one
11 (1), in response to very low observed returns of steelhead to the Oregon Snake River
12 tributaries in 2019.

13
14 2.) **635-023-0134**

15 **Extend the reduced steelhead daily bag limit in the Snake River through April**
16 **30, 2019**

17 Adopted December 19, 2018: effective January 1, through April 30, 2019.

18 Extend the amended rule to reduce daily bag limit of one (1) summer
19 steelhead in the mainstem Snake River. Run projections are exceptionally low, and
20 likely insufficient to provide a harvestable surplus beyond brood stock needs. This
21 rule is needed to reduce angling pressure on wild steelhead stocks, protect
22 production objectives for the Snake River steelhead program, and to ensure rules are
23 consistent with the state of Idaho within an interstate waterway.

24
25 3.) **635-005-0465**

26 **Commercial Dungeness Crab Season Opening North of Cape Arago**

27 Adopted December 31, 2018: effective December 31, through March 31, 2019.

28 This amended rule sets the opening date and related management measures
29 for the 2018-2019 ocean commercial Dungeness crab fishery from Cape Arago (43°
30 17' 00" N. Lat.) northward to the Washington border (46° 15' 00" N. Lat.) on January
31 4, 2019. The commercial Dungeness crab fishery will remain closed from Cape Arago
32 (43° 17' 00" N. Lat.) southward to the California border (42° 00' 00" N. Lat.).

33
34 4.) **635-043-0175**

35 **Amend Rules Related to Roadkill Salvage Permit**

36 Adopted: January 1, 2019 Effective Dates: January 1, 2019 through June 29, 2019

37 This temporary rule is needed to correct only an inadvertent error with the
38 numbering of a rule passed by the Commission on October 12, 2018 that implements
39 SB 372 (2017) permitting the salvage of deer and elk that are accidentally killed as a
40 result of a vehicle collision. The purpose of the salvage is for the human consumption
41 of the meat from the carcasses. Failure to adopt this rule would result in serious
42 prejudice to the public who wish to salvage deer and elk for human consumption of
43 the meat from the carcasses starting on January 1, which was the starting date
44 intended by the Oregon legislature and Commission.

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2
3 **5.) 635-065-0011**

4 **Mandatory Reporting Penalty**

5 Adopted: January 3, 2019 Effective Dates: January 3, 2019 through July 1, 2019

6 A temporary rule is needed to modify 635-065-0011 (1)(a) to extend the reporting
7 deadline date for hunts ending between April 1 and December 31, 2018. Due to some
8 components of the Oregon Department of Fish and Wildlife's new Electronic
9 Licensing System (ELS) being unfamiliar to hunters, they are having difficulties trying
10 to complete the Mandatory Reporting requirement. Extending the deadline to April 15,
11 2019 will provide customers more time to familiarize with the system and report.
12

13 **6.) 635-023-0095**

14 **White Sturgeon Recreational Fisheries in The Dalles Pool Closed**

15 Adopted January 4, 2019; effective January 7, through July 5, 2019.

16 This amended rule closes the white sturgeon fishery in The Dalles Pool (The
17 Dalles Dam upstream to John Day Dam) of the Columbia River. Catch projections
18 indicate retention of white sturgeon after January 6, 2019 would exceed the allowable
19 quota. Catch and release sturgeon fishing remains open in these waters.
20

21 **7.) 635-043-0150**

22 **Ceremonial Harvest of Deer, Elk and Pronghorn by the Burns Paiute Tribe of
23 Oregon**

24 Adopted: January 11, 2019 Effective Dates: January 11, 2019 through July 9, 2019

25 A temporary rule is needed to modify 635-043-0150(3)(e) to correct the annual
26 start date for the pronghorn season. The Department presentation to the
27 Commission and discussions with the Burns Paiute Tribe outlined a season start date
28 of January 1st for all authorized species. There is an error in that date in the adopted
29 and filed OARs. There is not adequate time to go through the normal rulemaking
30 process before the correct season start date and failure to adopt this temporary rule
31 would result in serious prejudice to the Burns Paiute Tribe's authorization to harvest
32 big game for ceremonial and cultural purposes.
33

34 **Action:**

35 Commissioner Webber moved to ratify the seven (7) temporary rules set forth in the
36 today's tan agenda. Commissioner Akenson seconded the motion, and the motion carried
37 unanimously, six (6) infavor.
38

39 **EXHIBIT A: COMMISSION MINUTES**

40 **Action:**

41 Commissioner Akenson moved to approve the December 7, 2018 meeting minutes
42 with continued authority to correct grammer and punctuation. Commissioner Wolley
43 seconded the motion and the motion was carried six (6) infavor.
44

1
2 **EXHIBIT B: SCHEDULE OF DAMAGES**

3 The Commission adopted the schedule of damages used in assessing
4 commercial fishing violations during 2018.

5 Staff: Allen Molina; Natural Resource Economist

6
7 *Presentation:* Allen provided the Commission with an annual update of average market
8 values, changes in values, and recommendations.

9
10 *This presentation is located in the commission material and can be viewed at*
11 https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/B/B_Presentation.pdf

12
13 No Public Testimony
14 Rulemaking

15
16 Action:

17 Commissioner Webber moved to amend the Schedule of Damages for
18 Commercial Fishing Violations contained in OAR 635-006-0232 as proposed by staff in
19 Attachment 3. Commissioner Bittle seconded the motion and the motion was carried six
20 (6) in favor.

21
22 **EXHIBIT C: ROGUE SPRING CHINOOK SALMON CONSERVATION PLAN**
23 **COMPREHENSIVE ASSESSMENT AND UPDATE**

24 The Commission was provided an informational briefing on the Comprehensive
25 Assessment and Update for the Rogue Spring Chinook Salmon Conservation Plan.

26 Staff: Dan VanDyke, Upper Rogue District Fish Biologist

27
28 *Presentation:* Dan provided the Commission with a presentation on 2007 Rogue River
29 Spring Chinook Salmon Conservation Plan's comprehensive assessment and update.
30 The presentation included objectives, current status compared to conservation criteria,
31 current status compared to desired status, NPCHS abundance 1946 to 2017, genetic
32 information, management strategies, angling regulations proposal, hatchery program
33 improvements, current hatchery loss, and public comment.

34
35 *This presentation is located in the commission material and can be viewed at*
36 https://www.dfw.state.or.us/agency/commission/minutes/19/01_Jan/C/C_Presentation.pdf

37
38 Public Testimony

Jake Crawford, Native Fish Society	
Peter Tronquet, Native Fish Society	

39 Informational
40

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2 **EXHIBIT D: PETITION TO MODIFY ANGLING REGULATIONS FOR ROGUE SPRING**
3 **CHINOOK SALMON – Petition Withdrawn**

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5 **EXHIBIT E: 2019 COLUMBIA RIVER COMMERCIAL FISHERY REGULATIONS**
6 **HOUSEKEEPING**

7 The Commission was asked to approve amendments to rules for commercial
8 fisheries in the Columbia River and Select Areas.

9 Staff: John North, Fisheries Manager, Ocean Salmon, and Columbia River
10 Programs

11
12 *Presentation:* John provided the Commission with a presentation on the issues being
13 addressed with these regulations changes including housekeeping (non-Treaty); dressed
14 fish reporting (Treaty); E-ticket rules(non- Treaty);Winter Platform (Treaty) and public
15 process.

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/19/01_Jan/E/E_Presentation.pdf

19
20 No Public Testimony
21 Rulemaking

22
23 Action:

24 Commissioner Buckmaster moved to adopt new OAR 635-041-0064 as proposed
25 by staff. Commissioner Wolley seconded the motion and the motion was carried six (6) in
26 favor.

27
28 **EXHIBIT F: COMMERCIAL FISHERY PERMIT BOARD APPOINTMENT Cancelled**

29
30 **OTHER BUSINESS**

31
32
33 Chair Mike Finley adjourned the meeting at 11:00 a.m.