



Meeting:
Friday, March 15, 2019 – 9:00 AM
Oregon Department of Fish and 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:

- | | |
|-------------------------------------|---|
| Bob Webber, Vice-Chair Commissioner | Curt Melcher, Director |
| Holly Akenson, Commissioner | Erica Kleiner, Deputy Director |
| Greg Wolley, Commissioner | Shannon Hurn, Deputy Director |
| Bruce Buckmaster, Commissioner | Mark Vargas, Interim Deputy Director |
| Jim Bittle, Commissioner | Bruce Eddy, East Region Manager |
| | Bernadette Graham-Hudson, West Region Manager |
| | Anika Marriott, Assistant Attorney General |
| | Erin Donald, Assistant Attorney |
| | Michelle Tate, Executive Assistant |
| | Ed Bowles, Fish Division Administrator |
| | Doug Cottam, Wildlife Division Administrator |
| | Casey Thomas, Captain Oregon State Police |

7 **MEETING**

8
9 On Friday, **March 15, 2019 at 9:05 AM, Vice-Chair Bob Webber called the Oregon**
10 **Fish and Wildlife Commission** (the Commission) meeting to order.

11
12 Chair Finley was excused due to illness

13
14 **DIRECTOR’S REPORT**

15
16 Field Reports – in written form only; *this report is available in the meeting materials*
17 *and at*
18 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/March%2015%20%20Field%20Report%20%20.pdf

19
20
21 Expenditure Report
22 Staff: Erica Kliener, Deputy Director for Administration
23 *This report is available in the meeting materials and at*
24 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/Commission%20Financial%20Report%20March%202019.pdf

25
26
27 Big Game Hunting Review Process
28 Nick Myatt, Big Game Hunting Review Project Lead
29 *This presentation is availble in the meeting materials and at*

1 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/Big%20Game%20Hunting%20Review.pdf
2
3

4 Raven Managemnet in the Baker Sage-grouse Priority Area of
5 Conservation

6 Niick Myatt, Big Game Hunting Review Project Lead

7 *This presentation is availble in the meeting materials and at*

8 [https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/Raven
9 %20Management%20in%20the%20Baker%20Sage-
10 Grouse%20Priority%20Area.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/Raven%20Management%20in%20the%20Baker%20Sage-Grouse%20Priority%20Area.pdf)
11

12 Electronic Licensing System Update

13 Steve Bergmann, Administrative Services Division Administrator

14 Angila Ward, Business Process Analyst

15 *This presentation is availble in the meeting materials and at*

16 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/ELS%20Update_3.15.2019.pdf
17
18

19 PUBLIC FORUM

20 This part of the agenda is for comments on topics not scheduled on the agend. The
21 Commission will be unable to take action on items brought to their attention in this
22 forum.
23

24 *Southern Resident Killer Whales and Salmon Conservation*

25 *Dave Moskowitz, The Conservation Angler*
26

27 *Provided writen materials, these materials are available in the meeting materails*
28 *and at*

29 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/index.asp
30

31 Adopt Temporary Rules

32 Curt Melcher, Director, requested the Commission ratify the following temporary rules.
33 The eight (8) temporary rules were previously adopted by the director under his
34 emergency action authority.
35

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

2 **Modifications to the 2019 Treaty Indian Winter Commercial Fisheries**

3 Adopted February 12, 2019: effective February 12, through July 29, 2019.

4 These rules modify the Treaty Indian winter season commercial gillnet fishery.
5 Modifications are consistent with action taken February 12, 2019 by the
6 Departments of Fish & Wildlife for the States of Oregon and Washington at a
7 meeting of the Columbia River Compact.
8

9 **2.) 635-005-0465**

10 **Commercial Dungeness Crab Evisceration South of Bandon**

11 Adopted February 14, 2019: effective February 14, through July 22, 2019.

12 In coordination with Oregon Department of Agriculture (ODA) temporary rule
13 making (see OAR 635-025-0423), this amended rule implements a biotoxin
14 management zone for the ocean commercial Dungeness crab fishery from Bandon
15 (43° 07' N. Lat.) southward to the Oregon/California border (42° 00' N. Lat.) due to
16 detection of elevated levels of domoic acid in crab viscera in the specified area. In
17 combination, this rule and ODA rule require that all Dungeness crab taken from the
18 biotoxin management area zone after 12:01 AM February 14, 2019 be sold to a
19 licensed food processor that eviscerates the crab consistent with the ODA rule. In
20 addition, crab harvested from Cape Blanco (42° 50' N. Lat.) to a line just north of
21 Gold Beach (42° 26' N. Lat.) after 12:01 AM February 11, 2019 will be subject to
22 recall for evisceration. These rules prohibit the sale of live or whole crab caught
23 from the biotoxin management zone, and prohibit the sale of any crab that is not
24 processed consistent with these rules.
25

26 **3.) 635-041-0065**

27 **Modifications to the 2019 Treaty Indian Winter Commercial Fisheries**

28 Adopted February 19, 2019: effective February 20, through July 29, 2019.

29 These rules modify the Treaty Indian winter season commercial gillnet fishery.
30 Modifications are consistent with action taken February 19, 2019 by the
31 Departments of Fish & Wildlife for the States of Oregon and Washington at a
32 meeting of the Columbia River Compact.
33

34 **4.) 635-060-0009**

35 **Successful Applicants**

36 Adopted: February 19, 2019 Effective Dates: January 1, 2019 through June 01, 2019

37 A temporary rule is needed to extend the date for the beginning of the ability to
38 purchase Spring Bear Controlled Hunt Tags associated with the February 2019
39 Spring Bear Controlled Hunt Draw.

40 This temporary rule is needed to modify 635-060-0009(1) to extend the date
41 identifying when controlled hunt tags will be available to purchase. Due to as-of-yet
42 unresolved computer issues, the Spring Bear Controlled Hunt Draw has been
43 delayed until later in February, 2019. As a result, the ability to purchase controlled
44 hunt tags based on the draw needs to be extended to allow for the possibility tags
45 would not be available to be purchased on the 20th of February.
46

1 **5.) 635-023-0125**

2 **Columbia River Recreational Seasons for Salmon and Steelhead Set**

3 Adopted February 20, 2019: effective March 1, through May 5, 2019.

4 This amended rule sets regulations for Columbia River recreational spring Chinook
5 and steelhead seasons with descriptions of areas, dates, and bag limits for harvest
6 of adipose fin-clipped Chinook salmon and adipose fin-clipped steelhead. Revisions
7 are consistent with action taken February 20, 2019 by the Oregon and Washington
8 Departments of Fish and Wildlife in a meeting of the Columbia River Compact.

9
10 **6.) 635-041-0065**

11 **Modifications to the 2019 Treaty Indian Winter Commercial Fisheries**

12 Adopted February 28, 2019: effective March 1, through July 29, 2019.

13 These rules modify the Treaty Indian winter season commercial gillnet fishery.
14 Modifications are consistent with action taken February 28, 2019 by the
15 Departments of Fish & Wildlife for the States of Oregon and Washington at a
16 meeting of the Columbia River Compact.

17
18 **7.) 635-017-0090**

19 **Modifications to the Willamette Zone Temporarily Reducing Bag Limits and**
20 **Implementing 2-Rod Allowances**

21 Adopted February 28, 2019: effective March 4, through August 31, 2019.

22 This rule amendment will modify the Chinook bag limit in the Clackamas River
23 (Mouth to River Mill Dam), Eagle Creek, (Clackamas River, Mouth to markers 200ft
24 below hatchery ladder outlet), and Estacada Lake (Clackamas River, River Mill
25 Dam upstream to Faraday Diversion (Cazadero) Dam). This rule also allows for
26 usage of a Two-Rod Validation in specified areas of the Willamette River
27 downstream of Willamette Falls. Modifications allow the use of two fishing rods
28 while fishing for both game and non-game fish species, except sturgeon, in certain
29 areas of the Willamette River, including flowing waters that are open to angling for
30 hatchery Chinook, hatchery steelhead, trout, or warm water gamefish.

31
32 **8.) 635-041-0065**

33 **Modifications to the 2019 Treaty Indian Winter Commercial Fisheries**

34 Adopted March 11, 2019: effective March 12, through July 29, 2019.

35 These rules modify the Treaty Indian winter season commercial gillnet fishery.
36 Modifications are consistent with action taken March 11, 2019 by the Departments
37 of Fish & Wildlife for the States of Oregon and Washington at a meeting of the
38 Columbia River Compact.

39
40 Action:

41 Commissioner Akenson moved to ratify the eight (8) temporary rules set forth in
42 the today's tan agenda. Commissioner Wolly seconded the motion, and the motion
43 carried unanimously, five (5) infavor.

44
45 **Exhibit A: COMMISSION MINUTES**

46 Action:

1 Commissioner Wolley moved to approve the February 8, 2019 meeting minutes
2 with continued authority to correct grammar and punctuation. Commissioner Buckmaster
3 seconded the motion and the motion was carried five (5) in favor.

4
5 **Exhibit B: ACCESS AND HABITAT PROGRAM PROJECT FUNDING AND BOARD**
6 **APPOINTMENT**

7 The Commission will review and approve the Access and Habitat Board
8 recommendations for project funding and appoint a Landowner
9 Representative to the Board.

10 Staff: Travis Shultz, Access and Habitat Coordinator
11 Craig Ely, Access and Habitat Board Chairman

12
13 Presentation: Travis provided the Commission with a presentation on Board
14 Recommended Projects, New River Aleutian Goose Project, East Lane Travel
15 Management Area; and Appointment of a Landowner Representative to the state A & H
16 Board.

17
18 *This presentation is located in the commission material and can be viewed at*
19 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/B/Ex%20B_Presentation.pdf
20

21 No Public Testimony
22 Approval

23
24 Action:

25 Commissioner Akenson moved to approve the two projects recommended by the
26 Access & Habitat Board. Commissioner Bittle seconded the motion and the motion was
27 carried five (5) in favor.

28
29 Commissioner Wolley moved to appoint William Bronson to a second four-year
30 term as a Landowner Representative on the Access & Habitat Board. Commissioner Bittle
31 seconded the motion and the motion was carried five (5) in favor.

32
33 **Exhibit C: FISH SCREENING TASKFORCE MEMBER APPOINTMENT**

34 The Commission appointed a new Fish Screening Task Force Member representing
35 fishing and fish conservation.

36 Staff: Ken Loffink, Fish Screening Program Coordinator

37
38 Presentation: Ken provided the Commission a presentation on the current Fish
39 Screening Task Force (FSTF) members, member appointment recommendation process,
40 and fishing or fish conservation representative candidates.

41
42 *This presentation is located in the commission material and can be viewed at*
43 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/C/Presentation.pdf

44 No Public Testimony
45 Approval

46
47 Action:

1 Commissioner Akenson moved to appoint Kristin Bishop to represent fishing and
2 fish conservation on the FSTF. Commissioner Buckmaster seconded the motion and the
3 motion was carried five (5) infavor.
4

5 **EXHIBIT D: RESTORATION AND ENHANCEMENT PROJECT APPROVALS**

6 The Commission approved the recommendations from January 11, 2019 Restoration and
7 Enhancement Board meeting (cycle 17-7 & 19-1); and will be provided a presentation of
8 2017-19 R&E Biennial Report.

9 Staff: Kevin Herkamp, STEP/R&E Coordinator;
10 Richard Heap; R&E Board Chairman.

11
12 Presentation: Kevin provided the Commission a presentation on recommended
13 projects and locations, 19-001 Willamette Falls ladder Repair; recommended
14 Enhancement projects, South Fork Little Butte Creek flow restoration project; and the
15 RE/STEP program budget.

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/19/03_Mar/D/Presentation.pdf

19 No Public Testimony
20 Approval

21
22 Action:

23 Commissioner Akenson moved to approve the recommendations of the Fish
24 Restoration and Enhancement Board. Commissioner Wolley seconded the motion and
25 the motion was carried five (5) in favor.
26

27 Commissioner Akenson moved to approve the 2019-21 STEP and R&E Program
28 Budget recommendations of the Fish Restoration and Enhancement Board.
29 Commissioner Bittle seconded the motion and the motion was carried five (5) in favor.
30

31 **EXHIBIT E: 2019 OCEAN SALMON FISHERIES INFORMATIONAL BRIEFING**

32 The Commission was provided an updated on 2019 ocean salmon
33 fishery planning leading up to the May 1, 2019 salmon season start
34 date.

35 Staff: Christine Mallette, Ocean Salmon Technical Services Section
36 Manager, Ocean Salmon and Columbia River.
37

38 Presentation: Christine provided the Commission a presentation on the 2019
39 ocean salmon regulations; process and schedule; abundance forecasts; key constraints;
40 and season options for public discussion.
41

42 *This presentation is located in the commission material and can be viewed at*
43 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/E/Presentation.pdf

44 No Public Testimony
45 Informational
46

1 **OTHER BUSINESS**

2

3 **EXECUTIVE SESSION**

4 The Executive Session is held pursuant to ORS 192.660(2)(h) which allow the
5 Commission to meet in executive session to consult with legal counsel with respect to
6 litigation filed or likely to be filed against the Commission.

7

8 Vice-Chair Bob Webber adjourned the meeting at 2:10 p.m.

DRAFT