



Oregon Fish and Wildlife Commission Minutes

Tour:
Thursday, April 18, 2019
Best Western Oak Meadows Inn
585 S Columbia River Hwy
St Helens, OR 97051

Meeting:
Friday, April 19, 2019 – 8:00 AM
Columbia River Reception & Events
Meriwether Place
1070 Columbia Blvd
St Helens, OR 97051

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

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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:

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Mike Finley, Chairman	Curt Melcher, Director
Bob Webber, Vice-Chair Commissioner	Mark Vargas, Interim Deputy Director
Holly Akenson, Commissioner	Bruce Eddy, East Region Manager
Greg Wolley, 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
	Chris Kern, Fish Division Deputy Administrator
	Doug Cottam, Wildlife Division Administrator
	Casey Thomas, Captain Oregon State Police

MEETING

On Friday, **April 19, 2019 at 8:05 AM**, Chair **Mike Finley** called the **Oregon Fish and Wildlife Commission** (the Commission) meeting to order.

DIRECTOR'S REPORT

Field Reports – in written form only; *this report is available in the meeting materials and at https://www.dfw.state.or.us/agency/commission/minutes/19/04_Apr/April%2019,%202019%20%20Field%20Report%20.pdf*

Expenditure Report

Staff: Director Melcher,

This report is available in the meeting materials and at

https://www.dfw.state.or.us/agency/commission/minutes/19/04_Apr/index.asp

2018 Wolf Conservation and Management Program Annual Report

Staff: Roblyn Brown, Wolf Program Field Coordinator

Presentation: Roblyn provided the Commission with a presentation on the Oregon Wolf Conservation and Management 2018 Annual Report. This

1 presentation included information on the legal status across the state; wolf
2 numbers; distribution; Monitoring; and livestock depredation.

3
4 *This report is available in the meeting materials and at*
5 [https://www.dfw.state.or.us/agency/commission/minutes/19/04_Apr/Wolf%20Annual%20](https://www.dfw.state.or.us/agency/commission/minutes/19/04_Apr/Wolf%20Annual%20Report%20Presentation%20-%204-19-19P.pdf)
6 [Report%20Presentation%20-%204-19-19P.pdf](https://www.dfw.state.or.us/agency/commission/minutes/19/04_Apr/Wolf%20Annual%20Report%20Presentation%20-%204-19-19P.pdf)

8 **PUBLIC FORUM**

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

11
12 The positive influences of beaver's on the ecosystem
13 Scott Laird

14
15 Columbia River Wild Fish Conservation Issues
16 David Moskowitz, the Conservation Angler. Provided written
17 materials

18
19 Columbia River Reform
20 Jim Coleman
21 Jim Wells
22 Robert Sudar, Commercial Advisor of the Columbia River

23 24 **Adopt Temporary Rules**

25 Curt Melcher, Director, requested the Commission ratify the following temporary rules.
26 The thirteen (13) temporary rules were previously adopted by the director under his
27 emergency action authority.

28 29 **1.) 635-023-0134**

30 **Amend Steelhead Daily Bag Limit on the Snake River**

31 Adopted March 13, 2019: effective March 18, through April 30, 2019.

32 Harvest was initially reduced to ensure hatchery broodstock requirements were
33 met at the Hells Canyon Dam fish trap. Those broodstock needs have been met, and
34 surplus fish are available and should be made available to anglers. The State of Idaho
35 plans to increase daily bag limits to two (2) hatchery steelhead. This rule increases the
36 daily bag limit for Oregon anglers to two (2) hatchery steelhead above Dug Bar which
37 maintains concurrence in angling regulations with Idaho on the Snake River. By
38 establishing the boundary at Dug Bar (above the Salmon River mouth), fisheries will avoid
39 additional impacts to wild Salmon River steelhead.

1 **2.) 635-041-0064, 635-041-0065**

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

3 Adopted March 19, 2019: effective March 20, through March 23, 2019.

4 These rules modify the Treaty Indian winter season commercial gillnet and
5 platform fisheries. Modifications are consistent with action taken March 19, 2019 by the
6 Departments of Fish & Wildlife for the States of Oregon and Washington at a meeting of
7 the Columbia River Compact.

8
9 **3.) 635-042-0145, 635-042-0160, 635-042-0170**

10 **Modifications to the 2019 Season for the Columbia River Select Area Commercial**
11 **Fisheries**

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

13 This amended rule modifies the 2019 commercial seasons for the Blind
14 Slough/Knappa Slough, Youngs Bay and Tongue Point Select Areas. The commercial
15 fishery in the Blind Slough area has been extended to a 12-hour fishing period and white
16 sturgeon bags limits have been set for Select Areas beginning April 1. Modifications are
17 consistent with action taken March 28, 2019 by the Departments of Fish & Wildlife for the
18 States of Oregon and Washington at a meeting of the Columbia River Compact.

19
20 **4.) 635-023-0095**

21 **White Sturgeon Recreational Fisheries Closed in the John Day Pool**

22 Adopted April 1, 2019: effective April 3, 2019 through July 5, 2019.

23 This amended rule closes the white sturgeon fishery in the John Day Pool of the
24 Columbia River. Catch projections indicate retention of white sturgeon after April 3, 2019
25 would further exceed the allowable quota. Catch and release sturgeon fishing remains
26 open in these waters, except for sturgeon angling sanctuaries.

27
28 **5.) 635-042-0160**

29 **Modifications to the 2019 Season for the Columbia River Select Area Commercial**
30 **Fisheries.**

31 Adopted April 1, 2019: effective April 4, 2019 through July 29, 2019.

32 This amended rule modifies the 2019 commercial seasons for the Blind
33 Slough/Knappa Slough Select Area. The commercial fishery in the Knappa Slough area
34 has been increased to three (3) additional 4-hour each fishing periods. Modifications are
35 consistent with action taken April 1, 2019 by the Departments of Fish & Wildlife for the
36 States of Oregon and Washington at a meeting of the Columbia River Compact.

37
38 **6.) 635-005-0355**

39 **Tillamook Bay Commercial Cockle Dive Fishery Closes**

40 Adopted April 3, 2019: effective April 5, 2019 through Oct 1, 2019.

41 Amended rule closes the Tillamook Bay commercial cockle dive fishery at 12:01
42 a.m. April 5, 2019 due to a projected attainment of the 185,000 pound annual harvest
43 quota allowed under bay clam catch limits. Modifications are consistent with
44 requirements described in OAR 635-005-0355.

45
46 **7.) 635-017-0090**

47 **2019 Gilbert River Sturgeon Closure**

1 Adopted April 4, 2019: effective April 16, 2019 through August 31, 2019.

2 The amended rule closes all sturgeon angling including catch and release, as well
3 as closing all angling with the use of bait from April 16 through May 15, 2019 in the Gilbert
4 River. The area includes the Gilbert River from the upstream end of the Gilbert River
5 Fishing Pier located near the confluence with Multnomah Channel, upstream to Sturgeon
6 Lake.

7
8
9 **8.) 635-018-0090**

10 **2019 Hatchery Chinook Salmon Season in the Hood River**

11 Adopted April 4, 2019: effective April 15, 2019 through June 30, 2019.

12 This amended rule allows the sport harvest of hatchery spring Chinook salmon in
13 the Hood River from April 15 through June 30, 2019. The daily bag limit for the Hood
14 River is two adult hatchery salmon and five hatchery jack salmon.

15
16 **9.) 635-042-0145**

17 **Rescind Open Fishing Periods in the Youngs Bay Select Area.**

18 Adopted April 10, 2019: effective April 11, 2019 through July 29, 2019.

19 This amended rule rescinds the April 11 through 12 and April 18, 2019 open fishing
20 period in the Youngs Bay Select Area.

21
22 **10.) 635-023-0125**

23 **Modification to Columbia River Recreational Season for Salmon and Steelhead**
24 **Fisheries.**

25 Adopted April 10, 2019: effective April 13, 2019 through May 5, 2019.

26 This amended rule modifies open fishing periods for Mainstem Columbia River
27 recreational spring Chinook salmon and steelhead seasons downstream of the Bonneville
28 Dam. Revisions are consistent with action taken April 10, 2019 by the Oregon and
29 Washington Departments of Fish and Wildlife in a meeting of the Columbia River
30 Compact.

31
32 **11.) 635-023-0095**

33 **White Sturgeon Recreational Fisheries Closed in the Bonneville Pool and Adjacent**
34 **Tributaries**

35 Adopted April 10, 2019: effective April 13, 2019 through Oct 9, 2019.

36 This amended rule closes the white sturgeon retention fishery in the Bonneville
37 Pool of the Columbia River. Catch projections indicate retention of white sturgeon after
38 April 12, 2019 would potentially result in the fishery exceeding the allowable quota. Catch
39 and release sturgeon fishing remains open in these waters, except for sturgeon angling
40 sanctuaries.

41
42 **12.) 635-042-0145, 635-042-0160, 635-042-0170**

43 **Modifications to the 2019 Season for the Columbia River Select Area Commercial**
44 **Fisheries.**

45 Adopted April 16, 2019: effective April 17, 2019 through July 29, 2019.

46 This amended rule modifies the 2019 commercial seasons for the Knappa Slough,
47 Tongue Point and Young's Bay Select Areas. Modifications are consistent with action

1 taken April 16, 2019 by the Departments of Fish & Wildlife for the States of Oregon and
2 Washington at a meeting of the Columbia River Compact.

3
4 **13.) 635-023-0125**

5 **Modifications to Columbia River Recreational Seasons for Salmon and Steelhead**
6 **Fisheries**

7 Adopted April 17, 2019: effective April 20 through May 5, 2019.

8 This amended rule modifies open fishing periods for Mainstem Columbia River
9 recreational spring Chinook salmon and steelhead seasons downstream of the Bonneville
10 Dam. Revisions are consistent with action taken April 17, 2019 by the Oregon and
11 Washington Departments of Fish and Wildlife in a meeting of the Columbia River
12 Compact.

13
14 Action:

15 Commissioner Webber moved to ratify the twelve (12) temporary rules set forth in today's
16 tan agenda and the one temporary rule set forth in the memorandum dated April 19,
17 2018. Commissioner Akenson seconded the motion, and the motion carried unanimously,
18 six (6) infavor.

19
20 **Exhibit A: COMMISSION MINUTES**

21 Action:

22 Commissioner Akenson moved to approve the March 15, 2019 meeting minutes
23 with continued authority to correct grammer and punctuation. Commissioner Wolley
24 seconded the motion and the motion was carried five (5) infavor; Finley abstained.

25
26 **Exhibit B: 2019-2020 OREGON GAME BIRD REGULATIONS**

27 The Commission was asked to adopt the Game Bird Season and Regulations for 2019-
28 2020

29 Staff: Brandon Reishus, Migratory Game Bird Coordinator
30 Mikal Cline, Upland Game Bird Coordinator

31
32 *Presentation:* Mikal provided the Commission with a presentation on the proposed
33 2019-2020 upland Game Bird Regulations. The presentation included population status;
34 regulation framework; fall turkey season; special hunting opportunites and controlled
35 hunts for Sage-grouse.

36 Brandon provided the Commission with a presentation on the proposed 2019-2020
37 Migratory Game Bird Regulation. The presentation included information on the regulation
38 setting process; seasons and bag limits; wildlife area hunting programs and department
39 lands rules.

40
41 *This presentation is located in the commission material and can be viewed at*
42 https://www.dfw.state.or.us/agency/commission/minutes/19/04_Apr/Ex%20B_Presentation.pdf
43

44 **Public Testimony**

Marie Gadotti, Oregon Farm Bureau	
Scott Laird	Did not testify on this topic

45 Rulemaking

1
2 Action:
3 Commissioner Wolley moved to amend OAR 635, Divisions 008, 045, 051, 052,
4 053, 054, and 060 as proposed by staff to set regulations for 2019-20 game bird seasons
5 and regulations for the use of Department lands. Commissioner Bittle seconded the
6 motion and the motion was carried six (6) infavor.
7

8 **Exhibit C: PACIFIC HALIBUT FISHERIES**

9 The Commission was asked to adopt the 2019 Regulations for recreational and
10 commercial Pacific halibut fisheries

11 Staff: Lynn Mattes, Halibut Project Leader
12

13 *Presentation:* Lynn provided the Commission with a presentation on the 2019
14 Pacific Halibut Fisheries. This presentation included the harvest levels specified by the
15 IPHC; changes to the federal catch sharing plan; recreational season dates; and IPHC
16 commercial opening dates.
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/19/04_Apr/Exhibit%20C/Presentation.pdf
20
21

22 No Public Testimony
23 Rulemaking
24

25 Action:
26 Commissioner Finley moved to adopt the staff recommendations for the 2019
27 recreational and commercial Pacific Halubut fisheries as shown in Attachment 3.
28 Commissioner Akenson seconded the motion and the motion was carried six (6) infavor.
29

30 **EXHIBIT D: COMMERCIAL FISHERY PERMIT BOARD APPOINTMENTS**

31 The Commission will be asked to approve appointments to the Commercial Fishery
32 Permit Board

33 Staff: Linda Lytle, Licensing Services Manager
34

35 No Public Testimony
36 Approval
37

38 Action:
39 Commissioner Akenson moved to approve the nominations as presented by staff
40 and appoint the recommended fishery members to the Commercial Fishery Permit Board.
41 Commissioner Wolley seconded the motion and the motion was carried six (6) in favor.
42

43 **EXHIBIT E: 2019 FISH PASSAGE PRIORITIZATION LIST**

44 The Commission was asked to approve the 2019 Statewide Fish Passage Priority
45 List.

1 Staff: Kregg Smith, Fish Passage Coordinator:
2 Presentation: Kregg provided the Commission with a presentation on the 2019
3 Fish Prioritization list. The presentation included requirements of ORS 509.585 to update
4 the list every 5 years; the basic requirements in OAR 635-412-0015; barrier inventory and
5 stabilization; the 2013-2018 Fish Passage prioritization efforts; level of fish passage;
6 listed native migratory fish; 2019 fish passage prioritization results; and the top ten 2019
7 Fish Passage Barriers

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/19/04_Apr/Exhibit%20E/Presentation.pdf
11

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13 Public Testimony

David Moskowitz, the Conservation angle	
Jim McCarthy, WaterWatch	

14 Approval

15
16 Action:
17 Commissioner Webber moved to approve the 2019 Statewide Fish Passage
18 Priority List, and direct department staff to work cooperatively with owners of artificial
19 obstructions on the priority list to provide fish passage. Commissioner Wolley seconded
20 the motion and the motion was carried six (6) in favor.
21

22 **EXHIBIT F: 2019 OCEAN SALMON FISHERIES AND OCEAN TERMINAL FISHERIES**
23 **RULEMAKING**

24 The Commission will be asked to adopt the 2019 Ocean Salmon fishing seasons and
25 terminal fisheries for Oregon waters.

26 Staff: Christine Mallette, Ocean Salmon Technical Service
27 Manager

28 Presentation: Christine provided the commission with a presentation on the
29 2019 Ocean Salmon Regulations. This presentation included information on North of
30 Cape Falcon; South of Cape Falcon; Sacramento fall-run Chinook salmon; Klamath fall-
31 run Chinook salmon; Commercial troll seasons; recreational seasons; and state waters
32 terminal areas.

33
34 *This presentation is located in the commission material and can be viewed at*
35 https://www.dfw.state.or.us/agency/commission/minutes/19/04_Apr/Exhibit%20F/Presentation.pdf
36

37
38 Public Testimony

David Moskowitz, the Conservation Angler	
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39 Approval

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41 Action:
42 Commissioner Akenson moved to adopt the 2019 regulations for ocean
43 recreational and commercial salmon fisheries proposed by staff and as reflected in draft

1 OARs shown in Attachment 3. Commissioner Webber seconded the motion and the
2 motion was carried six (6) in favor.

3

4 **EXHIBIT G: PUBLIC RECORDS REQUEST RULE UPDATE**

5 The Commission adopted amendments to OAR Division 635 -001 to bring the
6 department's policy in compliance with the EO 16_06 and the DAS Statewide Model
7 Policy 107-001-020

8 -

9 Public Testimony

David Moskowitz, the Conservation Angler	
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10 Approval

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12 Action:

13 Commissioner Webber moved to adopt amendments to OAR 635 Division 001 as
14 proposed by staff. Commissioner Buckmaster seconded the motion and the motion was
15 carried six (6) in favor.

16

17 **OTHER BUSINESS**

18

19

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21 Chair Mike Finley adjourned the meeting at 12:00 p.m.