

Agenda Item Summary

BACKGROUND

The Commercial Fishery Permit Board (Board) was established within the Oregon Department of Fish and Wildlife (Department) by the Legislature in 1979 under Oregon Revised Statute (ORS) 508.755. The Board consists of members appointed by the Fish and Wildlife Commission (Commission) as follows:

Two members to represent the public at large and three members to represent each of the following limited entry fisheries:

- Columbia River Gillnet Salmon Fishing Industry
- Ocean Troll Salmon Fishing Industry
- Ocean Pink Shrimp and Scallop Fishing Industry
- Yaquina Bay Roe-Herring Fishing Industry
- Sea Urchin Commercial Fishery
- Ocean Dungeness Crab Fishing Industry
- Black and Blue Rockfish and Nearshore Fishing Industries (added by the 2003 Legislature.)
- Sardine Fishing Industry (added by the Commission in 2007)
- Bay Clam Dive Fishing Industry (added by the Commission in 2007)
- Brine Shrimp Fishing Industry (added by the Commission in 2007).

The Commission adopted rules in 1996 (OAR 635-006-1200) further describing the Board and its members. Board members must be in good standing within the community; serve staggered three year terms; not serve more than two consecutive three year terms; and serve at the pleasure of the Commission. Members representing the commercial fisheries must hold a valid permit or license for the fishery they represent. When issues are pending before the Board, the Board is required to meet at least once every calendar quarter to review those issues. The Department provides an Administrative Hearings Officer through the Oregon Employment Department, Hearings Officer Panel to conduct contested case proceedings on behalf of the Department and to prepare proposed orders.

When an applicant is denied a permit or transfer of a permit by the Department, the Board reviews the contested case proceedings and proposed order(s). The Board may ask the Department to modify proposed order(s). If the modification is substantial, (i.e., when the effect of the modification is to change the outcome or the basis for the order), the Board must also provide a reason for the modification to the Department.

PUBLIC INVOLVEMENT

Applicants for Board positions were solicited through a direct mailing sent to all limited entry fishery permit holders in August 2018. The mailing included a letter and ORS and OAR regarding the Commercial Fishery Permit Board and an application. Resumes or interest forms received describing career and public service history received from interested persons are attached to this agenda item.

ISSUE 1

APPOINTMENT OF BOARD MEMBERS

ANALYSIS:

At Large Members representing the Public: (appoint 2; 1 applicant)

- Kenneth Ulbricht (1st term)
- No second applicant

Nominees for the individual fisheries reviewed by Fish Division Biologists in the Marine Resources Program and the Columbia River Salmon Program:

Columbia River Gillnet Salmon Fishing Industry (appoint 3)

- Roger Jolma, Clatskanie (1st term)
- Tim Heuker, Cascade Locks (1st term)
- William Gunderson, Corvallis (1st term)

Ocean Troll Salmon Fishing Industry (appoint 3)

- Ernest (Wade) Eastin, Arch Cape (1st term)
- Steven Hougham, Seal Rock (1st term)
- Wilson Thompson, Port Orford (1st term)

Ocean Pink Shrimp/Scallop Fishing Industry (appoint 3; 2 applicants)

- Eugene Law, Toledo (2nd term)
- Justin Yager, Newport (1st term)
- No third applicant

Yaquina Bay Roe-Herring Fishing Industry (appoint 3, 1 applicant)

- Eugene Law, Toledo (1st term)
- No applicant
- No applicant

Ocean Dungeness Crab Fishing Industry (appoint 3, 2 applicants)

- Jared Reeves, North Bend (1st term)
- Justin Yager, Newport (1st term)
- No applicant

Black and Blue Rockfish and Nearshore Fishing Industry (appoint 3, 1 applicant)

- Joseph Watkins, Nehalem (1st term)
- No applicant
- No applicant

Sardine Fishing Industry (appoint 3, 1 applicant)

- Eugene Law, Toledo (1st term)
- No applicant
- No applicant

Bay Clam Dive Fishery (appoint 3)

- No applicants

Brine Shrimp Fishery (appoint 3)

- No applicants

Sea Urchin Fishery (appoint 3)

- Mark Gmeiner, Manchester, Ca (1st term)
- Tm Foley, Roseburg (1st term)
- Zach Fields, Stuart Island, Wa (1st term)

OPTIONS

1. Approve all nominations as recommended by staff in Option 1, with the exception of the Columbia River Gillnet fishery and the Sea Urchin / Cucumber fishery. For these two fisheries there were more nominees than board positions available. The staff recommendation for the Columbia River Gillnet fishery is to appoint Roger Jolma, Tim Heuker and William Gunderson. While all the nominees were qualified, this recommendation is based on their high level of involvement in the fishery. The staff recommendation for the Sea Urchin / Cucumber fishery is to appoint Mark Gmeiner, Tim Foley and Zach Fields. While all the nominees were qualified, this appointment would provide some geographical diversity for the fishery.
2. Approve some of the nominations and appoint selected members.
3. Approve none of the nominations.

STAFF RECOMMENDATION Option 1.

DRAFT MOTION	I move to approve the nominations as presented by staff and appoint the recommended fishery members to the Commercial Fishery Permit Board.
EFFECTIVE DATE	April 19, 2019