



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 Kliener, Deputy Director |
| Greg Wooley, 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 available 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 Management in the eBaker Sage-grouse Priority Area of Conservation
5 Niick Myatt, Big Game Hunting Review Project Lead
6 *This presentation is available in the meeting materials and at*
7 [https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/Raven
8 %20Management%20in%20the%20Baker%20Sage-
9 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)
10

11 Electronic Licensing System Update
12 Steve Bergmann, Administrative Services Division Administrator
13 Angila Ward, Business Process Analyst
14 *This presentation is available in the meeting materials and at*
15 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/ELS%20Update_3.15.2019.pdf
16
17

18 PUBLIC FORUM

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

23 *Southern Resident Killer Whales and Salmon Conservation*
24 *Dave Moskowitz, The Conservation Angler*
25 *Provided written materials, these materials are available in the meeting materials*
26 *and at [\[add link\]](#)*
27

28 Adopt Temporary Rules

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

33 1.) 635-041-0065

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

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

36 These rules modify the Treaty Indian winter season commercial gillnet fishery.
37 Modifications are consistent with action taken February 12, 2019 by the
38 Departments of Fish & Wildlife for the States of Oregon and Washington at a
39 meeting of the Columbia River Compact.
40

41 2.) 635-005-0465

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

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

44 In coordination with Oregon Department of Agriculture (ODA) temporary rule
45 making (see OAR 635-025-0423), this amended rule implements a biotoxin
46 management zone for the ocean commercial Dungeness crab fishery from Bandon
47 (43° 07' N. Lat.) southward to the Oregon/California border (42° 00' N. Lat.) due to

1 detection of elevated levels of domoic acid in crab viscera in the specified area. In
2 combination, this rule and ODA rule require that all Dungeness crab taken from the
3 biotoxin management area zone after 12:01 AM February 14, 2019 be sold to a
4 licensed food processor that eviscerates the crab consistent with the ODA rule. In
5 addition, crab harvested from Cape Blanco (42° 50' N. Lat.) to a line just north of
6 Gold Beach (42° 26' N. Lat.) after 12:01 AM February 11, 2019 will be subject to
7 recall for evisceration. These rules prohibit the sale of live or whole crab caught
8 from the biotoxin management zone, and prohibit the sale of any crab that is not
9 processed consistent with these rules.

10
11 **3.) 635-041-0065**

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

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

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

18
19 **4.) 635-060-0009**

20 **Successful Applicants**

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

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

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

31
32 **5.) 635-023-0125**

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

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

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

1 **6.) 635-041-0065**

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

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

4 These rules modify the Treaty Indian winter season commercial gillnet fishery.
5 Modifications are consistent with action taken February 28, 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 **7.) 635-017-0090**

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

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

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

23 **8.) 635-041-0065**

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

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

26 These rules modify the Treaty Indian winter season commercial gillnet fishery.
27 Modifications are consistent with action taken March 11, 2019 by the Departments
28 of Fish & Wildlife for the States of Oregon and Washington at a meeting of the
29 Columbia River Compact.
30

31 Action:

32 Commissioner Akenson moved to ratify the eight (8) temporary rules set forth in
33 the today's tan agenda. Commissioner Wolly seconded the motion, and the motion
34 carried unanimously, five (5) infavor.
35

36 **Exhibit A: COMMISSION MINUTES**

37 Action:

38 Commissioner Wolley moved to approve the February 8, 2019 meeting minutes
39 with continued authority to correct grammer and punctuation. Commissioner Buckmaster
40 seconded the motion and the motion was carried five (5) infavor.
41

42 **Exhibit B: ACCESS AND HABITAT PROGRAM PROJECT FUNDING AND BOARD**
43 **APPOINTMENT**

44 The Commission will reviewed and approve the Access and Habitat Board
45 recommendations for project funding and appoint a Landowner
46 Representative to the Board.

47 Staff: Travis Shultz, Access and Habitat Coordinator

1 Craig Ely, Access and Habitat Board Chairman

2
3 Presentation: Travis provided the Commission with a presentation on Board
4 Recommended Projects, New River Aleution Goose Project, East Lane Travel
5 Managemnt Area; and Appointment of a Landowner Representative to the state A & H
6 Board.

7
8 *This presentation is located in the commission material and can be viewed at*
9 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/B/Ex%20B_Presentation.pdf
10

11 No Public Testimony
12 Approval

13
14 Action:
15 Commissioner Akenson moved to approve the two projects recommended by the
16 Access & Habitat Board. Commissioner Bittle seconded the motion and the motion was
17 carried five (5) infavor.

18
19 Commissioner Wolley moved to appoint William Bronson to a second four-year
20 term as a Landowner Representative on the Access & Habitat Board. Commissioner Bittle
21 seconded the motion and the motion was carried five (5) infavor.

22
23 **Exhibit C: FISH SCREENING TASKFORCE MEMBER APPOINTMEN**

24 The Commission appointed a new Fish Screening Task Force Member representing
25 fishing and fish conservation.
26 Staff: Ken Loffink, Fish Screening Program Coordinator

27
28 Presentation: Ken provided the Commission a presentation on the current Fish
29 Screening Task Force (FSTF) members, member appointment recommendation process,
30 and fishing or fish conservation representative candidates.

31
32 *This presentation is located in the commission material and can be viewed at*
33 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/C/Presentation.pdf

34 No Public Testimony
35 Approval

36
37 Action:
38 Commissioner Akinson moved to appoint Kristin Bishop to represent fishing and
39 fish conservation on the FSTF. Commissioner Buckmaster seconded the motion and the
40 motion was carried five (5) infavor.

41
42 **EXHIBIT D: RESTORATION AND ENHANCEMENT PROJECT APPROVALS**

43 The Commission approved the recommendations from January 11, 2019 Restoration and
44 Enhancement Board meeting (cycle 17-7 & 19-1); and will be provided a presentation of
45 2017-19 R&E Biennial Report.

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

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

5
6 *This presentation is located in the commission material and can be viewed at*
7 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/D/Presentation.pdf

8 No Public Testimony
9 Approval

10
11 Action:

12 Commissioner Atkinson moved o approve the recommendations of the Fish
13 Restoration and Enhancement Board. Commissioner Wolley seconded the motion and
14 the motion was carried five (5) in favor.

15
16 Commissioner Akinson moved o approve the 2019-21 STEP and R&E Program
17 Budget recommendations of the Fish Restoration and Enhancement Board.
18 Commissioner Bittle seconded the motion and the motion was carried five (5) in favor.

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

21 The Commission was provided an updated on 2019 ocean salmon
22 fishery planning leading up to the May 1, 2019 salmon season start
23 date.

24 Staff: Christine Mallette, Ocean Salmon Technical Services Section
25 Manager, Ocean Salmon and Columbia River.

26
27 Presentation: Christine provided the Commission a presentation on the 2019
28 ocean salmon regulations; process and schedule; abundance forecasts; key constraints;
29 and season options for public discussion.

30
31 *This presentation is located in the commission material and can be viewed at*
32 https://www.dfw.state.or.us/agency/commission/minutes/19/03_Mar/E/Presentation.pdf

33 No Public Testimony
34 Informational

36 **OTHER BUSINESS**

38 **EXECUTIVE SESSION**

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

42
43 Vice-Chair Bob Webber adjourned the meeting at 2:10 p.m.