



Oregon Fish and Wildlife Commission Minutes

Meeting:
Friday, January 17, 2020 – 8:00 AM
Oregon Department of Fish and Wildlife
Commission Room
4034 Fairview Industrial DR SE
Salem, Oregon 97301

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:

Mary Wahl, Chairman	Curt Melcher, Director
Greg Wooley, Commissioner	Erica Kleiner, Deputy Director
Bob Spelbrink, Commissioner	Shannon Hurn, Deputy Director
Mark Labhart, Commissioner	Bruce Eddy, East Region Manager
Jill Zarnowitz, Commissioner	Bernadette Graham-Hudson, West Region Manager
Becky Hatfield-Hyde, Commissioner	Anika Marriott, Assistant Attorney General
	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, **January 17, 2020 at 8:00 AM, Chair Wahl called the Oregon Fish and**
10 **Wildlife Commission** (the Commission) meeting to order.

11
12 **DIRECTOR’S REPORT**

13
14 Field Reports – in written form only; *this report is available in the meeting materials and at*
15 https://www.dfw.state.or.us/agency/commission/minutes/20/01_Jan/January%202020%20Field%20Report%20MP.pdf

16
17
18 Expenditure Report

19 Staff: Erica Kleiner, Deputy Director for Administration

20 Erica provided the Commission with a report, agency financial health continues to be
21 very good; *this report is available in the meeting materials and at*

22 https://www.dfw.state.or.us/agency/commission/minutes/20/01_Jan/Commission%20Final%20Report%20January%202020.pdf

23
24
25
26

1 Big Game Hunt Review

2 Staff: Nick Myatt, Big Game Hunting Review Project Lead

3 *This report is available in the meeting materials and at*

4 [https://www.dfw.state.or.us/maps/controlled_hunts/unit%2010/Big%20Game%20Hunting%20Review Commission 1 17 20.pdf](https://www.dfw.state.or.us/maps/controlled_hunts/unit%2010/Big%20Game%20Hunting%20Review%20Commission%201%2017%2020.pdf)

6
7 2021-2023 Budget Development Update and External Budget Advisory
8 Committee

9 Brandy Nichols, Interim Budget Manager

10 *This report is available in the meeting materials and at*

11 [https://www.dfw.state.or.us/agency/commission/minutes/20/01_Jan/Jan%202020%20Commission%20update 2021-23%20budget%20development.pdf](https://www.dfw.state.or.us/agency/commission/minutes/20/01_Jan/Jan%202020%20Commission%20update%2021-23%20budget%20development.pdf)

13
14 Electronic Licensing System – 2019 Launch Results

15 Angela Ward, Policy Analyst

16 *This report is available in the meeting materials and at*

17 https://www.dfw.state.or.us/agency/commission/minutes/20/01_Jan/ELS%20Year%20One%20in%20Review.pdf

18
19 *Anglia provide the Commission with a one page summary on Electronic Licensing System (ELS) First Year Cost Savings & Efficiencies. This document is available in the meeting material and at*

22 https://www.dfw.state.or.us/agency/commission/minutes/20/01_Jan/ELS%20EfficienciesV2.pdf

24
25 Volunteer Event Management System

26 April Brenden-Locke, Project Manager

27 *This report is available in the meeting materials and at*

28 https://www.dfw.state.or.us/agency/commission/minutes/20/01_Jan/VEM%20Commission%20PPT%202020.01.17_v2.0.pdf

30
31 **Adopt Temporary Rules**

32 Curt Melcher, Director, requested the Commission ratify the following temporary rules.
33 The seven (7) temporary rules were previously adopted by the director under his
34 emergency action authority.

35
36 **1.) 635-004-0355**

37 **Commercial Nearshore Fishery In-season Cabezon Daily Limit Implementation for
38 Period 6 Adopted** December 10, 2019: effective December 13, through December 31,
39 2019.

40 This rule implements an in-season Cabezon daily limit for the State Commercial
41 Nearshore fishery for Period 6. Cabezon landings will be limited to 30 pounds per day for
42 nearshore-endorsed Black and Blue Rockfish permitted vessels.

43
44 **2.) 635-014-0090**

45 **North Coast Chinook salmon Bag Limit Closures**

46 Adopted December 11, 2019: effective December 13, through December 31, 2019.

1 District staff have observed increased incidences of Chinook salmon mortalities
2 attributed to cryptobia, a parasite which is more easily spread under low water conditions
3 when fish are concentrated. This rule modifies the fall salmon angling seasons to close all
4 salmon fisheries in the north coast (Nestucca to Necanicum) for the period of December
5 13 through December 31, 2019. Includes all areas of the Nestucca River and Bay,
6 Tillamook Bay and tributaries (Tillamook River, Trask River, Wilson River, Kilchis River,
7 and Miami River), Nehalem River and Bay, NF Nehalem River, and Necanicum River.

8
9 **3.) 635-005-0465**

10 **Commercial Dungeness crab Season Opening**

11 Adopted December 20, 2019: effective December 20, 2019 through February 15, 2020.

12 This amended rule sets the opening date of the 2019-2020 Commercial Ocean and
13 Columbia River Dungeness crab fishing season for December 31, 2019 in accordance
14 with the Tri-State Memorandum-Of-Understanding and Preseason Testing Protocol.

15
16 **4.) 635-019-0090, 635-023-0134**

17 **Reduce Steelhead Bag Limits on Snake River and Tributaries**

18 Adopted December 13, 2019: effective January 1, 2020 through April 30, 2020.

19 This rule reduces the daily bag limit for steelhead from three, to one (1) hatchery
20 fish per day in the Snake River and tributaries through April 30, 2020 due to poor returns.
21 Reducing bag limits ensures escapement of hatchery steelhead meets broodstock needs
22 and reduces impacts on wild steelhead.

23 These regulations also maintain concurrence with states of Idaho and Washington on the
24 Snake and Grande Ronde Rivers, respectively.

25
26 **5.) 635-023-0090**

27 **Salmon and Steelhead Angling Restrictions in Effect on the Columbia River**
28 **Mainstem**

29 Adopted December 20, 2019: effective January 1, 2020 through March 31, 2020.

30 Angling for and retention of salmon and steelhead is prohibited effective January 1
31 through March 31, 2020 in the mainstem Columbia River upstream of McNary Dam.

32
33 **6.) 635-004-0275**

34 **Federal Actions and Management Measures Implemented for Commercial**
35 **Groundfish Fisheries.**

36 Adopted January 6, 2020: effective January 6, 2020 through July 3, 2020.

37 This amended rule adopts in-season actions previously adopted by the federal
38 government for 2019-2020 Pacific Coast commercial groundfish fisheries, including but
39 not limited to decreased trip limits for sablefish and increased trip limits for lingcod in the
40 Limited Entry Fixed Gear and Open Access fisheries, increased trip limits for Minor Slope
41 Rockfish and darkblotched rockfish in the Limited Entry Fixed Gear fishery, and increased
42 trip limits for big skate in the Shorebased Individual Fishing Quota Program fishery.

43
44 **7.) 635-016-0090**

45 **Modifications to the Umpqua in the Southwest Zone**

46 Adopted January 15, 2020: effective February 1 through June 30, 2020.

1 This rule will allow for retention of hatchery Chinook salmon fishery on the Umpqua
2 River (Mainstem) from February 1, 2020 through June 30, 2020. Retention of all wild
3 Chinook salmon is prohibited during this fishery.

4
5 Action:

6 Commissioner Spelbrink moved to ratify the Seven (7) temporary rules set forth in the
7 today's tan agenda. Commissioner Wolley seconded the motion, and the motion carried
8 unanimously, six (6) in favor.

9
10 **Exhibit A: COMMISSION MINUTES**

11 Action:

12 Commissioner Zarnowitz moved to approve the December 6, 2019 meeting
13 minutes with continued authority to correct grammar and punctuation. Commissioner
14 Spelbrink seconded the motion and the motion was carried five (5) in favor; one (1)
15 abstain- Wahl

16
17 **Exhibit B: FISH SCREENING PAYMENT IN LIEU PILOT PROGRAM**

18 The Commission was asked to approve the Fish Screening Payment in Lieu Pilot
19 Program, where qualifying applicants located in the South East Fish District would have
20 the option of paying a fee to the fish screening sub-account, in lieu of installing a fish
21 screen.

22 Staff: Ken Loffink, Statewide Fish Screening Program Coordinator

23 Presentation: Ken provided the Commission with a presentation on the Fish
24 Screening Payment in Lieu Pilot Program. This presentation included information on
25 Oregon points of diversion; the Fish Screening Program; gravity screens; pump screens;
26 Fish Screening and Passage cost share program; maintenance; and flexibility when
27 screening is require.

28
29 *This presentation is located in the commission material and can be viewed at*

30 https://www.dfw.state.or.us/agency/commission/minutes/20/01_Jan/B/Presentation.pdf

31
32 No Public Testimony

33 Approval

34 Action:

35 Commissioner Labhart moved to approve the Fish Screening Payment in Lieu Pilot
36 Program. At the end of the five year Pilot Program, ODFW will evaluate the relative
37 success of the Pilot Program and determine if the Pilot Program has merit, needs to be
38 evaluated, needs to altered, or should be expanded. Commissioner Zarnowitz seconded
39 the motion and the motion was carried six (6) in favor.

40
41 **EXHIBIT C: SCHEDULE OF DAMAGES FOR COMMERCIAL FISHING VIOLATIONS**

42 The Commission was asked to approve rule amendments to update existing food fish
43 species market values that will be used to access damages resulting from commercial
44 fishing violations.

45 Staff: Allen Molina, Senior Economist

1 Presentation: Allen provided the Commission with a presentation on the Schedule
2 of Damages for Commercial Fishing Violations. This presentation included information on
3 Oregon Revised Statute (ORS) 506.720 "Damages for unlawful taking of food fish";
4 annual update of average market values; and average market values changes to Oregon
5 Administrative Rules (OAR) 635-006-0232.

6
7 *This presentation is located in the commission material and can be viewed at*
8 https://www.dfw.state.or.us/agency/commission/minutes/20/01_Jan/C/Presentation.pdf
9

10 No Public Testimony
11 Rulemaking
12 Action:

13 Commissioner Zarnowitz moved to amend the Schedule of Damages for Commercial
14 Fishing Violations contained in OAR 635-006-0232 as proposed by staff in Attachment 3.

15 Commissioner Wolley seconded the motion and the motion was carried six (6) in favor.
16

17 Action:

18 Commissioner Zarnowitz moved to nominate Commissioner Greg Wolley to the seat of
19 Vice-Chair. Commissioner Hatfield-Hyde seconded the motion. The motion carried six (6)
20 in favor.
21

22 **EXHIBIT D: CLIMATE AND OCEAN CHANGE POLICY BRIEFING**

23 The Commission was provided a briefing on the DRAFT Climate and Ocean Change
24 Policy and a summary of the public comments received to date.

25 Staff: Davia Palmeri, Conservation Policy Coordinator
26 Shaun Clements, Senior Policy Analyst
27

28 Presentation: Davia and Shaun provided the Commission with a presentation on
29 the Agencies draft Climate and Ocean Change Policy. This presentation included
30 information on the carbon story, increasing air temperatures, ocean acidification, and
31 impact on ODFW' s mission, broader impacts, ODFW actions, and West Coast
32 leadership. Information was also provided on sideboards, the draft policy, vision,
33 background and key assumptions, goals, implementation, and key principles; statewide
34 coordination; key principles- Science, implementation, species and habitat, operations,
35 public process, responding to public comments
36

37 *This presentation is located in the commission material and can be viewed at*
38 https://www.dfw.state.or.us/agency/commission/minutes/20/01_Jan/D/Presentation.pdf
39

40 Public Testimony

Kyle Smith, Trout Unlimited	
-----------------------------	--

41 Informational

42 **EXHIBIT E: SW ZONE WINTER STEELHEAD PETITION**

43 The Commission was asked to consider a petition that will temporarily change angling
44 regulations to prohibit the harvest of winter steelhead in the SW zone of Oregon

45 Staff: Chris Lorion, Native Fish Conservation Coordinator

1
2 Presentation: Chris provided the Commission with a presentation on the petition
3 background, analysis of the petition, whether concern for 2020 steelhead runs exists to an
4 extent that the current rule does not address, current harvest protections, wild winter
5 steelhead harvest trend, conservation plan status for SW Zone, current conservation
6 status of steelhead, as well as information on 2020 indicators- Juvenile steelhead index,
7 2020 indicators-half pounders, 2020 indicators- ocean conditions and staff
8 recommendation.
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/20/01_Jan/E/Presentation.pdf
12
13

Public Testimony

Leonard Krug, Oregon South Coast Fisherman	Provided written testimony
Anna Krug, Oregon South Coast Fishermen	
Steve Godin, Oregon Coast Anglers	
Bill Town, Oregon Coast Anglers	
Robert Free, Oregon Coast Anglers	
Dave Kuehn, Oregon Coast Anglers	
Dave Strahan, Northwest Sporting Industry Association	Provided written testimony
Dustin Revel	Provided written materials
Andreas Grob	Provide written testimony
Tod Stevenson, Oregon South Coast Anglers	
Andy Martin, Fishing Guide	
Charles Gehr	
Kyle Smith	
Tracy Buckner	
Peter Donahowner	
Harry Piper, Rogue Fly Fishers	
Mark Sherwood, Native Fish Society	
Josh Pruden	
David Barnes, Curry Adromous Fishermen	
Brendon Cushen	
Jeremiah Houle	
Lando Mace	
John Anderson	Provided written testimony
Kati Sampsell	
James Sampsell	
Stuart Warren	
Jim Andras	
Rich Zelmen	
Josh Bettsworth	
Peter Tronquet	

Tom Rumreich	Provided written testimony
Cliff Lance	Provided written testimony
Jim Pet, (STEP)	
John Ward (STEP)	
Bruce W. Bertrand (STEP) Coos Co.	Provided written testimony
Conrad Gowell, Native Fish Society	
Ethan Nickal, Fishing guide	
Andrew Chione, Angler	
Nissa Rudh, Biologist	
Melvina Adolf, Oregon Coast Anglers	
Phil Adolf, Oregon Coast Anglers	
Dax Messett, Dax Messer Fly Fishing	
John Hazlett, Jon Hazlett Fly Fishing	
Mia Rosse, Native Fish Society	
Dillon Renten, Renton River Adventures	
Harvey Young, Steelhead Fisherman	
Doug DeRoy	
Btyan Sohc Rogue Valley Resident, Native Fish/Water Watch	
Jake Crawford, Southern Oregon Anglers	
Gary Lewis, Gary's Guide Service	
Ethan Nickel, Ethan Nickel Outfitters & Guide Service	

1 Petition
2 Action:
3 Commissioner Labhart moved to deny the petition and maintain current regulations
4 as described in the Sportfishing Regulations. Commissioner Spelbrink seconded the
5 motion and the motion was carried four (4) in favor - Labhart; Spelbrink; Zarnowitz;
6 Hatfield Hyde; two (2) opposed - Wolley, Wahl

7
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 ~~*Fern Ridge Wildlife Area Hunting*~~
13 —~~*Dan Lay*~~

14
15 *Revise ODFW Policy on Human Encounters with Wildlife – Provided written testimony*
16 *Al LePage*

17
18 *Big Game Hunt Review - Provided written testimony*
19 *Steve Hagan, Oregon Hunters Association*
20 *Amy Patrick, Oregon Hunters Association*

21
22 *New Oregon Wildlife Coalition – Provided written testimony*
23 *Bob Salinger, Oregon Wildlife Coalition; Portland Audubon*

1
2
3
4
5
6
7

OTHER BUSINESS

Chair Wahl adjourned the meeting at 5:30 p.m.

DRAFT