



AGENDA ITEM SUMMARY

ISSUE 1

Re-Adopt for 2021 the 2020 Oregon Sport Fishing Regulations with proposed modifications and new proposed statewide and zone sport fishing regulations.

BACKGROUND

Oregon law requires the Oregon Fish and Wildlife Commission (Commission) to annually adopt sport fishing regulations. Oregon Department of Fish and Wildlife (ODFW) staff developed the following proposed changes to regulations in consultation with the Oregon Department of Justice (DOJ), Oregon State Police (OSP), and key constituent groups, as necessary. The majority of the 2021 proposed changes to regulations are housekeeping corrections, changes to simplify regulations, or to serve a critical conservation need.

PUBLIC INVOLVEMENT

No formal public meetings were held.

ANALYSIS

Staff proposes that the Commission re-adopt the 2020 Oregon Sport Fishing Regulations in administrative rule for 2021. Staff will incorporate any pertinent information from the 2020 Oregon Sport Fishing Regulations into the 2021 Sport Fishing Regulations.

The draft 2021 Oregon Administrative Rules (OAR) have been updated to reflect the appropriate date changes and are included as Attachment 3. One additional OAR has been included for the Southeast Zone (Division 21) to formalize the ongoing experimental fishery in the Malheur River with the Burns Paiute Tribe. Since 2016, ODFW had been working with the Burns Paiute Tribe to release spring Chinook salmon into a section of the Malheur River, so that the tribe can once again exercise their traditional and ceremonial fishing methods. This has become a popular and important opportunity to the Burns Paiute Tribe.

The proposed rule changes for the 2021 Oregon Sport Fishing Regulations pamphlet are shown in Attachment 4. That attachment includes the unique proposal number assigned each proposed change, a description of the current regulation and proposed regulation modification, the page number where the current regulation can be located, type of regulation to be modified, the purpose of the change, and justification for the change.

For the 2021 Sport Fishing Regulations, there are 34 proposed rule changes. The proposed changes are categorized as follows: housekeeping and simplification (12); new non-controversial angling opportunities (7); critical conservation needs (11); and consideration of climate change impacts (4). These proposals were developed after extensive discussion and coordination with ODFW district staff and OSP.

Summarized below are a subset of the proposed 2021 Oregon Sport Fishing regulation changes.

Statewide:

There were no proposed statewide regulation changes.

Northwest Zone:

There are nine proposals for the Northwest Zone. These proposals will help to clarify, simplify, and provided consistency with other regulation in the zone. There are two proposals in the Little Nestucca River that will modify the angling deadlines downstream of Upton and Stella falls, increasing the angling opportunity for hatchery spring Chinook in the basin.

Southwest:

There is one proposal in the Southwest Zone. This proposed change will increase angling opportunity in the Coquille Valley Wildlife Area (CVWA). This proposal will allow the use of bait to help target and remove smallmouth bass, and define open periods during the gamebird season.

Willamette Zone:

There are 14 proposals for the Willamette Zone. A proposed change in Detroit Lake will add a bonus bag limit of 5 kokanee per day to the daily trout limit. The population of kokanee is high and this will provide an increased harvest opportunity for anglers. In the Santiam Basin, staff is proposing to limit the period of when the use of bait is allowed. This will provide some additional conservation protection for wild winter steelhead and is consistent with other bait rules in the Zone. There is a proposal in the McKenzie River to provide better clarification of the different angling sections. This will help to protect ESA-listed spring Chinook and bull trout, and helps to clarify some of the confusion that has been expressed from the public and from OSP on where certain regulations apply. At present, temporary rules provide conservation protection for white sturgeon in the Gilbert River. The proposed regulation closes the Gilbert River to sturgeon harvest for the entire year and only allows the use of artificial flies and lures from April 16 until May 15 when angling for other species.

Central Zone:

There is one proposal for the Central Zone. This proposal is a housekeeping correction that only allows the harvest of hatchery coho in Eagle Creek.

Northeast Zone:

There were no proposals submitted in the Northeast Zone.

Southeast Zone:

There are eight proposals submitted for the Southeast Zone. Four of the proposals submitted take into consideration the impact of climate change and will provide additional conservation protection for rainbow/redband trout. Many of the waters in the Southeast Zone particularly around the Klamath Lake area have been experiencing on-going population level impacts due to frequent and extended drought. Redband trout populations, which enter into the Wood River, Crooked Creek and Fort Creek from Agency Lake, are getting to critically low numbers. The proposal in Agency Lake is to change the regulation to a catch-and-release fishery and only allow the use of artificial flies and lures when angling. This will provide consistent regulations and protections of these populations in the rivers and lake. This proposal has broad public support. Similarly, a proposal in the Link River will allow for catch-and-release fishery and only allow the use of artificial flies and

lures. Redband trout use the Link River as refuge area when dissolved oxygen levels drop in Upper Klamath Lake. Anglers have been targeting these fish for harvest as they are congregating in this refuge area. In Crystal Creek, anglers are also targeting redband trout as they are staging for spawning. At this time, the populations remain stable but a proposal only to allow the use artificial flies and lures will provide additional conservation protection when these fish are congregated and vulnerable to harvest. A proposal in the Sprague River will implement regulations allowing the harvest of one rainbow trout per day over 15 inches. This is consistent with the conservation and current management across the Upper Klamath Lake population. The Klamath Tribes are supportive of ODFW implementing regulations that are more protective. In the Williamson River from the mouth to Chiloquin Bridge, the fishery is managed as a catch-and-release fishery and under current regulations; the statewide hook rule is in place. The statewide hook rule allows an angler to use multiple treble hooks. This proposal would limit anglers to using one single point hook only and will provide conservation protections on this unique and highly prized fishery.

Snake River Zone:

There were no proposals submitted in the Snake River Zone.

Columbia River Zone:

There was one proposal submitted for the Columbia River Zone. A housekeeping correction is being proposed on the mainstem Columbia River that clarifies that the river is open for adult Chinook salmon from August 10 through August 31.

Marine Zone:

There were no proposals submitted in the Marine Zone.

Additionally, staff proposes that the Commission allow staff to make necessary universal date changes for the 2021 Sport Fishing Regulations such as dates associated with the standard Free Fishing Weekend (first full weekend in June) and other applicable date changes.

In conclusion, as staff continues to synthesize the regulation book layout with the publisher, staff may need to make minor editorial changes to address clarity and consistency. Staff proposes that the Commission authorize staff to make such formatting changes, to correct spelling or grammar errors, address inadvertent inconsistencies to improve overall readability, and to update information regarding the Electronic Licensing System, as needed.

OPTIONS

1. Accept the proposed regulation changes.
2. Modify the proposed regulation changes.
3. Reject the proposed regulation changes.

STAFF RECOMMENDATION

1. Accept the proposed regulation changes as recommended by staff.

ISSUE 2

Consider adoption of rules for Columbia River Thermal Angling Sanctuaries at the mouths of Eagle Creek, Herman Creek, and the Deschutes River and areas of the Columbia River adjacent to these tributaries.

BACKGROUND

Salmon and steelhead generally require cold rivers and streams to support their diverse life histories, although salmonids have also evolved and thrived in systems (including the Columbia) where temperatures were above optimal at some times and locations. Changes to the Columbia River system have altered the spatial and temporal thermalscape, and this has increased exposure to suboptimal temperatures for some runs.

The Earth's climate is changing because of anthropogenic activities, Oregon is already experiencing predicted changes such as increased average air and water temperatures, altered precipitation patterns, and decreasing snow packs. These forecasted changes will result in the increased occurrence and intensity of droughts and wildfire, reduced and protracted base stream flows, extreme air and water temperatures, and disrupted ocean currents and species distributions, and "abnormal" events will become more frequent. All of which will likely put increasing pressure on Endangered Species Act (ESA) listed salmon and steelhead populations in the Columbia Basin, and make ODFW's conservation mandate even more critical. It is incumbent upon the agency to take immediate steps, raise public awareness, and lay the groundwork for future additional hydro-related climate actions.

Additionally, ODFW is actively working on identifying cold water assets and protecting habitats necessary to provide resiliency for native species in a warming world. Those efforts are a separate, and larger, consideration than whether or not cold-water refuge habitats should be closed to angling for salmon and steelhead as "Thermal Angling Sanctuaries" (TAS). Columbia River fisheries are carefully managed to ensure that they do not exceed federally allowed take limits and impede recovery of listed populations. The potential benefits of TAS on salmon and steelhead survival and recovery are uncertain, but ODFW's commitment to protecting these habitats is not; it is important to recognize the distinction between protecting cold water refuge habitats from potential survival benefits associated with closing those areas to angling.

PUBLIC INVOLVEMENT

- 8 June 2018 — Oregon Fish and Wildlife Fish Commission Agenda Item I: Columbia River Thermal Angling Sanctuaries – materials available at (https://www.dfw.state.or.us/agency/commission/minutes/18/06_june/index.asp)
- 15 January 2019 — Columbia River Thermal Angling Sanctuary Process presentation at public meeting hosted by the Gorge Chapter Coastal Conservation Association, The Dalles, Oregon
- 11 October 2019 — Director's Report to the Oregon Fish and Wildlife Commission on the U.S. Environmental Protection Agencies' Coldwater Refuge Plan and status of

ODFW Thermal Angling Refuge process – materials available at (https://www.dfw.state.or.us/agency/commission/minutes/19/10_Oct/Tucker-CWR_Directors%20Report_OSCR_20191011.pdf)

- 25 March 2020 — Columbia River Coldwater Refuge/Thermal Angling Sanctuary Update - Virtual public meeting live streamed at (<https://www.youtube.com/watch?edufilter=NULL&v=Hp63ZjVKClc>)
- 17 April 2020 — Directors Report to the Oregon Fish and Wildlife Commission on Columbia River Coldwater Refuge/Thermal Angling Sanctuaries – materials available at (https://www.dfw.state.or.us/agency/commission/minutes/20/04_Apr/index.asp)

ANALYSIS

The Columbia River is a major migration corridor for ESA-listed salmon and steelhead. These fish require cool rivers and streams, including mainstem habitats to support their diverse life histories. The Columbia River today is significantly different from what it was 60-80 years ago. In addition to major changes in flow regimes associated with dam construction and climate change, the summer Columbia River spatial and temporal thermal landscape has been trending upward over the last several decades (Figure 1). This trend is expected to continue, and under most modelled scenarios, the Columbia Basin will likely experience changing future precipitation trends and declining average snow packs; effects are likely to be readily noticeable in the coming decade.

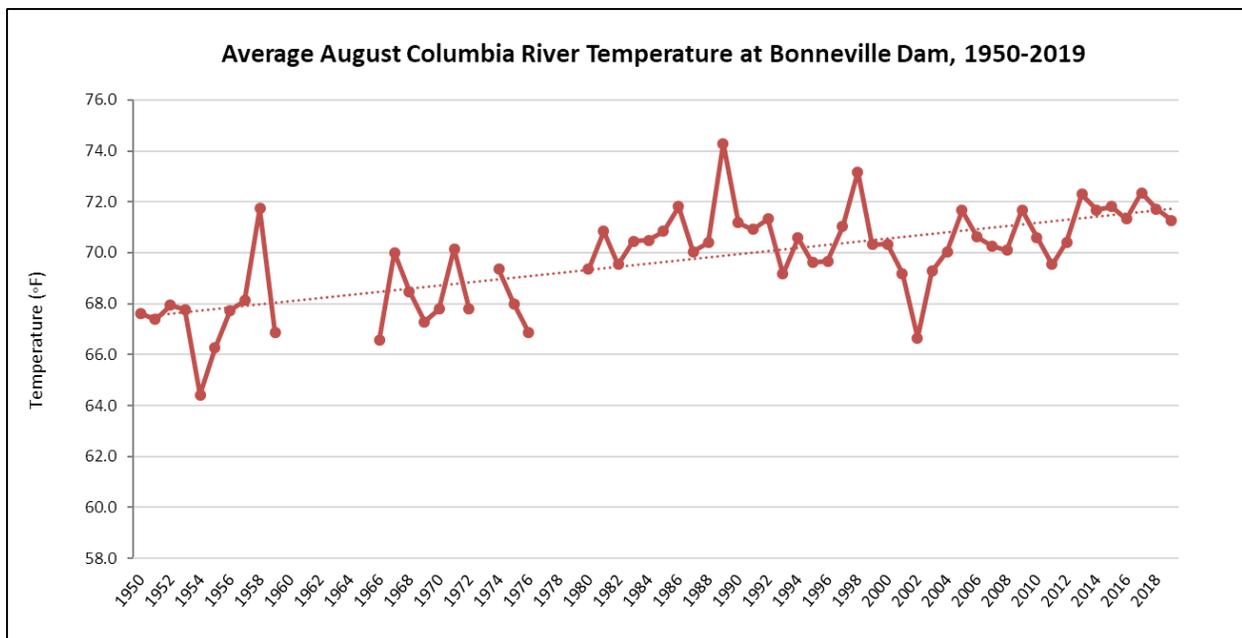


FIGURE 1. Average August Columbia River Temperatures as measured at Bonneville Dam, 1950 - 2019.

Concurrent with this long-term warming trend within the river have been cyclical returns of upriver summer steelhead (Figure 2). The last decade has seen a downward cycle for these fish with particularly poor returns in 2017 – 2019.

The U.S. Environmental Protection Agency (EPA) has been working on a Coldwater Refuge Plan over the last several years that is aimed at ensuring sufficient cold-water habitat resources within the mainstem Columbia River migratory corridor. The EPA released a draft of this plan for public comment last October. ODFW provided comments on this plan last December (Attachment 5). Despite some concerns with the work regarding interpretations of fish behavior and some of the fisheries management conclusions drawn, ODFW was largely supportive of the idea, using it as the basis of our Thermal Angling Sanctuary (TAS) concept. It is our understanding that the EPA plans to release the Final Coldwater Refuge Plan in late July 2020.

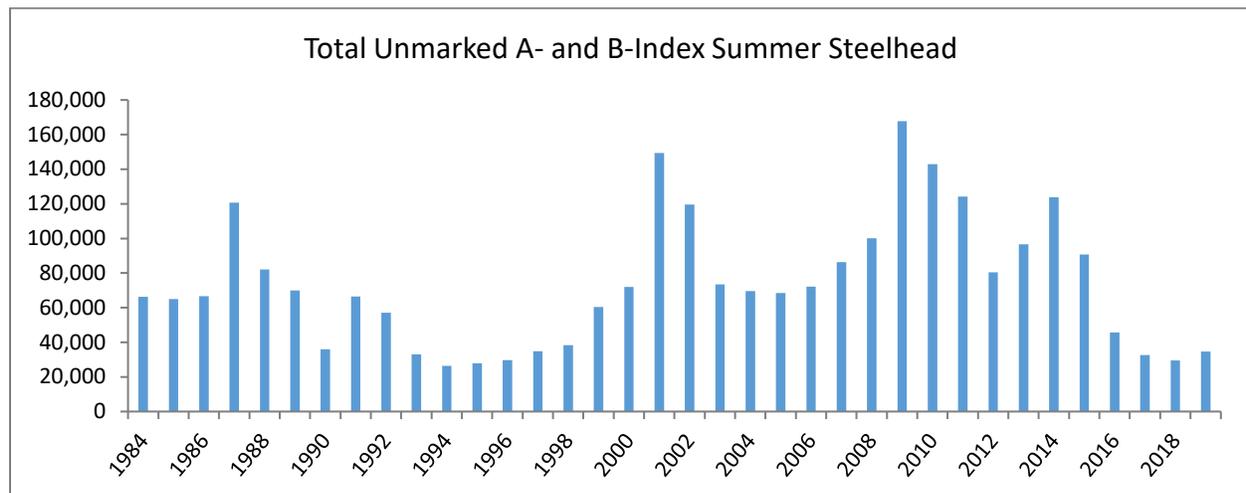


FIGURE 2. Annual returns of combined unclipped A- and B-Index summer steelhead to Bonneville Dam, 1984-2019.

ODFW has presented status reports on this topic to the Commission regularly, keeping the Commission abreast of the EPA’s progress on their plan and our response to it. This was set to culminate this spring with a public meeting process and permanent rule consideration. Unfortunately, the COVID-19 pandemic required the cancellation of in-person meetings. Instead, a virtual meeting was live-streamed over YouTube on March 25, with questions taken electronically via the comment feature, followed by a virtual briefing to the Commission that provided a status update and plans for 2020 at the April Commission hearing.

Summer steelhead in the interior Columbia Basin are in the midst of a down-cycle, with several recent years being extremely depressed. At the same time, environmental conditions for juveniles (both in-river and ocean) have been in a down-cycle. While all Pacific Northwest salmon and steelhead must deal with such cycles because of their life history, summer steelhead would be the species most able to benefit from cold water refuge habitats with co-located angling sanctuaries. These areas are likely most useful when temperatures in the migration corridor are above optimum, when thermal conditions at the large hydroelectric dams on the Columbia impede migration through fish ladders, and when temperatures in the designated areas are sufficiently cooler than the migration corridor. Given this overlap, it may be prudent to establish TAS for recreational fisheries in these areas that can be implemented when conditions warrant during down cycles. However, interjurisdictional fisheries management is complex; the need for adequate planning, coordination, and communication to the public should be considered when adding additional rules.

There are four basic questions to be answered when considering whether to implement TAS:

1. If TAS are implemented, where should they be located and what should their boundaries be?
2. If TAS are implemented, should there be a temperature trigger for within-year implementation?
3. If TAS are implemented, what should the within-year temporal scope be?
4. If TAS are implemented, should there be an abundance-based trigger?

Potential TAS Implementation: Locations and Boundaries

The EPA identified 12 primary Coldwater Refuge Areas in the mainstem Columbia River downstream of the Snake River confluence, with six of those originating on the Oregon side of the river and under Oregon management authority (Table 1). ODFW’s focus has been on areas upstream of Bonneville Dam, specifically Eagle Creek, Herman Creek, and the Deschutes River, for two primary reasons: physical conditions at the EPA-identified Coldwater Refuge Areas and potential fishery impacts. A combination of channel morphology, water volume, and physical size likely diminished the thermal impact the Sandy River, Tanner Creek, and Hood River had on the mainstem Columbia River and migrating salmon and steelhead. Furthermore, the majority of non-treaty fishery impacts are typically accrued in recreational fisheries upstream of Bonneville Dam, meaning that any proposed management actions had the greatest potential to reduce non-treaty steelhead impacts in this area.

TABLE 1. Primary Coldwater Refuge Areas identified by the EPA in their draft Coldwater Refuge Plan.

Tributary	State	River Mile
Cowlitz River	Washington	65.2
Lewis River	Washington	84.4
Sandy River	Oregon	117.1
Tanner Creek	Oregon	140.9
Eagle Creek	Oregon	142.7
Herman Creek	Oregon	147.5
Wind River	Washington	151.1
Little White Salmon River	Washington	158.7
White Salmon River	Washington	164.9
Hood River	Oregon	165.7
Klickitat River	Washington	176.8
Deschutes River	Oregon	200.8

When examining potential boundaries for these areas ODFW used two main criteria: boundaries should, generally speaking, cover the primary thermal plume area (as determined by data and images obtained from the EPA) to maximize their potential biological impact and they should be easily identifiable for anglers and law enforcement by using straight lines, visible markers, and whenever possible, existing markers. The proposed TAS boundaries at Eagle Creek, Herman Creek, and the Deschutes River (as depicted and defined in Figures 3, 4, and 5) meet these criteria.

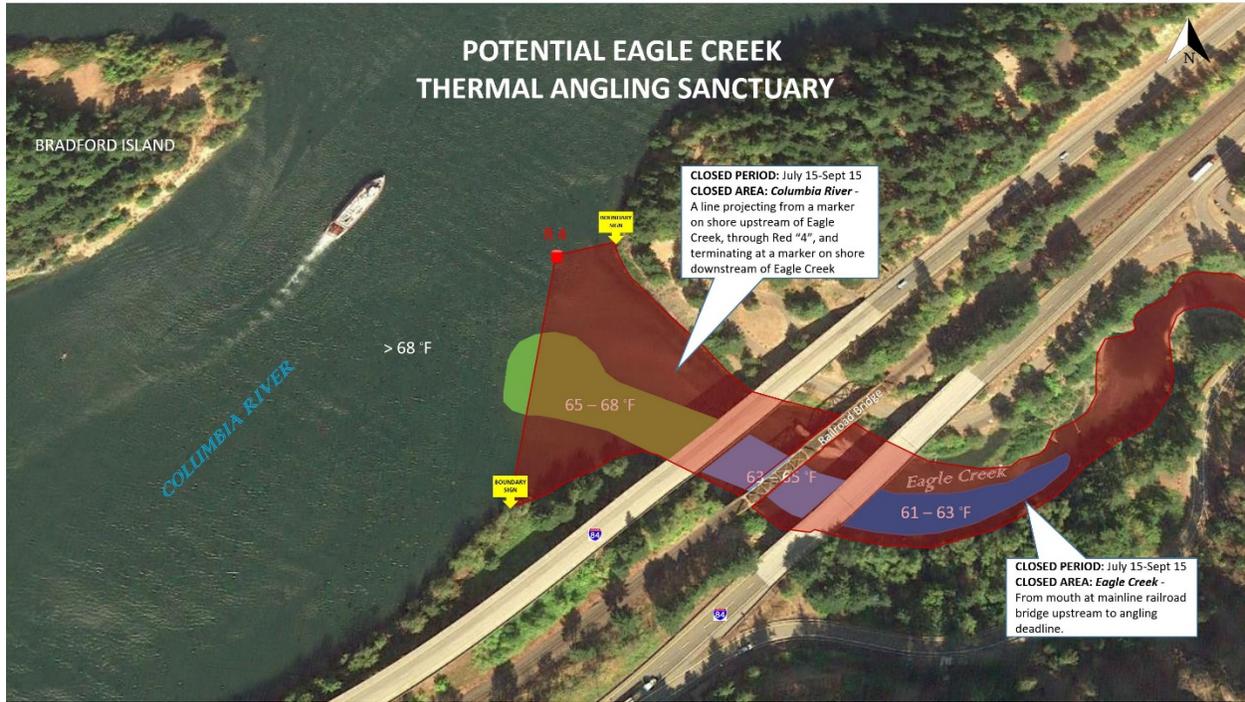


FIGURE 3. Proposed Eagle Creek Thermal Angling Sanctuary. Includes mainstem Columbia River adjacent to the mouth of Eagle Creek and that portion of Eagle Creek proper to the angling deadline near Cascade Fish Hatchery.

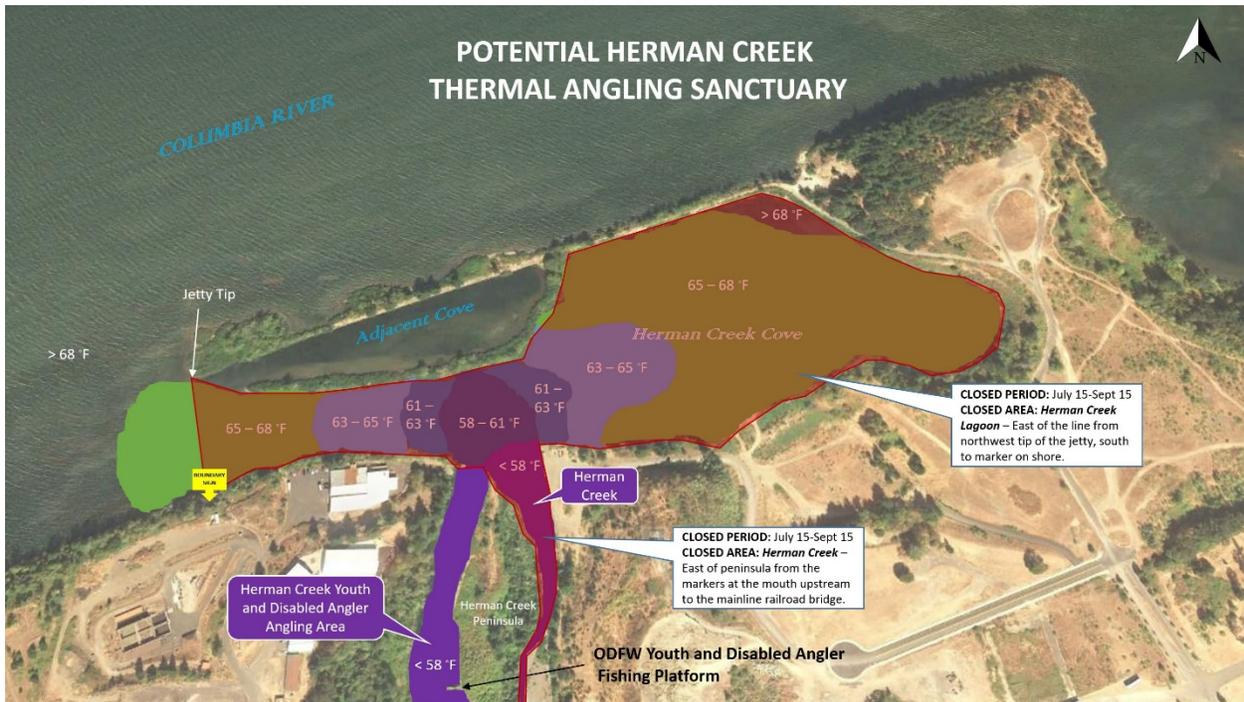


FIGURE 4. Proposed Herman Creek Thermal Angling Sanctuary. Includes Herman Creek Cove and Herman Creek east of the peninsula. Excludes Herman Creek Youth and Disabled Angler Angling Area; this area is only open to youth angling (ages 17 and under) and Oregon Disabilities Hunting and Fishing Permit holders, consistent with regulations for the adjacent mainstem Columbia River.

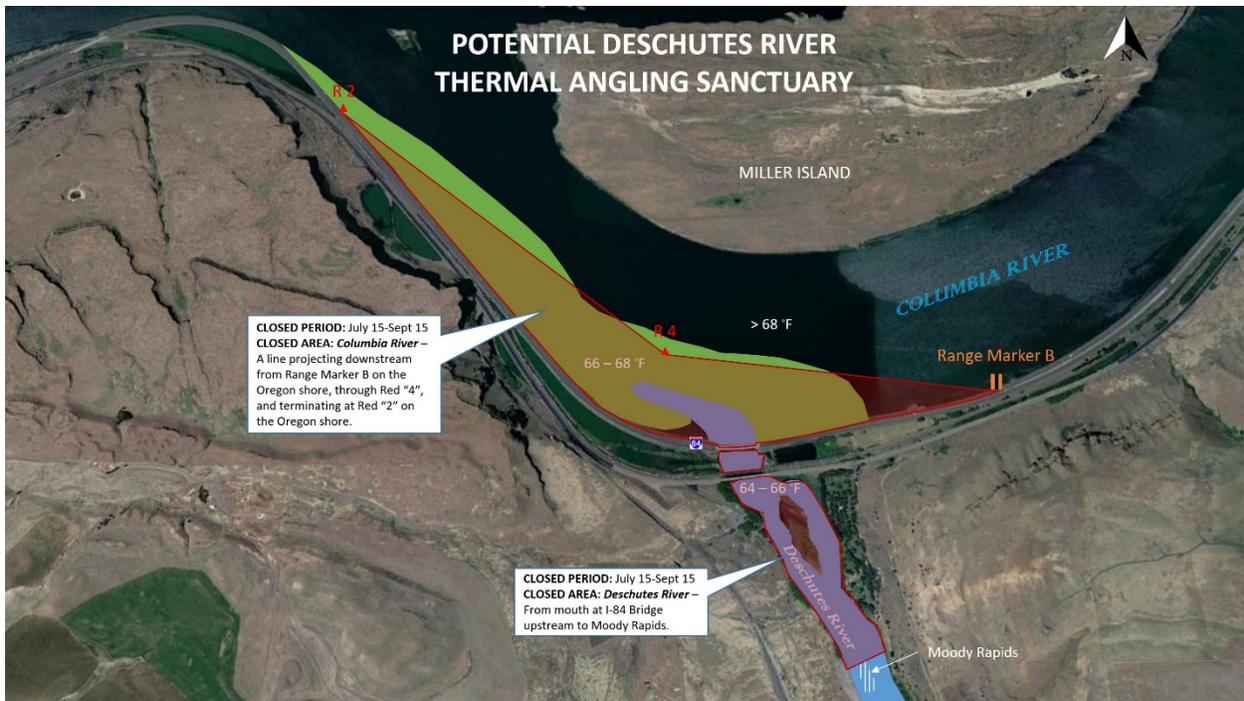


FIGURE 5. Proposed Deschutes River Thermal Angling Sanctuary. Includes mainstem Columbia River adjacent to the mouth of the Deschutes River and the Deschutes River upstream ~0.5 miles to markers at Moody Rapids.

Potential TAS Implementation: Temperature Trigger

ODFW staff considered whether a temperature trigger would be the appropriate mechanism to determine when in a given year a TAS closure might be implemented. However, mainstem river temperatures are quite variable both within- and between-years (Figure 6) and staff determined that establishing a temperature-driven trigger would be difficult to communicate, manage, and enforce. Moreover, incorporating such a trigger in regulation and expecting the angling public to know where and how to access appropriate information on river temperatures would place an unreasonable burden on anglers and staff. A predictable time block, encompassing an appropriate temporal scope, is a more suitable approach for management purposes.

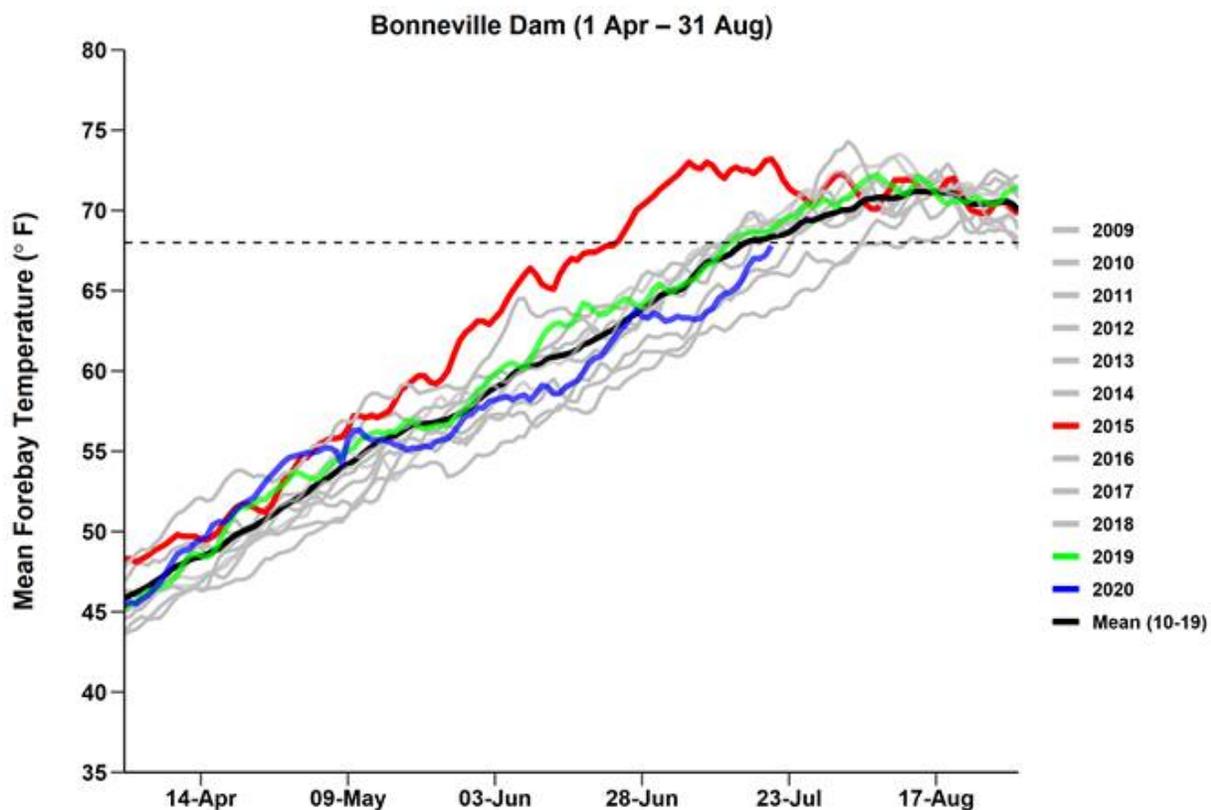


FIGURE 6. Average daily river temperature as measured at the Bonneville Dam Forebay April 1 – August 31. The black line is the 10-year arithmetic mean and the blue line is through July 20, 2020.

Potential TAS Implementation: Temporal Scope

Staff determined that, on average, mainstem temperatures were above optimal from about July 15 to about September 15 (Figure 7). This also corresponds well to the time of year when temperatures in the outflow of the Deschutes River become sufficiently cooler than the mainstem to provide a refuge area. Although thermal regimes have changed within the lower Deschutes after the construction of a vertically-integrated water release structure at Lake Billy Chinook, a temperature differential with the mainstem Columbia River still sets up by late July/early August. Therefore, it appears that this would be a suitable temporal block for use in those years in which a closure is implemented.

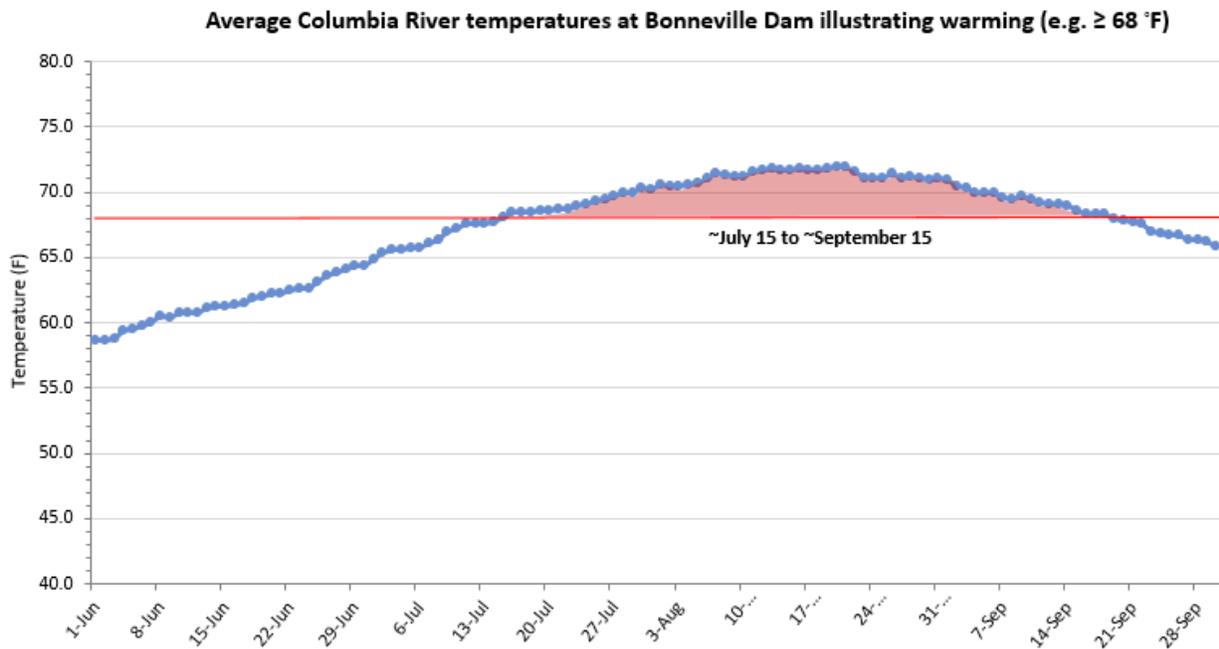


FIGURE 7. 2010-2019 average daily river temperature as measured at the Bonneville Dam Forebay June 1 – September 30. The shaded area indicates the period of time when temperatures generally exceed 68° F.

Potential TAS Implementation: Abundance Trigger

Given the annual block of time in question, recent low returns of ESA-listed natural-origin summer steelhead, and potential benefit the proposed TAS may provide these fish, staff determined that if an abundance-based matrix was adopted, the annual natural-origin upriver steelhead preseason run-size forecast could be an appropriate trigger for whether closures were warranted or not. Upriver summer steelhead are managed in two component indices: B-Index steelhead, which generally spend 2+ years in the ocean, return primarily to the Clearwater Basin, later in the year, and in lower numbers; and A-Index steelhead, which generally spend one year in the ocean, return earlier in the summer, and return broadly across the interior basin and in larger numbers than their older counterparts. The recent downturn in abundance has been experienced by both components. Although there has been a recent focus on natural-origin B-Index summer steelhead, A-Index steelhead are also present during the proposed temporal scope of the TAS, and should therefore also be considered.

When considering what years to use when establishing a potential abundance-based trigger, staff felt it important to capture both the variability in annual returns that has been expressed over time to help account for the knowns and unknowns surrounding climate change, and refinements in the tools used to differentiate between unmarked hatchery steelhead and true natural-origin fish. It appears that the 2008-2019 period satisfies both criteria. The counts of unmarked steelhead as reported at Bonneville Dam have an unmarked hatchery-origin component, and advances in parental-based genetic tagging give us a high degree of confidence in delineating the true natural-origin component from 2008 through the present. Additionally, although the average 2008-2019 natural-origin return is roughly equivalent to the average 1984-2019 natural-origin return (74,000 vs 73,900 respectively), the variability in returns captured in the 2008-2019 timeframe, as measured by the inter-quartile range, is actually greater than the longer time series.

Given this combination of factors, if an abundance-based matrix were adopted, staff would propose using the preseason forecast for combined natural-origin A- and B-Index summer steelhead as the management trigger for potential TAS implementation in a given year.

Columbia River fisheries are managed to stay within federally authorized and regionally accepted impact limits. Because of this, and other unknowns, e.g., angler effort pattern shifts, the potential effects of TAS are uncertain, but given climate change forecasts, ODFW feels that TAS are more likely to be beneficial than detrimental therefore providing angling protections in identified cold-water habitats is in-line with a precautionary approach to fisheries management. Therefore, if an abundance-based matrix were used ODFW is proposing to use the forecasted run size of combined natural origin A- and B-Index upriver summer steelhead associated with the 75th percentile of 2008–2019 returns as the trigger for implementation. If the Commission decides to implement TAS based on an abundance-based matrix, when forecasts are less than or equal to the 75th percentile TAS closures would be implemented along with other potential conservation measures depending on the forecast run size, and when run forecasts are above that level, TAS closures would not be implemented for that year (Table 2). In practical terms, if this rule had been in place over the last 10 years, TAS closures would have been implemented in eight of them.

TABLE 2. Matrix of potential actions related to Thermal Angling Sanctuaries and general summer steelhead protections.

Forecast Natural- Origin Upriver Summer Steelhead Abundance	>75 th percentile	25 th -75 th percentile	< 25 th percentile
Preseason/In- season Proposed Action*	Fisheries managed to ensure ≤2% ESA		
	Permanent regulations	TAS for Eagle Creek, Herman Creek, Deschutes River	TAS at established locations and additional protective measures
*Additional measures may be implemented based on in-season physical conditions and/or run-size updates.			

The primary responsibility of Columbia River fisheries managers is to ensure that fisheries complement, and are conducted in line with, conservation needs and regulatory sideboards while optimizing fishing opportunity for the public. Because of this conservation mandate, fisheries managers actively manage fisheries in-season to ensure that fisheries are consistent with agency goals and do not exceed federally authorized take limits. Thermal Angling Sanctuaries are a potential novel tool that could be added to the suite of existing management tools (Table 3). At lower forecasted run sizes (<25th percentile), several of these more robust potential protective measures would be used to ensure that non-treaty fisheries meet conservation needs.

TABLE 3. Potential non-treaty fishery management tools, in addition to TAS, available for pre-season and in-season management (Although not explicitly associated with cold-water habitats, treaty and non-treaty commercial fishing sanctuaries exist at most Columbia River tributary mouths).

Recreational	Commercial
Reduced steelhead bag limits	Shift timing of fishing periods
Rolling steelhead retention closures	Reduce number of fishing periods
River-wide steelhead retention closure	Reduce duration of fishing periods
Boat limit restrictions	Gear restrictions
Mainstem angling closures	Fishery closures

ODFW has existing methods to measure and quantify expected benefits for many fishery management tools. The TAS are a relatively novel tool and methods for quantifying their benefits do not yet exist. For several reasons, e.g., effort shifts and the unknown impact of suggested targeted catch-and-release fisheries in these areas, it will be extremely difficult to develop those methods. An example of the efficacy of fisheries management actions, and the difficulty of assessing the potential effect of TAS, can be partially seen in creel survey data from the area near the Deschutes River mouth (Table 4).

TABLE 4. Unexpanded creel survey information collected in the vicinity of the Deschutes River mouth, 2016–2019.

Tributary	Year	Hatchery Steelhead		Wild Steelhead		Boats (n)	Anglers (n)
		Kept	Released	Kept	Released		
Deschutes	2016	78	11	0	100	279	726
	2017	0	0	0	2	207	531
	2018	0	0	0	0	35	92
	2019	0	14	0	2	473	1,285

In 2016, observed effort and handle was associated with a two-hatchery steelhead bag limit through August 31 and one-hatchery steelhead bag limit after September 1. Upriver summer steelhead returns were larger in 2016 than in the subsequent years depicted in Table 4. In 2017, the summer steelhead run was much smaller (Figure 2) and rolling retention closures were implemented in The Dalles Reservoir and the lower Deschutes (closed to angling upstream to Moody Rapids) from September 1-30 to stay within federal ESA constraints. This resulted in a large decrease in steelhead handle (relative to 2016) and a modest reduction in the number of anglers interviewed. In 2018, the first TAS was implemented at the Deschutes River mouth per

Commission direction, with boundaries that were similar in size to the existing sanctuary in effect for treaty commercial fisheries. Steelhead handle was again very low, and the number of anglers sampled was greatly decreased relative to the two prior years. In 2019, rolling closures were implemented in The Dalles Reservoir from August 1 to September 30 and a TAS (with a refined boundary based on public input and staff re-evaluation) was in place from mid-August through mid-September. Reported steelhead handle was again low, similar to 2017-18, but effort increased. Data from ODFW's creel survey indicates that the rolling retention closures reduce steelhead handle; however, the effect of TAS is more difficult to evaluate. Evidence supporting targeted steelhead catch-and-release angling after steelhead retention was closed was not apparent.

Conclusion

Climate change is a real and pressing issue that will continue to challenge fish and fisheries management into the future; this is a priority issue for the agency as witnessed in the Commission's recently adopted Climate and Ocean Change Policy. The proposed TAS are a recognition of this, and could provide additional, if currently unquantifiable, protections for listed salmon and steelhead in light of climate changes. Columbia River fisheries management is focused first on conservation and recovery of listed stocks, and then providing harvest opportunity when and where possible within that framework. These are not mutually exclusive activities. Opportunity is not considered outside of a conservation framework, and an actively engaged public optimizes conservation opportunities. Managers use conservative pre-season plans with active in-season monitoring and management based on real-time information. Identifying and establishing TAS, with associated spatial and temporal boundaries in permanent rule and providing Commission guidance for pre-season planning or implemented as needed on an emergency basis are an example of using a precautionary approach, and could provide another conservation-based management tool in the face of dynamic future climate scenarios.

However, prescriptive permanent rules can come with unforeseen consequences, and the Columbia River fisheries are extremely dynamic. Having permanent rules that establishes an abundance-based matrix with management triggers may make it more difficult for staff to effectively manage situations in real-time.

That being said, conservation is our primary mandate and Columbia River fisheries management staff demonstrate a commitment to that mandate every time they formally consider an action (36 times in 2019 and 18 through July in 2020). Staff feel that with Commission guidance they could implement the spirit of the proposed rules on a year-by-year basis, while maintaining the flexibility optimal in real-time fisheries management.

OPTIONS

1. Adopt Thermal Angling Sanctuary spatial and temporal boundaries into permanent rule; provide Commission guidance on implementation.
2. Adopt Thermal Angling Sanctuary spatial and temporal boundaries as well as an abundance-based implementation matrix into permanent rule.
3. No Action

STAFF RECOMMENDATION

1. Adopt Thermal Angling Sanctuary spatial and temporal boundaries into permanent rule; provide Commission guidance on implementation.

ISSUE 1 DRAFT MOTION

I move to amend OAR Chapter 635 Divisions 011, 013, 014, 016, 017, 018, 019, 021, 023 and 039 as proposed by staff in Attachment 3A, and I move to adopt modifications to regulations proposed by staff in Attachment 4, and I authorize staff to update necessary calendar dates and make formatting changes, to correct spelling or grammar errors, address inadvertent inconsistencies, to improve readability, and to update information regarding the Electronic Licensing System, as needed.

EFFECTIVE DATE: January 1, 2021

ISSUE 2 DRAFT MOTION

I move to amend OAR Chapter 635 Divisions 018 and 023 as proposed by staff in Attachment 3B.

EFFECTIVE DATE: January 1, 2021