



Oregon Fish and Wildlife Commission Agenda

Meeting:
Friday, September 11, 2020 - 8:00 AM
Oregon Department of Fish and Wildlife
Virtual Meeting
4034 Fairview Industrial DR SE
Salem, OR 97302

Friday, September 11, 2020

See notes on the last page of this agenda for instructions on how to [register](#) to testify on the following exhibits.

DIRECTOR'S REPORT

Field Reports – in written form only

EXPENDITURE REPORT

Staff: Erica Kleiner, Deputy Director for Administration

ADOPT TEMPORARY RULES

Shannon Hurn, Deputy Director for Fish and Wildlife Programs

1.) 635-053-0005

Adopt Controlled Hunt Permit Numbers for 2020 Oregon Sage-grouse Season

Adopted: August 10, 2020 – Effective Dates: August 10, 2020 through December 31, 2020

This rule amendment is needed to establish the maximum number of permits that may be issued for the purpose of hunting sage-grouse during the previously established September 12 - September 20, 2020 Oregon sage-grouse season.

2.) 635-039-0090

Prohibit retention of recreational cabezon when fishing from a boat.

Adopted August 11, 2020: effective August 14 through December 31, 2020

The amended rule prohibits retention of cabezon in the recreational bottomfish fishery when fishing from a boat effective from August 14 through December 31, 2020. Anglers fishing from shore may continue to retain the daily bag limit of one cabezon.

3.) 635-023-0134

Close Spring and Open Fall Chinook 2020 Snake River Fisheries

Adopted August 13, 2020: effective August 14 through December 31, 2020¹

This amended rule impacts the Snake River by closing the recreational spring Chinook fishery and opening the fall Chinook fishery consistent with State of Idaho rules for adjacent waters.

4.) 635-039-0085

Amend Rules for Recreational Halibut Fisheries Regulations

Adopted August 20, 2020: effective August 27 through October 31, 2020²

Amendments to Oregon's regulations for recreational halibut fisheries will open the Central Oregon Coast Subarea summer all-depth season every Thursday, Friday, and Saturday, and allow all-depth halibut to occur on the same trip as bottomfish when the bottomfish fishery opens to all depths beginning September 1. The rule is consistent with regulations previously implemented by the Federal

Government and the International Pacific Halibut Commission for the 2020 Oregon sport fishery for Pacific halibut.

5.) 635-016-0090

Illinois River Area Angling Closure

Adopted August 19, 2020: effective August 20 through November 30, 2020

This amended rule prohibits all angling in a portion of the Illinois River in response to public concern about angling violations, to reduce the risk of illegal fishing for fall Chinook salmon.

6.) 635-004-0355

Increase Commercial Nearshore Trip Limits for Black Rockfish and Cabezon

Adopted August 13, 2020: effective August 14 through December 31, 2020

This amended rule increases in-season trip limits for the commercial Black Rockfish and Cabezon fisheries for periods 5 and 6 (September through December 2020). The trip limits for periods 5 and 6 would increase for black rockfish from 2,100 to 2,700 pounds and for Cabezon from 1,000 to 2,000.

7.) 635-039-0085

Add Two Open Days for Columbia River Subarea Recreational Halibut Fisheries

Adopted August 27, 2020: effective August 27 through October 25, 2020²

This amended rule will open the recreational halibut fisheries in the Columbia River Subarea (Leadbetter Point, WA to Cape Falcon, OR) all-depth season on Friday, September 4, 2020 and Friday, September 11, 2020.

8.) 635-019-0090⁴

Reduce Steelhead Bag Limit on Grand Ronde and Snake River and Their Tributaries

Adopted August 27, 2020: effective September 1 through December 31, 2020¹

These amended rules reduce the daily bag limit for steelhead to two from three hatchery fish per day in the Snake River and tributaries from September 1 to December 31, 2020.

9.) 635-023-0134⁴

Reduce Steelhead Bag Limit on Grand Ronde and Snake River and Their Tributaries

Adopted August 27, 2020: effective September 1 through December 31, 2020³

These amended rules reduce the daily bag limit for steelhead to two from three hatchery fish per day in the Snake River and tributaries from September 1 to December 31, 2020.

10.) 635-042-0031

Non-Treaty Columbia River Commercial Mainstem Fall Chinook Closure

Adopted August 28, 2020: effective August 31, 2020 through December 31, 2020

This amended rule rescinds one previously adopted fall non-Treaty commercial gillnet fishing period in Zones 4/5 of the lower Columbia River consistent with action taken August 27, 2020 by the Departments of Fish and Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

11.) 635-005-0290, 635-005-0355

Revise Commercial Clam Fisheries in Tillamook and Yaquina Bays

Adopted July 1, 2020: effective September 2, 2020 through December 28, 2020³

Issue 1 - The amended rule establishes an annual harvest quota and designates a harvest area for the commercial Gaper Clam Fishery in Yaquina Bay.

Issue 2 - The amended rule closes the Tillamook Bay commercial gaper clam dive fishery due to projected attainment of the harvest quota.

12.) 635-019-0090

Reduce Steelhead Bag Limit on Grand Ronde and Snake River and Their Tributaries

Adopted September 1, 2020: effective September 1, 2020 through December 31, 2020

These amended rules reduce the daily bag limit for steelhead to two from three hatchery fish per day in the Snake River and tributaries from September 1 to December 31, 2020.

13.) 635-041-0075

Set Treaty Indian Fall Commercial Gillnet Fishery

Adopted September 3, 2020: effective September 3, 2020 through December 31, 2020

These amended rules extend fall Treaty commercial gillnet fishing periods in the Columbia River mainstem. Modifications are consistent with action taken September 3, 2020 by the Departments of Fish & Wildlife for the States of Oregon and Washington in cooperation with the Columbia River Treaty Tribes at a meeting of the Columbia River Compact.

14.) 635-023-0095

2020 Recreational Sturgeon Fisheries Allowed

Adopted September 4, 2020: effective September 5, 2020 through September 22, 2020

This amended rule allows recreational retention of white sturgeon on the mainstem lower Columbia River for 2-days from the Wauna power lines upstream to Bonneville Dam. Revisions are consistent with action taken September 4, 2020 by the Departments of Fish and Wildlife for the States of Oregon and Washington.

15.) 635-023-0130

2020 Recreational Columbia River Salmon Fisheries Allowed

Adopted September 4, 2020: effective September 5, 2020 through December 31, 2020

This amended rule allows recreational retention from Buoy 10 upstream to Rocky Point/Tongue Point. The daily salmon bag limit is increased to two fish and one Chinook can be retained for two days. Revisions are consistent with action taken September 3, 2020 by the Departments of Fish and Wildlife for the States of Oregon and Washington.

16.) 635-023-0130

2020 Recreational Salmon Fisheries Allowed

Adopted September 10, 2020: effective September 11, 2020 through December 31, 2020

This amended rule modified recreational salmon fisheries from Buoy 10 upstream to the Highway 395 Bridge. On Friday, September 11 through Sunday September 13, retention of Chinook and coho allowed. All coho retained downstream of the Hood River Bridge must be hatchery fish. All steelhead must be released. The daily adult Page 1 of 4 bag limit is one salmon (coho and Chinook only) except at Buoy 10 where the daily adult bag limit is two salmon of which only one can be a Chinook. Chinook retention is currently expected to reopen Sept. 23 if the upriver bright Chinook return meets expectations. Revisions are consistent with action taken September 9, 2020 by the Departments of Fish and Wildlife for the States of Oregon and Washington.

¹ A current temporary rule for this section expires October 21, 2020, so this rule will be refiled for the remainder of the period.

² A current temporary rule for this section expires October 25, 2020, so this rule will be refiled for the remainder of the period.

³ A current temporary rule for this section expired, so this rule was refiled for the remainder of the period.

⁴ A temporary rule for these rules was already in effect, so these rules were submitted under two separate filings.

OTHER BUSINESS

Approve proposed Commission meeting dates for 2021.

COMMISSION ITEMS

Vice-Chair Wolley- Update on Beaver Working groups

Commissioner Zarnowitz- Update on standards to be used to make future fish passage screening waiver decision.

EXHIBIT A: COMMISSION MINUTES

The Commission will be asked to approve draft Commission meeting minutes from August 7, 2020.

EXHIBIT B: CONSERVATION AND RECREATION FUND ADVISORY COMMITTEE PROJECT APPROVAL

The Commission will be asked to approve the Conservation and Recreation Fund Committee recommendations for project funding.

Staff: Davia Palmeri; Conservation Strategy Coordinator

Karl Wenner; Conservation and Recreation Fund Advisory
Committee Chair

Public Testimony: 48 hour Advance [Registration](#) Required
Approval

EXHIBIT C: REDUCING RISK OF WHALE ENTANGLEMENT IN COMMERCIAL CRAB FISHING GEAR

The Commission will be asked to adopt a regulatory package implementing a suite of management measures to reduce the risk of whales becoming entangled in commercial crab fishing gear.

Staff: Dr. Caren Braby, Marine Resources Program Manager

Public Testimony: 48 hour Advance [Registration](#) Required
Rulemaking

EXHIBIT D: ACCESS AND HABITAT PROGRAM FUNDING AND RULE AMENDMENT

The Commission will be asked to approve the Access and Habitat Board recommendations for project funding and rulemaking to amend minimum bid for deer and elk auction tags.

Staff: Travis Schultz, Access & Habitat Program Coordinator

Public Testimony: 48 hour Advance [Registration](#) Required

Approval and Rulemaking

EXHIBIT E: BIG GAME REGULATIONS

The Commission will be asked to adopt administrative rules for proposed big game and western squirrel tag numbers, seasons and regulations for 2021.

Staff: Nick Myatt, Big Game Hunting Review Project Lead

Mark Damian Duda, Executive Director, Responsive Management

Dr. Don Whittaker, Ungulate Coordinator

Derek Broman, Furbearer Coordinator

Public Testimony: 48 hour Advance [Registration](#) Required

Rulemaking

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FUTURE PROPOSED COMMISSION TOPICS

* Written public comments for future Commission Topics can be submitted in writing prior to the meeting date at ODFW.Commission@state.or.us or mailed to 4034 Fairview Industrial Drive SE Salem, OR 97302.

October 9, 2020 – Salem

**Written public comment period will open August 15, 2020*

- Willamette Wildlife Mitigation Program – Director’s Report
- Coastal Fisheries Management – Director’s Report
- OCAMP, Wildlife Connectivity, Existing Corridors in OR-Director’s Report
- Bowman Dam Hydroelectric Project Fish Passage Waiver – Review Request
- Wildlife Control Operators Rule Amendments – Rulemaking

November 13, 2020 – Salem

**Written public comment period will open September 15, 2020*

- Marbled Murrelet Consideration to Up-list – Rulemaking

December 11, 2020 – Salem

**Written public comment period will open October 15, 2020*

- A&H Project Funding – Approval
- Ground fisheries and Nearshore Logbook Report – Rulemaking
- R&E Project Approval; R&E Board Appointments, STEP Annual Report – Approval
- Conservation and recreation fund advisory committee project approval- Approval
- Burns Paiute Tribe, temp to perm – Rulemaking
- Non-Native Gamefish Management Policy - Rulemaking
- Angling and Temperature – Director’s Report
- Steelhead Management in Oregon – Director’s Report

January 2021 – Salem

**Written public comment period will open November 15, 2020*

- Abalone -Rulemaking
- Pink Shrimp – Rulemaking
- Market Squid –Rulemaking
- Schedule of Damages for Commercial Fishing Violations- Rulemaking

PLEASE NOTE

AGENDA

The Commission meeting will begin at 8:00 a.m. September 11, 2020 and proceed chronologically through the agenda. If you wish to receive written materials prepared for any of the agenda items, please contact the Director's Office in Salem at 503.947.6044 or see the agency's website at <https://www.dfw.state.or.us/agency/commission/minutes/>.

The Commission will take a lunch recess as close to 12:00 p.m. as the agenda will accommodate.

PUBLIC TESTIMONY REGISTRATION

If you wish to give verbal testimony on any Exhibit scheduled on the September 11 agenda, you **must register before 8:00AM Wednesday September 9, 2020; a minimum of 48 hour prior to the meeting.**

HOW TO REGISTER TO SPEAK AT THE SEPTEMBER 11, 2020 COMMISSION MEETING

When registering to testify please provide your ***first and last name, what exhibit (topic) you would like to speak to, a valid email address, and a phone number.***

Listed below are three way that you can register:

- 1) Click on the link provided on the [agenda](#): fill out the registration form; and click submit.
- 2) Send an email the ODFW.Commission@state.or.us ; in your email, the information listed above must be provided.
- 3) Call the Department at 503-947-6044 or 503-507-5546.

PUBLIC TESTIMONY

You will be called to testify by the Commission Chair. The Commission places great value on information received from the public, and wants to avoid arbitrary limits on the time or attention allocated to each witness. Therefore, persons desiring to testify or otherwise present information to the Commission are encouraged to:

- 1) Limit testimony to three (3) minutes, recognizing that substance, not length, determines the value of testimony or written information;
- 2) Endorse rather than repeat testimony of other witnesses; and
- 3) Groups or organizations wishing to testify should designate one spokesperson whenever possible.

THANK YOU FOR TAKING THE TIME TO PRESENT YOUR VIEWS

Materials delivered to the Director's Office sufficiently in advance of the meeting will distributed to the Commission in advance of the meeting; any correspondence or materials received less than 72 hours prior to the meeting will be provided to the Commissioners the day of the meeting. If you have questions regarding this Agenda, please contact Michelle Tate, Director's Office, Oregon Department of Fish and Wildlife, 4034 Fairview Industrial Drive SE, Salem, Oregon, 97302, or call 503- 947-6033.

REASONABLE ACCOMMODATION OF DISABILITIES

Reasonable accommodation, such as assistive hearing devices, sign language interpreters, and materials in large print or audiotape, will be provided as needed. In order to ensure availability, please contact the Director's Office at 503.947.6044 at least 72 hours prior to the meeting to make your request. TTY users can reach ODFW by using the Oregon Telecommunications Relay Service. Please dial 711 and ask to be connected to 503-947-6044.