



---

## Oregon Fish and Wildlife Commission Agenda

---

Meeting:  
Friday, October 9, 2020 - 8:00 AM  
Oregon Department of Fish and Wildlife  
Virtual Meeting  
4034 Fairview Industrial DR SE  
Salem, OR 97302

**Friday, October 9, 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

Monitoring and Management of Wild Steelhead on the Oregon Coast: Status Update  
Dr. Jamie Anthony, Monitoring Coordinator

The Willamette Wildlife Mitigation Program overview

Kelly Reis; Willamette Fish and Wildlife Policy and Program Manager  
Dorie Welch, BPA Deputy Vice President - Environment, Fish and Wildlife

### **ADOPT TEMPORARY RULES**

Curt Melcher, Director

#### **1. 635-041-0075**

##### **Set Treaty Indian Fall Commercial Gillnet Fishery**

Adopted September 12, 2020: effective September 12, 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 10, 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

#### **2. 635-042-0060**

##### **Non-Treaty Columbia River Commercial Mainstem Fall Salmon Fishery**

Adopted September 12, 2020: effective September 12, 2020 through December 31, 2020

This rule authorizes a late fall non-Treaty commercial gillnet fishery in Zones 4 and 5 of the lower Columbia River. Modifications are consistent with action taken September 10, 2020 by the Departments of Fish and Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

#### **3. 635-418-0000, 0010, 0020**

##### **Establishes regional dry maintenance time periods for removal of sediment in dry traditionally maintained channels**

Adopted: September 18, 2020 – Effective Dates: September 18, 2020 through March 16, 2021

HB2437 (2019) directed the Department to establish regional dry maintenance time periods for removal of sediment in dry traditionally maintained channels for agricultural drainage. This temporary rule defines the dry regional maintenance time period for removal of sediment in watersheds across the state.

**4. 635-067-0030**

**Extend the 2020 bighorn sheep hunting season for West Deschutes River No. 1**

Adopted: September 18, 2020 – Effective Dates: September 18, 2020 through October 2, 2020

The first season for Bighorn Sheep Controlled Hunting in the West Deschutes River hunt area (543C1) is from September 12 – 20, 2020. The hunt area is currently compromised due to extremely hazardous air quality index conditions stemming from active wildfires throughout other areas in Oregon. This amendment to extend the hunt season through October 2, 2020 is necessary to allow additional opportunity for the hunters possessing valid, once in a lifetime, bighorn sheep tags, to hunt after air quality improves.

**5. 635-023-0130**

**2020 Recreational Salmon Fisheries Allowed**

Adopted September 18, 2020: effective September 19, 2020 through December 31, 2020

This amended rule modifies recreational salmon fisheries from Buoy 10 upstream to the Highway 395 Bridge. From Saturday, September 19 through Thursday, December 31, retention of Chinook and coho salmon is allowed. All coho retained downstream of the Hood River Bridge must be hatchery fish. All steelhead must be released through October 31 downstream of The Dalles Dam and through December 31 from The Dalles Dam upstream to OR/WA border, upstream of McNary Dam. The daily adult bag limit is two salmon (coho and Chinook only) of which only one can be a Chinook. Revisions are consistent with action taken September 17, 2020 by the Departments of Fish and Wildlife for the States of Oregon and Washington.

**6. 635-041-0075**

**Set Treaty Indian Fall Commercial Gillnet Fishery**

Adopted September 18, 2020: effective September 18, 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 16, 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.

**7. 635-043-0175, 635-066-0010, 635-067-0004**

**Amend animal parts check-in requirements for hunter harvested bear/cougar, & Roadkill Salvage Permit animals**

Adopted: September 21, 2020 – Effective Dates: September 21, 2020 through March 19, 2021

Due to continued Department office closures in response to the COVID-19 Emergency and the expected increase of harvested animals with the fall hunting seasons, Temporary Rules are needed to continue compliance with CDC guidelines for social distancing and Governor Kate Brown's Emergency Declaration and directives designed to reduce the spread of COVID-19 by reducing social contact.

**8. 635-039-0085**

**Add Two Open Days for Columbia River Subarea Recreational Halibut Fisheries**

Adopted September 22, 2020: effective September 22, 2020 through October 25, 2020

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 Monday, September 28, 2020 and Tuesday, September 29, 2020.

**9. 635-042-0032, 635-042-0060**

**Set Columbia River Commercial Mainstem Fall Salmon Fisheries**

Adopted September 24, 2020: effective September 24, 2020 through December 31, 2020

This rule authorizes late fall non-Treaty commercial tangle net fisheries in the lower Columbia River, including 11 tangle net fishing periods in Zones 1-3. Sturgeon may not be retained. Modifications are consistent with action taken September 23, 2020 by the Departments of Fish and Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

**10. 635-023-0095**

**2020 Recreational Sturgeon Fisheries Allowed**

Adopted September 24, 2020: effective September 26, 2020 through October 3, 2020

This amended rule allows recreational retention of white sturgeon on the mainstem lower Columbia River for 3-days from the Wauna power lines upstream to Bonneville Dam. Revisions are consistent with action taken September 23, 2020 by the Departments of Fish and Wildlife for the States of Oregon and Washington.

**11. 635-041-0075**

**Set Treaty Indian Fall Commercial Gillnet Fishery**

Adopted September 25, 2020: effective September 28, 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 24, 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.

**12. 635-019-0090**

**Open Grande Ronde River Coho Salmon Fishery**

Adopted September 28, 2020: effective October 1, 2020 through December 31, 2020

These amended rules open a coho salmon fishery on a portion of the Grande Ronde River from October 1 to November 30, 2020.

**13. 635-023-0130**

**Increase Chinook Salmon Bag Limit in Columbia River**

Adopted September 30, 2020: effective October 1, 2020 through December 31, 2020

This amended rule modifies recreational salmon fisheries from Buoy 10 upstream to the Highway 395 Bridge. From Thursday, October 1 through Thursday, December 31, retention of Chinook and coho salmon is allowed. All coho retained downstream of the Hood River Bridge must be hatchery fish. All steelhead must be released through October 31 downstream of The Dalles Dam and through December 31 from The Dalles Dam upstream to OR/WA border, upstream of McNary Dam. The daily adult bag limit is two salmon (coho and Chinook only). Revisions are consistent with action taken September 30, 2020 by the Departments of Fish and Wildlife for the States of Oregon and Washington.

**14. 635-018-0090**

**Angling regulation modifications in the Deschutes and John Day rivers, and Eagle Creek.**

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

The modified rules 1) close steelhead retention in the lower John Day River from September 1 through December 31 consistent with regulations for the adjacent section of the mainstem Columbia River, and 2) reduces the daily bag limit for hatchery steelhead to one fish when retention is allowed in the summer and fall for Eagle Creek, and the Deschutes and John Day Rivers.

**15. 635-008-0080**

**Close Denman Wildlife Area to hunting except for Youth Upland Bird Hunt Scheduled by Department**

Adopted: September 30, 2020 – Effective Dates: October 1, 2020 through October 15, 2020

The September 19-20, 2020 scheduled Youth Upland Bird Hunt was postponed due to predicted air quality issues resulting from numerous severe wildfires in western Oregon. This amendment will close hunting on the Denman Wildlife Area to the general public in order to allow for youth participation in a re-scheduled Youth Upland Bird Hunt at the wildlife area on October 10-11, 2020. A standard component of these events for safety of the participants is to not allow concurrent hunting activities to overlap the youth hunt.

**16. 635-041-0075**

**Set Treaty Indian Fall Commercial Gillnet Fishery**

Adopted October 2, 2020: effective October 5, 2020 through December 31, 2020<sup>1</sup>

These amended rules extend fall Treaty commercial gillnet fishing periods in the Columbia River mainstem. Modifications are consistent with action taken October 1, 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.

**17. 635-042-0060**

**Set Columbia River Commercial Mainstem Fall Salmon Fisheries**

Adopted October 7, 2020: effective October 7, 2020 through December 31, 2020<sup>1</sup>

This rule authorizes five late fall non-Treaty commercial gillnet periods in the lower Columbia River in Zones 4-5. Sturgeon may not be retained. Modifications are consistent with action taken October 6, 2020 by the Departments of Fish and Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

<sup>1</sup>. A current temporary rule for this section expired, so this rule was refiled for the remainder of the period.

**OTHER BUSINESS**

**COMMISSION ITEMS**

**EXHIBIT A: COMMISSION MINUTES**

The Commission will be asked to approve draft Commission meeting minutes from September 11, 2020.

**EXHIBIT B: AMENDMENTS TO WILDLIFE CONTROL OPERATOR RULES**

The Commission will be asked to approve amendments to the Wildlife Control Operator (WCO) rules including adding wild turkey as an allowed species under the WCO permit.

Staff: Rick Boatner, Invasive Species/Wildlife Integrity Coordinator; and  
Mikal Cline, Upland Game Bird Coordinator

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

**EXHIBIT C: BOWMAN DAM HYDROELECTRIC PROJECT FISH PASSAGE WAIVER**

The Commission will be asked to approve the Ochoco Irrigation District for a fish passage waiver at its proposed hydroelectric project to be located on Bowman Dam, near Prineville on the Crooked River.

Staff: Alan Ritchey, Fish Screens and Passage Program Manager  
Dr. Anna Pakenham-Stevenson, Water Quality and Quantity Program Manager

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

**DIRECTORS REPORT** (continued)

\* Wildlife Connectivity, Existing Corridors in OR and Federal Engagement

Dr. Rachel Wheat, Wildlife Connectivity Coordinator

Michael O’Casey Theodore Roosevelt Conservation Partnership

Laurel Williams, The Pew Charitable Trusts

Mike Totey, Conservation Director Oregon Hunters Association

**EXECUTIVE SESSION**

The Executive Session is held pursuant to ORS 192.660(2)(f) to consider information or records that are exempt by law from public inspection, as well as to consult with legal counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed as authorized by ORS 192.660(2)(h).

**ADJOURN**

## **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](mailto:ODFW.Commission@state.or.us) or mailed to 4034 Fairview Industrial Drive SE Salem, OR 97302.

### **November 13, 2020 – Salem**

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

- R&E Project Approval; R&E Board Appointments, STEP Annual Report – Approval
- A&H Project Funding – Approval
- Petition to Permanently Close Commercial and Recreational Beaver Trapping and Hunting on Federally Managed Public Lands- Consideration

### **December 11, 2020 – Salem**

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

- 2021 Ground fisheries and 2019 Nearshore Logbook Report – Rulemaking
- Conservation and Recreation Fund Advisory Committee Project Approval- Approval
- Ceremonial Harvest of Deer, Elk and Pronghorn by the Burns Paiute Tribe of Oregon – Rulemaking
- Non-Native Gamefish Management Policy - Rulemaking
- Fern Ridge Wildlife Area Property Acquisition - Approval

### **January 15, 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

### **February 12, 2021 – Salem**

*\*Written public comment period will open December 15, 2020*

- 2020 Lower Columbia River White Sturgeon Population and Fisheries Update- Informational

### **March 19, 2021 – Salem**

*\*Written public comment period will open January 15, 2021*

- A&H Project Funding- Approval
- 2020 Ocean Salmon Fisheries Informational Briefing- Informational

### **April 23, 2021 – Salem**

*\*Written public comment period will open February 15, 2021*

- 2021-2022 Oregon Game Bird Regulations- Rulemaking
- 2021 Pacific Halibut Fisheries Regulations - Rulemaking
- 2021 Ocean Salmon Fisheries and Ocean Terminal Fisheries - Rulemaking

### **May 14, 2021 - HOLD**

*\*Written public comment period will open March 15, 2021*

*No Meeting Scheduled*

### **June 18, 2021 – Salem**

*\*Written public comment period will open April 15, 2021*

---

Oregon Fish and Wildlife Commission

Friday October 9, 2020

Page 6

- Access and Habitat Project Funding – Approval
- 2022 Auction Raffle Tag Allocations – Approval
- R&E Board's recommendations for project funding – Approval
- Review of Salmon Stock Status – Informational

**July 9, 2021 – HOLD**

*\*Written public comment period will open May 15, 2021*

*No Meeting Scheduled*

**August 6, 2021 – Salem**

*\*Written public comment period will open June 15, 2021*

- 2022 Sport Fish Regulations - Rulemaking

**September 17, 2021 – Salem**

*\*Written public comment period will open July 15, 2021*

- Big Game Regulations – Rulemaking

**October 15, 2021 – Salem**

*\*Written public comment period will open August 15, 2021*

**November 19, 2021 – HOLD**

*\*Written public comment period will open September 15, 2021*

*No Meeting Scheduled*

**December 17, 2021 – Salem**

*\*Written public comment period will open October 15, 2021*

- Access and Habitat Program Funding – Approval
- Ground Fisheries and Nearshore Logbook Report – Rulemaking
- R&E Project Approval, Appointments, STEP Annual Report –Approval

## PLEASE NOTE

### AGENDA

The Commission meeting will begin at 8:00 a.m. October 9, 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 October 9 agenda, you **must register before 8:00AM Wednesday October 7, 2020; a minimum of 48 hour prior to the meeting.**

### HOW TO REGISTER TO SPEAK AT THE OCTOBER 9, 2020 COMMISSION MEETING

When registering to testify please provide ***first and last name, topic, 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](mailto: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 be distributed to the Commission prior of the meeting day; 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 connect to 503-947-6044.