



Meeting:
Friday, August 6, 2021 – 8:00 AM
Oregon Department of Fish and Wildlife
Virtual Meeting
4034 Fairview Industrial DR SE
Salem, Oregon 97302

1 Notice of these meetings had been made by press release of statewide media circulation. Those
2 attending part or all of the meeting included:
3

Mary Wahl, Chair	Curt Melcher, Director
Greg Wolley, Vice- Chair	Erica Kleiner, Deputy Director
Bob Spelbrink, Commissioner	Shannon Hurn, Deputy Director
Mark Labhart, Commissioner	Nick Myatt, East Region Manager
Jill Zarnowitz, Commissioner	Chris Knutsen, Acting West Region Manager
Becky Hatfield-Hyde, Commissioner	Anika Marriott, Assistant Attorney General
	Erin Donald, Assistant Attorney General
	Michelle Tate, Executive Assistant
	Mike Harrington, Fish Division Administrator
	Bernadette Graham Hudson, Wildlife Division Administrator
	Casey Thomas, Captain Oregon State Police

4 **MEETING**

5
6 On Friday, **August 6, 2021, at 8:00 AM, Chair Wahl called the Oregon Fish and Wildlife**
7 **Commission** (the Commission) meeting to order. Commissioner Khalil excused.
8

9 **DIRECTOR’S REPORT**

10 Field Reports – in written form only; *this report is available in the meeting materials and at*
11 https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/Field%20Reports%20Draft.pdf
12

13 Expenditure Report

14 Staff: Erica Kleiner, Deputy Director for Administration

15 Erica provided the Commission with a report that department-wide, expenditures are below
16 spending rates and remain within available revenues. Expenditures are on track for the end of the
17 biennium. License revenues continue to be strong
18

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

20 [https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/Commission%20Financial%20](https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/Commission%20Financial%20Report%20August%202021.pdf)
21 [Report%20August%202021.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/Commission%20Financial%20Report%20August%202021.pdf)
22

23 **2021-23 Legislatively Adopted Budget Update and Habitat Division Overview**

24 Erica Kleiner, Deputy Director for Administration

25 Brandy Nichols, Acting Management Resources Division Administrator

26 Shannon Hurn, Deputy Director for Fish and Wildlife Programs

1 *This presentation is located in the commission material and can be viewed at*
2 [https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/ODFW%20LAB%20Update%
3 20and%20Habitat%20Division%20Overview_August%206.%202021%20Commission.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/ODFW%20LAB%20Update%20and%20Habitat%20Division%20Overview_August%206.%202021%20Commission.pdf)
4

5 **ADAPTING TO CLIMATE AND OCEAN CHANGE REPORT**

6 2021 Multiagency Report on Ocean Acidification and Hypoxia (OAH) Programs and Needs

7 Dr. Caren Braby, Marine Resources Program Manager

8 *This presentation is located in the commission material and can be viewed at*
9 [https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/2021-08-
10 06%20Multiagency%20report%20OFWC.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/2021-08-06%20Multiagency%20report%20OFWC.pdf)
11

12 **Adopt Temporary Rules**

13 Curt Melcher, Director, requested the Commission ratify the following temporary rules. The
14 fourteen (14) temporary rules were previously adopted by the director under his emergency
15 action authority.
16

17 **1.)635-041-0076**

18 **Add periods to Treaty Summer Commercial Gillnet Fishery**

19 Adopted: 7/09/21 effective 7/12/2021 through 7/31/2021.

20 These amended rules authorize the sales of fish caught in Treaty commercial summer gillnet
21 periods on July 12-15 and July 19-22. Mesh size restrictions have also been lifted for set and
22 drift gill nets.
23

24 **2.) 635-019-0090**

25 **Regulation Changes Related to High Temperatures, and Low Water in the Northeast 26 Zone**

27 Adopted: 7/14/21 effective 7/15/2021 through 8/31/2021.

28 These amended rules address fishing regulations related to drought conditions throughout the
29 Northeast Zone.

30 (1) All size (minimum and maximum) and daily limits for gamefish are lifted from July 15
31 through September 30 in the following locations:

- 32 * Honeymoon Pond (NE Zone)
 - 33 * Kinney Lake (NE Zone)
 - 34 * McGraw Pond (NE Zone)
 - 35 * Salt Creek Summit Pond (NE Zone)
 - 36 * Tee Pee Pond (NE Zone)
- 37

38 **3.) 635-021-0090**

39 **Regulation Changes Related to High Temperatures, and Low Water in the Southeast 40 Zone**

41 Adopted 7/14/2021: effective 7/15/2021 through 10/10/2021.

42 These amended rules address fishing regulations related to drought conditions throughout the
43 Southeast Zone.

44 All size (minimum and maximum) and daily limits for gamefish (except tiger muskie and bull
45 trout) are lifted from July 14 through October 10 in the Powder River from Thief Valley Dam
46 upstream through Phillips Reservoir.
47

1 **4.) 635-005-0290**

2 **Close Tillamook Bay and Establish Yaquina Bay Area and Quota for Commercial Dive**
3 **Gaper Fisheries**

4 Adopted 7/15/2021: effective 7/18/2021 through 11/5/2021.

5 This amended rule closes the commercial Tillamook Bay subtidal gaper clam fishery as the
6 fishery is projected to reach the annual harvest quota of 235,000 pounds on July 17.

7 Additionally, an annual harvest quota and area are established for Yaquina Bay.
8

9 **5.) 635-005-0355**

10 **Close Tillamook Bay and Establish Yaquina Bay Area and Quota for Commercial Dive**
11 **Gaper Fisheries**

12 Adopted 7/15/2021: effective 7/18/2021 through 10/8/2021.

13 This amended rule closes the commercial Tillamook Bay subtidal gaper clam fishery as the
14 fishery is projected to reach the annual harvest quota of 235,000 pounds on July 17.

15 Additionally, an annual harvest quota and area are established for Yaquina Bay.
16

17 **6.) 635-017-0095**

18 **Regulation Changes Related to Water Temperatures in the Santiam River Basin**

19 Adopted 7/16/2021: effective 7/30/2021 through 8/15/2021.

20 ODFW closed angling during the hottest time of the day (beginning at 2:00 p.m. daily) in
21 anticipation of drought conditions in many Northwest Zone Rivers. Sections of the North and
22 South Santiam rivers just below Foster and Big Cliff dams should stay relatively cool
23 throughout the remainder of the summer, so this amended rule lifts the closure in those areas
24 starting July 16.
25

26 **7.) 635-039-0085**

27 **Add Open Periods to Central Oregon Area Halibut Fisheries**

28 Adopted 7/16/2021: effective 8/1/2022 through 9/30/2021.

29 This amended rule adds periods to the summer season (August 1-October 31) from Thursday
30 through Saturday every other week to Thursday through Saturday of every week.
31

32 **8.) 635-018-0090**

33 **Angling Closure in Laurance Lake Waters**

34 Adopted 7/19/2021: effective 7/19/2021 through 12/31/2021.

35 This amended rule closes angling in Laurance Lake in the Hood River Basin from July 19
36 through October 15.
37

38 **9.) 635-017-0095**

39 **Regulation Changes Related to Water Temperatures in the Santiam River Basin**

40 Adopted 7/19/2021: effective 7/30/2021 through 8/15/2021.

41 ODFW closed angling during the hottest time of the day (beginning at 2:00 p.m. daily) in
42 anticipation of drought conditions in many Northwest Zone Rivers. Sections of the North and
43 South Santiam rivers just below Foster and Big Cliff dams should stay relatively cool
44 throughout the remainder of the summer, so this amended rule lifts the closure in those areas
45 starting July 16.
46
47

1 **10.) 635-070-0000, 635-071-0000, 635-073-0000**

2 **Amend Rules to Adjust Season Dates for Specified 2021 Elk Hunts**

3 Adopted: July 29, 2021 – Effective Dates: June 9, 2021, through October 08, 2021

4 Oregon Administrative Rules establishing seasons and tag numbers for 2021 controlled elk
5 hunts were adopted September 2020. Tag numbers adopted at that time did not account for the
6 full scale of elk population reduction within Starkey Experimental Forest as part of scheduled
7 research activities. Additionally, there were two wrong dates in the 2021 hunt tables reviewed
8 by the Commission. These rule amendments are needed to reduce the maximum number of
9 tags that may be issued for the purpose of hunting elk during one specified 2021 controlled
10 hunts and correct the seasons to reflect the accurate dates published in the referenced Big
11 Game regulations.

12
13 **11.) 635-042-0031**

14 **Non-Treaty Columbia River Commercial Mainstem Fall Fisheries**

15 Adopted 7/29/2021: effective 8/9/2021 through 9/2/2021.

16 This rule authorizes the fall non-Treaty commercial gillnet fishery in the lower Columbia
17 River.

18
19 **12.) 635-041-0045, 635-041-0075**

20 **Treaty Commercial Fall Salmon Fisheries Set**

21 Adopted 7/29/2021: effective 8/1/2021 through 12/31/2021.

22 These amended rules authorize the sales of fish caught in Treaty Indian commercial fall
23 platform hook-and-line fisheries both above and below Bonneville Dam in the Columbia River
24 starting on August 1.

25
26 **13.) 635-016-0090**

27 **Southwest Zone Wild Chinook Bag Limit Reduction and Area Closures.**

28 Adopted 7/30/2021: effective 8/1/2021 through 12/31/2021.

29 This amended rule modifies bag limits and other measures for harvest of Chinook in certain
30 southwest Oregon coastal rivers.

31
32 **14.) 635-023-0130**

33 **Set 2021 Columbia River Fall Recreational Fisheries**

34 Adopted 7/30/2021: effective 8/1/2021 through 12/31/2021.

35 This amended rule sets the open periods and related management measures for the fall 2021
36 recreational Columbia River salmon and steelhead fisheries from August 1 through December
37 31.

38
39 **Action:**

40 Commissioner Zarnowitz moved to ratify the fourteen (14) temporary rules set forth in the
41 today's tan agenda. Commissioner Spelbrink seconded the motion, and the motion carried
42 unanimously, six (6) in favor; one (1) absent - Khalil.

43
44 **OTHER BUSINESS**

1 **COMMISSION UPDATES**

2 Beaver Management and Trap Check Working Group Update
3 Commissioner Greg Wolley

4
5 **PUBLIC FORUM**

6 This part of the agenda was for comments on topics not scheduled on the agenda. The
7 Commission was unable to act on items brought to their attention in this forum.

8 *Turtle Ridge Suspension*

9 *Ben Thomas, Northwest ACORN Wildlife Alliance*

10 [https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/B/B%20thomas-](https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/B/B%20thomas-%20PF%208.6.21.pdf)
11 [%20PF%208.6.21.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/B/B%20thomas-%20PF%208.6.21.pdf)

12 *Mary Bliss*

13 *Jackie Marsden*

14 *Scott Beckstead, Center for a Humane Economy*

15
16 *Columbia River Steelhead Numbers*

17 *Dean Finnerty, Trout Unlimited*

18 *Elizabeth Perkin, Native Fish Society*

19 *David Moskowitz, The Conservation Angler*

20
21 *Wildlife Rehabilitation/ Wildlife Response Resources*

22 *Bob Sallinger, Audubon Society of Portland*

23
24 *Composition of the Beaver Management and Trap Check Times Working Groups*

25 *Stan Steele*

26
27 *Columbia River Fall Gillnet Harvest*

28 *Steve Fick*

29 *Jim Wells*

30
31 *Wolf Packs Lethal Removal*

32 *Samantha Bruegger, Wild Earth Guardians*

33
34 **Exhibit A: COMMISSION MINUTES**

35 Action:

36 Commissioner Zarnowitz moved to approve the June 18, 2021, meeting minutes with
37 continued authority to correct grammar and punctuation. Commissioner Wolley seconded the
38 motion, and the motion was carried, six (6) in favor; one (1) absent - Khalil.

39
40 **Exhibit B: 2022 ARCHERY ELK BIG GAME SEASON PROPOSALS**

41 The Commission approved the proposed rules for 2022 Archery Elk Big Game
42 Seasons.

43 Staff: Jeremy Thompson, Big Game Hunting Review Project Lead

44 *Presentation:* Jeremy provided the Commission with a presentation on the Big Game Review
45 Goals, Regulation Team Archery Proposal Revision, the March 2021 initial draft proposal, a
46 summary of public input, the 2022 Archery Elk Seasons, the 2022 Proposed Control Archery

1 Hunts, Eagle Cap Controlled Zone Hunt, Youth Opportunity, mitigating loss of opportunity
2 from fire, and the 2022 Archery Elk staff proposal.

3
4 *This presentation is located in the commission material and can be viewed at*
5 https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/B/Exhibit%20B_2022%20Archery%20Elk%20Proposal_Presentation_8-6-21.pdf
6
7

8 Public Testimony

Matthew Sprague, Newberg	
Michael O'Casey, Bend	
Wayne Endicott	
Dustin Hollowell, John Day	
Joel Ulam, Springfield	HD Fowler Company
Curtis Williamson, Newport	(tentative)
Gary Longhorn, Hermiston	
Victor Coggins, Enterprise	Coggins Wildlife Mgmt. Services
Blain Harling, Kasilof	
Keith Huges, Baker	
Ian Isaacson, Bend	Oregon Chapter of Backcountry Hunters and Anglers
Jim Akenson, Enterprise	Oregon Hunters Association
Andrew Butterfield, Vancouver	
Todd Johnston, Clarkston	
Robert Bourland, Damascus	Traditional Archers of Oregon
Ben Munoz, Wamic	Oregon bow hunters
Amy Patrick, Sublimity	Oregon Hunters Association
Ken Holliday, John Day	Holliday Land & Livestock
Steven Hagan, Salem	
Matt Starley, Astoria	
Riley Savage, Hillsboro	Traditional Archers of Oregon
Carson Brown, Stayton	
Tim Barbouletos (Bar - boe - lee - tuss), Bend	

9 Rulemaking

10
11 The Commission directs staff to develop a controlled youth archery hunt proposal, which would
12 allow youths to hunt in the newly adopted controlled archery units and the general archery units
13 with the intent of full consideration for adoption of the program with the big game hunting
14 regulations in September 2022 and implementation in the 2023 hunting season. Staff is directed
15 to actively engage stakeholders in the process of formulating this proposal given the support and
16 interest among the sports groups, as indicated by the participation in the archery elk regulation
17 process, as well as the request before this commission for formation of this youth archery hunt
18 program.

1 The six (6) Commissioners present supported the direction given to staff by Commissioner
2 Labhart; Labhart, Wahl, Wolley, Zarnowitz, Spelbrink, Hatfield-Hyde.

3
4 Action:

5 Commissioner Labhart moved to amend OAR Chapter 635, Divisions 065, 071, and 073 as
6 proposed by staff. Commissioner Spelbrink seconded the motion, and the motion was carried, six
7 (6) in favor; one (1) absent - Khalil.

8
9 **Exhibit C: OREGON COAST COHO CONSERVATION PLAN 12 YEAR**
10 **ASSESSMENT**

11 The Commission was presented the 12-year assessment of the Oregon Coast Coho
12 Conservation Plan.

13 Staff: Dr. Jamie Anthony, Monitoring Coordinator

14 *Presentation:* Jamie provided the Commission with a presentation on the Oregon Coast Coho
15 Conservation Plan (OCCCP). The presentation included information on the conservation
16 strategy, Oregon Plan monitoring, status classifications, OCCCP Measurable Criteria,
17 Decision Support System (DSS) Criteria, Assessment Results: Persistence and Sustainability
18 (DSS Criteria), Assessment Results: Broad Sense Recovery (OCCCP Criteria), Habitat
19 Trends, Habitat Summary, Climate and Ocean Change Summary, Linking Projected Effects
20 to Strategies & Priority Actions, Key Actions, and Ongoing Assessment.

21
22 *This presentation is located in the commission material and can be viewed at*

23 [https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/C/Exhibit%20C_Coho%20Co
24 nservation%20Plan%2012%20Year%20Assessment_Presentation_08-06-2021.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/C/Exhibit%20C_Coho%20Conservation%20Plan%2012%20Year%20Assessment_Presentation_08-06-2021.pdf)

25 Public Testimony

David Moskowitz, Portland	The Conservation Angler
Chuck Ericson, Coos Bay	Clam Diggers Association of Oregon

26 Informational

27
28 **EXHIBIT D: 2021 COASTAL COHO FISHERY REGULATIONS**

29 The Commission established regulations for wild coho fisheries in specific coastal
30 rivers.

31 Staff: Mike Gray, District Fish Biologist Charleston

32 *Presentation:* Mike provided the Commission with a presentation the wild coho fishery
33 proposals. This presentation included information on the background and history of wild
34 coho fisheries, the Pacific Fishery Management Council (PFMC) A-13 Sub-Aggregates,
35 spawning escapement and fishery mortality, process for fishery determination, staff
36 considerations for proposals, and proposed seasons.

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

38 [https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/D/Exhibit%20D_Coastal%20
39 Coho%20Regulations_Presentation_08-06-2021%20.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/D/Exhibit%20D_Coastal%20Coho%20Regulations_Presentation_08-06-2021%20.pdf)

40
41 Public Testimony

David Moskowitz, Portland	The Conservation Angler
Chuck Ericson, Coos Bay	Clam Diggers Association of Oregon
Stanley Steele, Corvallis	Oregon Outdoor Council

1 Rulemaking

2
3 Action:

4 Commission Chair Wahl moved to adopt the OARs for NW and SW Zone regulations as
5 proposed in Attachment 3. Commissioner Hatfield-Hyde seconded the motion, and the motion was
6 carried, six (6) in favor; one (1) absent - Khalil.

7
8 Commissioner Spelbrink moved to direct the department and staff to consider additional
9 Oregon Coastal coho fishing opportunities in the Yaquina and Nehalem Basins with a season
10 structure and bag limit similar to or identical to the season structures and bag limits that have been
11 adopted in the neighboring basins of Tillamook and Siletz. The Department will work with NOAA
12 fisheries to determine if authorization can be obtained, and that the regulation can be justified under
13 the Administrative Procedures Act. Commission Chair Wahl seconded the motion, and the motion
14 was carried, six (6) in favor; one (1) absent – Khalil.

15
16 **EXHIBIT E: 2022 SPORT FISH REGULATIONS**

17 The Commission adopted the 2022 Sport Fishing Regulations.

18 Staff: Mike Gauvin, Recreational Fisheries Program Manager

19 *Presentation:* Mike provided the Commission with a presentation on the proposed 2022 Sport
20 Fishing Regulations. This presentation included information on the public involvement
21 process; the 2022 Sportfishing regulations, Oregon Angling zones proposed changes, and staff
22 recommendations.

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

24 https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/E/Exhibit%20E_2022%20Angling%20Regs%20Presentation%20Final%20Aug%206%20.pdf

25
26
27 Public Testimony

David Moskowitz, Portland	The Conservation Angler
---------------------------	-------------------------

28 Rulemaking

29
30 Action:

31 Commissioner Spelbrink moved to amend OAR Chapter 635 Divisions 011, 013, 014, 016,
32 017, 018, 019, 021, 023 and 039 as proposed by staff in Attachment 3, and moved to adopt
33 modifications to regulations proposed by staff in Attachment 4, and authorized staff to update
34 necessary calendar dates and make formatting changes, to correct spelling or grammar errors,
35 address inadvertent inconsistencies, to improve readability, and to update information regarding the
36 Electronic Licensing System as needed. Commission Chair Wahl seconded the motion, and the
37 motion was carried, five (5) in favor; two (2) absent – Khalil; Wolley.

38
39 **EXHIBIT F: MINAM WILDLIFE AREA LAND ACQUISITION**

40 Commission approved the purchase of Phase 1 of the Minam River Wildlife Area
41 property.

42 Staff: Nick Myatt, East Region Manager

43 Bill Richardson, Rocky Mountain Elk Foundation

44 *Presentation:* Nick provided the Commission with a presentation on Phase 1 Minam River
45 Wildlife Area Acquisition. This presentation included a project overview, project features,
46 phase 1 funding, due diligence, public outreach, and project partners.

1 *This presentation is located in the commission material and can be viewed at*
2 [https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/F/Exhibit%20F_Minam%20Ri](https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/F/Exhibit%20F_Minam%20River%20Wildlife%20Area%20Acquisition_Presentation_8-6-21.pdf)
3 [ver%20Wildlife%20Area%20Acquisition_Presentation_8-6-21.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/08_Aug/F/Exhibit%20F_Minam%20River%20Wildlife%20Area%20Acquisition_Presentation_8-6-21.pdf)
4

5 Public Testimony

Michael O'Casey, Bend	
Jim Akenson, Enterprise	Oregon Hunters Association
Kevin Martin, Pendleton	Oregon Chapter, Foundation for North American Wild Sheep
Mark Henjum, Silverton	

6 Approval

7
8 Action:

9 Commissioner Labhart moved approve the acquisition of the Minam River Phase 1 property,
10 approximately 4,609 acres on Wallowa County and directs staff to proceed to escrow closing upon
11 completion of all processes required under Oregon law for land acquisition. Commissioner
12 Zarnowitz seconded the motion, and the motion was carried, five (5) in favor; two (2) absent –
13 Khalil; Wolley.

14
15 Chair Wahl adjourned the meeting at 5:15 p.m.