



Oregon Fish and Wildlife Commission Agenda

Meeting:
Friday, September 17, 2021 - 8:00 AM
Oregon Department of Fish and Wildlife
Virtual Meeting
4034 Fairview Industrial DR SE
Salem, OR 97302

Friday, September 17, 2021

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

DIRECTOR'S REPORT

FIELD REPORTS – in written form only

EXPENDITURE REPORT

Erica Kleiner, Deputy Director

ADAPTING TO CLIMATE AND OCEAN CHANGE REPORT

ODFW Carbon Footprint Assessment

Davia Palmeri, Conservation Policy Coordinator,
Stephen Boles & Hameet Singh, AET Group Inc.

ADOPT TEMPORARY RULES

Curt Melcher, Director

1.) 635-016-0090

Regulation Changes Related to Low Steelhead Returns in North Umpqua River

Adopted 8/9/2021: effective 8/10/2021 through 9/30/2021.

This amended rule closes fishing in the North Umpqua River from the mouth to the marker below Soda Springs Dam and tributaries.

2.) 635-053-0005

Adopt Controlled Hunt Permit Numbers for 2021 Oregon Sage-Grouse Hunting Season

Adopted: August 09, 2021 – Effective Dates: August 09, 2021 through February 4, 2022

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 adopted September 11 - September 19, 2021 Oregon sage-grouse season.

3.) 635-017-0095

Regulation Changes Related to High Temperatures, Low Water and Drought Conditions in the Willamette Zone

Adopted 8/9/2021: effective 8/10/2021 through 8/15/2021.

These amended rules address fishing regulations related to drought conditions throughout the Willamette Zone. Fishing will be closed from 2:00 p.m. to one hour before sunrise daily from July 1 through September 30 in tributary locations throughout the Willamette Zone.

4.) 635-018-0090

Lift "Hoot Owl" Regulation Restrictions in the Lower Deschutes River

Adopted 8/9/2021: effective 8/10/2021 through 12/31/2021.

ODFW closed angling during the hottest time of the day (beginning at 2:00 p.m. daily) in anticipation of drought conditions in the lower Deschutes River. This area is expected to stay relatively cool throughout the remainder of the summer, so this amended rule lifts the closure in that areas starting August 10.

5.) 635-014-0090

Close Recreational Spring Chinook Retention in Youngs Bay

Adopted 8/10/2021: effective 8/16/2021 through 9/30/2021.

This amended rule closes retention of Chinook Salmon in portions of Youngs River and its tributaries from August 16 through October 15, 2021.

6.) 635-039-0085

Add Open Period to the Columbia River All Depth Recreational Halibut Fishery

Adopted 8/11/2021: effective 8/27/2022 through 9/30/2021.

This amended rule adds one fishing period on August 27 in the Columbia River Subarea all depth recreational Pacific halibut fishery.

7.) 635-065-0760

Amend Cooperative Travel Management Areas Regulations for 2021 Hunting Seasons

Adopted: August 17, 2021 – Effective Dates: August 17, 2021 through February 12, 2022

The Oregon Fish and Wildlife Commission may enter into agreements with landowners to restrict the use or parking of motor vehicles on certain lands. This rule modification is necessary to establish public use access agreements in rule between the department and landowners that include restrictions on the use of motor vehicles.

8.) 635-041-0075

Treaty Commercial Fall Salmon Fisheries Set Net

Adopted 8/20/2021: effective 8/23/2021 through 12/31/2021.

These amended rules authorize the sales of fish caught in zone 6 Treaty gillnet fall fisheries during open periods on August 23-26 and August 30 through September 2.

9.) 635-042-0145, 635-042-0160, 635-042-0170, 635-042-0180

Set Fall Commercial Seasons in the Select Areas of the Columbia River

Adopted 8/20/2021: effective 8/23/2021 through 11/25/2021.

These amended rules establish the 2021 fall commercial salmon seasons for Select Area fisheries in the Columbia River.

10.) 635-023-0134

Open Snake River Fall Chinook Fishery

Adopted 8/25/2021: effective 8/26/2021 through 10/31/2021.

This amended rule opens recreational fall Chinook retention in the Snake River below Hells Canyon Dam from August 26 through October 31. Modifications are consistent with action taken by Idaho in coordination with the Nez Perce Tribe, Washington, and NOAA Fisheries.

11.) 635-016-0090

Lift "Hoot Owl" Regulation Restrictions in the Rogue River

Adopted 8/25/2021: effective 8/25/2021 through 9/30/2021.

ODFW previously closed angling during the hottest time of the day (beginning at 2:00 p.m. daily) to avoid additional stress to native salmonids associated with adverse environmental conditions (high temperature, lower flow) in the Rogue River Basin. This amended rule lifts the closure in the Rogue River starting August 25.

12.) 635-023-0130

Modify 2021 Columbia River Fall Recreational Fisheries

Adopted 8/26/2021: effective 8/27/2021 through 12/31/2021.

This amended rule closes the retention of Chinook salmon in the Buoy 10 recreational fishery effective Friday, August 27.

13.) 635-019-0090

Angling Closures to Protect Steelhead in Certain Columbia River Tributaries

Adopted 8/27/2021: effective 9/1/2021 through 12/31/2021.

These amended rules increase protections for wild summer steelhead by closing angling for and retention of steelhead in areas of the John Day and Umatilla rivers.

14.) 635-018-0090

Angling Closures to Protect Steelhead in the Deschutes River

Adopted 8/27/2021: effective 9/1/2021 through 12/31/2021.

These amended rules increase protections for wild summer steelhead by closing angling for and retention of steelhead in the Deschutes River.

15.) 635-004-0355

Commercial Nearshore Fishery Black Rockfish and Cabezon Trip Limit Increases for Periods 5-6

Adopted 8/27/2021: effective 9/1/2021 through 12/31/2021.

This rule increases two-month cumulative trip limits for the commercial nearshore fishery for periods 5 (September and October) and 6 (November and December).

For black rockfish, period 5 will increase from 1,800 pounds to 2,700 pounds, and period 6 will increase from 1,500 pounds to 2,700 pounds. For cabezon, period 5 and period 6 will each increase from 1,500 pounds to 2,000 pounds.

16.) 635-023-0130

Modify 2021 Columbia River Fall Recreational Fisheries

Adopted 9/3/2021: effective 9/4/2021 through 12/31/2021.

This amended rule closes angling for, and the retention of, salmon and steelhead from Tongue Point to the Bonneville Dam

17.) 635-041-0075

Treaty Commercial Fall Salmon Fisheries Set

Adopted 9/3/2021: effective 9/6/2021 through 12/31/2021.

These amended rules authorize the sales of fish caught in zone 6 Treaty gillnet fall fisheries during open periods on September 6 through 10.

18.) 635-014-0090

Lift "Hoot Owl" Regulation Restrictions Throughout the State and Returns Chickahominy Reservoir to Permanent Rules .

Adopted 9/3/2021: effective 9/3/2021 through 9/30/2021.

ODFW previously closed angling during the hottest time of the day (beginning at 2:00 p.m. daily) to avoid additional stress to native salmonids associated with adverse environmental conditions (high temperature, lower flow). This amended rule lifts the closures throughout the state starting September 3. ODFW also previously lifted all size and bag limits for trout in Chickahominy Reservoir. This amended rule returns Chickahominy Reservoir to permanent regulations.

19.) 635-017-0090

Lift "Hoot Owl" Regulation Restrictions Throughout the State and Returns Chickahominy Reservoir to Permanent Rules .

Adopted 9/3/2021: effective 9/3/2021 through 12/31/2021.

ODFW previously closed angling during the hottest time of the day (beginning at 2:00 p.m. daily) to avoid additional stress to native salmonids associated with adverse environmental conditions (high temperature, lower flow). This amended rule lifts the closures throughout the state starting September 3. ODFW also previously lifted all size and bag limits for trout in Chickahominy Reservoir. This amended rule returns Chickahominy Reservoir to permanent regulations.

20.) 635-019-0090

Lift "Hoot Owl" Regulation Restrictions Throughout the State and Returns Chickahominy Reservoir to Permanent Rules .

Adopted 9/3/2021: effective 9/3/2021 through 12/31/2021.

ODFW previously closed angling during the hottest time of the day (beginning at 2:00 p.m. daily) to avoid additional stress to native salmonids associated with adverse environmental conditions (high temperature, lower flow). This amended rule lifts the closures throughout the state starting September 3. ODFW also previously lifted all size and bag limits for trout in Chickahominy Reservoir. This amended rule returns Chickahominy Reservoir to permanent regulations.

21.) 635-021-0090

Lift "Hoot Owl" Regulation Restrictions Throughout the State and Returns Chickahominy Reservoir to Permanent Rules .

Adopted 9/3/2021: effective 9/3/2021 through 12/31/2021.

ODFW previously closed angling during the hottest time of the day (beginning at 2:00 p.m. daily) to avoid additional stress to native salmonids associated with adverse environmental conditions (high temperature, lower flow). This amended rule lifts the closures throughout the state starting September 3. ODFW also previously lifted all size and bag limits for trout in Chickahominy Reservoir. This amended rule returns Chickahominy Reservoir to permanent regulations.

22.) 635-039-0085

Increase Daily Bag Limit and Central Oregon Pacific Halibut Open Days

Adopted 9/7/2021: effective 9/13/2021 through 9/30/2021.

The current rule closes the fishery Sunday through Wednesday weekly. This amended rule allows for recreational harvest in the Central Oregon Coast Pacific halibut fishery every day through the

remainder of the summer season (August 1-October 31) and increases the daily bag limit in all subareas south of Cape Falcon to two fish per day.

23.) 635-023-0134

Bag Limit Reduction – Snake River Hatchery Summer Steelhead

Adopted 9/7/2021: effective 9/7/2021 through 10/31/2021.

This amended rule reduces the bag limit for hatchery summer steelhead in the Snake River below Hells Canyon Dam to one per day from September 7 through December 31. Modifications are consistent with action taken by Idaho and Washington.

24.) 635-016-0090

Umpqua River Basin Chinook Bag Limits Combined

Adopted 9/7/2021: effective 9/7/2021 through 9/30/2021.

This amended rule reduces bag limits for harvest of Chinook in the Umpqua River basin. The rule also combines the daily and annual bag limits in the Umpqua River, Smith River, and North Fork Smith River.

25.) 635-016-0090

Correction: Umpqua River Basin Chinook Bag Limits Combined

Adopted 9/10/2021: effective 9/10/2021 through 12/31/2021.

This amended rule reduces bag limits for harvest of Chinook in the Umpqua River basin. The rule also combines the daily and annual bag limits in the Umpqua River, Smith River, and North Fork Smith River. Filing DFW 137-2021 was intended to make these revisions; however, that filing incorrectly included a prior draft of the temporary rule language. This filing includes the correct language.

26.) 635-005-0502

Logbook Required for Bay and Estuary Dungeness Crab Commercial Fisheries

Adopted 9/10/2021: effective 9/10/2021 through 12/31/2021.

This rule requires commercial bay crab fishers to submit a logbook monthly throughout the 2021 fishery.

27.) 635-041-0075

Treaty Commercial Fall Salmon Fisheries Set

Adopted 9/10/2021: effective 9/13/2021 through 12/31/2021.

These amended rules authorize the sales of fish caught in zone 6 Treaty gillnet fall fisheries during an open period from September 13 through 17.

28.) 635-023-0130

Modify 2021 Columbia River Fall Recreational Fisheries

Adopted 9/10/2021: effective 9/11/2021 through 12/31/2021.

This amended rule opens the salmon and steelhead fishery in the Columbia River from Warrior Rock to the Bonneville Dam from September 11 through December 31.

29.) 635-014-0090 & 635-016-0090

Continuation of Temporary Rules after Adoption of Permanent Regulations for the Northwest and Southwest Zones

Adopted 9/15/2021: effective 9/15/2021 through 12/31/2021.

This amended rule continues the temporary rules adopted prior to the 9/15/21 effective date of the permanent rules for the Northwest and Southwest zones. These temporary rules include previously adopted in-season actions as follows:

- Prohibit retention of Chinook salmon in Youngs Bay, Youngs River, and the Klaskanine River;
- Close angling in the North Umpqua River;
- Close angling in the Mainstem Umpqua River within 200 feet from all portions of a tributaries mouth;
- Combine the daily and seasonal bag limit for wild adult Chinook in the Umpqua, Smith, and North Fork Smith rivers;
- Implement additional methods for harvest of smallmouth bass in the Coquille Basin;
- Close angling for salmon in the Coquille Basin;
- Close retention of wild adult Chinook salmon in Elk River;
- Authorize wild adult Chinook fisheries in the Coos River, Floras Creek/New River, Hunter Creek, Pistol River, Chetco River and Winchuck River basins; and
- Remove daily bag and size restrictions for gamefish in Howard Prairie Reservoir and Hyatt Lake.

30.) 635-023-0130

Modify 2021 Columbia River Fall Recreational Fisheries

Adopted 9/15/2021: effective 9/17/2021 through 12/31/2021.

This amended rule opens hatchery coho retention in the Columbia River from the Rocky Point/Tongue Point Line upstream to Warrior Rock September 17 through December 31.

31.) 635-023-0095

Modify the White Sturgeon Retention fishery in the Mainstem Columbia River Downstream of Bonneville Dam River Downstream of Bonneville Dam

Adopted 9/15/2021: effective 9/19/2021 through 9/30/2021.

This amended rule modifies the white sturgeon retention fishery on the mainstem Columbia River from Wauna powerlines upstream to Bonneville Dam to include September 19, 22, 25, and 29.

32.) 635-042-0060

Adopt Non-Treaty Columbia River Commercial Mainstem Late Fall Fishery

Adopted 9/15/2021: effective 9/19/2021 through 12/31/2021.

This rule authorizes late fall non-Treaty commercial gillnet fishing periods in Zones 4-5 of the lower Columbia River on September 19-20 and September 22-23.

33.) 635-041-0075

Extend Treaty Commercial Fall Salmon Gillnet Fisheries

Adopted 9/15/2021: effective 9/20/2021 through 12/31/2021.

These amended rules authorize the sales of fish caught in Zone 6 Treaty gillnet fall fisheries which are extended to include an additional open period from September 20 through 24.

OTHER BUSINESS

Proposed 2022 Commission meeting dates for approval

Marbled Murrelet Uplisting Related Delegation –

Commission consideration of delegation authority to the Director to perform certain duties imposed by ORS 496.182 and associated rules.

COMMISSION UPDATES

PUBLIC FORUM

Note: This part of the agenda is for comments on topics not scheduled elsewhere on the agenda. Please contact the Oregon Department of Fish and Wildlife Office of the Director before 8:00 AM, August 4, 2021 (at least 48 hours prior to the meeting) to be included in the public forum).

2021-23 ODFW Budget Note

David Moskowitz, The Conservation Angler

The Use of Temporary Rules

Steelhead Conservation

Brian McLachlan

Communication/transparency with the Commission

Bethany Cotton, Cascadia Wildlands

Amaroq Weiss, Center for Biological Diversity

EXHIBIT A: COMMISSION MINUTES

The Commission will be asked to approve draft Commission meeting minutes from July 9 and August 6, 2021.

EXHIBIT B: FISH SCREENING TASK FORCE APPOINTMENTS

The Commission will be asked to appoint three new members to the Fish Screening Task Force.

Staff: Katherine Nordholm, Fish Screens and Passage Coordinator
Public Testimony: 48 hour Advance [Registration](#) Required
Appointment

EXHIBIT C: CONSERVATION PLAN TO REDUCE RISK OF WHALE ENTANGLEMENT IN DUNGENESS CRAB GEAR

The Department will provide the Commission with a review of the development of a draft Conservation Plan to reduce risk of whale entanglement in Dungeness crab gear, for eventual consideration by the National Marine Fisheries Service for an Incidental Take Permit under the Endangered Species Act.

Staff: Dr. Caren Braby, Marine Resources Program Manager
Public Testimony: 48 hour Advance [Registration](#) Required
Informational

ANNUAL PRIDE AWARDS RECOGNITION

Curt Melcher, Director

Award Presentation begins at 11:00 AM

Individual Pride Award Recipients:

Adam Baylor – HQ-I&E

Brian Friesen – HQ-ISD

Holly Huchko – HQ-Fish

Michelle Jones – HQ-Fish

Susie Knecht – HQ-ASD/Licensing

Katelin Prieto – HQ-HR

Jennifer Ringo – HQ-WL

Team Pride Award Recipients:

Hatchery Wildfire Response Team:

Darlene Krake,
Keith McCarty,
Daniel Straw,
Travis Schneider,
Matthew Coleman,
Greg Lipsiea,
Richard Maly,
Gayle Mitchell,
Colby Gonzales,
Dan Meyer,
Conor Milligan,
Clayton Morgan,
Joshua Rist,
Michelle Viss,

Benjamin Andrus,
Bradley Kyle,
Brian Willett,
Erik Withalm,
Chris Boyd,
Greg Grenbemer,
Matthew Lessard,
Rick Madsen,
Ethan Miljus,
Isaac Morris,
Tyler Starkey,
Ashley Hatleberg,
Kurt Kremers,
Corey Loftis,
Michael Westenhause

Service Desk and Networking Team :

Valerie Finger,
Brenda Miller,
David Mohney,
Chris Scott,
Michael Tran,
Michael Walker,

Jim Bischel,
Tom Brokaw,
Allan Dassonville,
Kendrick Lee,
Scott Linzmeier,
Skip Pikel

Wolf Program Team:

Derek Broman,
Roblyn Brown,
Sam Dodenhoff,

Rebecca Fuda,
Nathan Libal,
Holly Tuers Lance

Volunteer Leader Recipient:

Darleen Beall

Dave Liscia Volunteer Award Recipients:

Florence STEP

EXHIBIT D: COASTAL MULTI-SPECIES CONSERVATION AND MANAGEMENT PLAN IMPLEMENTATION

The Commission will be presented information on the implementation of the Oregon Coastal Multi-Species Conservation and Management Plan.

Staff: Dr. Chris Lorion, Conservation Planning Coordinator

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

Informational

EXHIBIT E: ACCESS AND HABITAT PROJECT FUNDING

The Commission will be asked to approve the Access and Habitat Board recommendations for project funding.

Staff: Travis Schultz, Access & Habitat Program Coordinator

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

Approval

EXHIBIT F: BIG GAME REGULATIONS 2022 TAG SETTING, SEASONS AND REGULATIONS

The Commission will be asked to approve Big Game tag numbers, seasons and regulations for 2022

Staff: Brian Wolfer, Game Program Manager

Derek Broman, Carnivore/Furbearer Coordinator

Dr. Don Whittaker, Ungulate Coordinator

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

Rulemaking

EXHIBIT G: CONSERVATION AND RECREATION FUND PROJECT APPROVALS

The Commission will be asked to approve the Conservation & Recreation Advisory Committee's recommendations for projects from the Conservation & Recreation Fund.

Staff: Davia Palmeri, Conservation Policy Coordinator

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

Approval

EXECUTIVE SESSION

This 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 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@odfw.oregon.gov or mailed to 4034 Fairview Industrial Drive SE Salem, OR 97302.

October 15, 2021 – Salem

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

- Oregon Dungeness Crab Fishery Management Plan – Rulemaking
- Rogue-South Coast Multi-Species Conservation and Management Plan – Informational
- Conservation and Recreation Fund Advisory Committee Rules – Rulemaking

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*

- A&H Project Funding – Approval
- 2022 Groundfish Fisheries Regulations and 2020 Nearshore Logbook Report – Rulemaking
- R&E Project Approval, Appointments, STEP Annual Report – Approval
- Regional Dry Maintenance Time Periods & Timing of In-Water Work to Protect Fish and Wildlife Resources – Rulemaking
- Rogue-South Coast Multi-Species Conservation and Management Plan - Rulemaking

PLEASE NOTE

AGENDA

The Commission meeting will begin at 8:00 a.m. September 17, 2021. 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 item scheduled on the Friday, **September 17** agenda, you **must register before 8:00AM Wednesday September 15, 2021; a minimum of 48 hour prior to the meeting.**

HOW TO REGISTER TO SPEAK AT THE COMMISSION MEETING

When registering to testify please provide *first and last name, topic, a valid email address, and 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@odfw.oregon.gov; in your email, the information listed above must be provided.
- 3) Call the Department at 503-947-6044

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.

PUBLIC FORUM

If you wish to give testimony on any item not scheduled elsewhere on the agenda, please contact the Director's Office, Oregon Department of Fish and Wildlife, 503.947.6044, ODFW.Commission@odfw.oregon.gov; **you must register before 8:00AM Wednesday September 15, 2021; a minimum of 48 hour prior to the meeting.** Please provide written summaries or other materials to the Commission Assistant prior to your testimony. The Commission is unable to act on items brought to their attention in this forum.

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.