



Meeting:
Friday, October 15, 2021 – 8:00 AM
Oregon Department of Fish and Wildlife
Virtual
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 Kerns, Acting West Region Manager |
| Becky Hatfield-Hyde, Commissioner | Anika Marriott, Assistant Attorney General |
| Kathayoon Khalil, Commissioner | 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, **October 15, 2021, at 8:00 AM, Chair Wahl called the Oregon Fish and Wildlife**
7 **Commission** (the Commission) meeting to order.

8
9 **DIRECTOR’S REPORT**

10
11 Field Reports – in written form only; *this report is available in the meeting materials and at*
12 [https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Oct%2015%20Field%20Repor](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Oct%2015%20Field%20Report%20.pdf)
13 [t%20.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Oct%2015%20Field%20Report%20.pdf)

14
15 Expenditure Report

16 Staff: Erica Kleiner, Deputy Director for Administration

17 Erica provided the Commission with a report that expenditures and revenue are both on track,
18 September license sales were up by 22% and ODFW unrestricted cash balance has recently
19 increased and currently sits at \$65.3 million.

20
21 *This report is available in the meeting materials and at*

22 [https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Commission%20Financial%20](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Commission%20Financial%20Report%20October%202021.pdf)
23 [Report%20October%202021.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Commission%20Financial%20Report%20October%202021.pdf)

24
25
26 **ADAPTING TO CLIMATE AND OCEAN CHANGE REPORT**

27 **“Drought Impacts on Fish and Wildlife”**

1 Chandra Ferrari, Water Program Manager

2
3 *This report is available in the meeting materials and at*
4 [https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Presentation_Drought%20](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Presentation_Drought%20Impacts%20on%20Fish%20and%20Wildlife.pdf)
5 [Impacts%20on%20Fish%20and%20Wildlife.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Presentation_Drought%20Impacts%20on%20Fish%20and%20Wildlife.pdf)
6

7 **BRIEFING FROM ELAKHA ALLIANCE ON SEA OTTER RESTORATION**

8 Bob Bailey, Elakha Alliance
9

10 *This report is available in the meeting materials and at*
11 https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Robert%20Bailey,%20Elakha%20Alliance_OFWC%20Memo%20Oct%2015%202021.pdf
12
13

14 **ODFW & OHRC DEDICATION, DR. DAVID NOAKES**

15 Curt Melcher, ODFW Director

16 Dr. Marc Johnson, OHRC Acting Director

17 [https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Directors%20re](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Directors%20report%20Dr%20Noakes%20dedication.pdf)
18 [port%20Dr%20Noakes%20dedication.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/Directors%20report%20Dr%20Noakes%20dedication.pdf)
19

20 **ADOPT TEMPORARY RULES**

21 Curt Melcher, Director
22

23 1.)635-43-0175, 635-066-0010, 635-067-0004

24 Amend Animal Parts Check-in Requirements for Roadkill Salvage of Deer/elk, &
25 Hunter Harvested Bear/cougar

26 Adopted: September 20, 2021 – Effective Dates: September 20, 2021 through March
27 18, 2022

28 Due to continued Department office closures in response to the COVID-19
29 Emergency and the expected increase of harvested animals during the hunting
30 seasons, Temporary Rules are needed to continue compliance with Governor Kate
31 Brown’s Emergency Declaration and directives designed to reduce the spread of
32 COVID-19 by reducing social contact.
33

34 2.)635-039-0085

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

36 Adopted 9/20/2021: effective 9/24/2021 through 9/30/2021.

37 This amended rule adds one fishing period on September 24 in the Columbia River
38 Subarea all depth recreational Pacific halibut fishery.
39

40 3.)635-014-0090

41 Open angling in Big Creek earlier than scheduled

42 Adopted 9/23/2021: effective 10/1/2021 through 10/15/2021.

43 This amended rule opens Big Creek to angling from October 1 through Oct.15, 2021.
44
45
46

47 4.)635-041-0075

48 Treaty Commercial Fall Salmon Fisheries Set

1 Adopted 9/23/2021: effective 9/27/2021 through 12/31/2021.
2 These amended rules authorize the sales of fish caught in Zone 6 Treaty gillnet fall
3 fisheries landed during an open period from September 27 through October 1.
4 Modifications are consistent with actions taken by the Departments of Fish and
5 Wildlife for the States of Oregon and Washington at a meeting of the Columbia River
6 Compact on 9/22/2021.

7
8 5.)635-042-0032

9 Set Columbia River Non-Treaty Late Fall Commercial Tangle Net Salmon Fishery
10 Adopted 9/23/2021: effective 9/27/2021 through 12/31/2021.

11 This rule authorizes fifteen late fall non-Treaty commercial tangle net fisheries in
12 Zones 1-3 of the lower Columbia River.

13 Modifications are consistent with action taken September 22, 2021 by the
14 Departments of Fish and Wildlife for the States of Oregon and Washington at a
15 meeting of the Columbia River Compact.

16
17 6.)635-042-0060

18 Add Periods to Non-Treaty Columbia River Commercial Mainstem Fall Fisheries

19 Adopted 9/23/2021: effective 9/26/2021 through 12/31/2021.

20 This rule authorizes fishing periods on September 26 through 27 and September 29
21 through 30 during the fall non-Treaty commercial gillnet fishery in the lower
22 Columbia River.

23 Modifications are consistent with actions taken by the Departments of Fish and
24 Wildlife for the States of Oregon and Washington at a meeting of the Columbia River
25 Compact on 9/22/21.

26
27 7.)635-018-0090

28 Angling Closures to Protect Steelhead in the Deschutes River

29 Adopted 9/28/2021: effective 10/1/2021 through 12/31/2021.

30 These amended rules increase protections for wild summer steelhead by closing
31 angling for steelhead in the Deschutes River downstream of Pelton Reregulating
32 Dam. Additionally, the rule constrains other fisheries (coho) which typically target
33 steelhead, or where anglers may encounter higher numbers of steelhead (below
34 Moody Rapids).

35
36 8.)635-048-0005

37 Allow Youth to Hunt with a Supervising Adult after Passing Classroom Component of Hunter
38 Education

39 Adopted: September 30, 2021 – Effective Dates: September 30, 2021, through March
40 28, 2022

41 A temporary rule is needed to modify OAR 635-048-0005 (2) to suspend the
42 requirement for an individual less than 18 years of age to attend a field day prior to
43 hunting. Field day training includes and requires close contact of individuals, such as
44 when handling guns from one person to another, when helping people through fences,
45 and other critical components of safe gun handling.

46 9.)635-019-0090

47 Open Grande Ronde River Coho Salmon Fishery

1 Adopted 9/30/2021: effective 10/1/2021 through 12/31/2021.
2 This amended rule opens a recreational coho fishery on the Grande Ronde River from
3 October 1 through November 30.

4
5 10.) 635-023-0130

6 Modify 2021 Columbia River Fall Recreational Fisheries

7 Adopted 9/30/2021: effective 10/1/2021 through 12/31/2021.

8 This amended rule opens Chinook retention in the Columbia River from Bouy 10
9 upstream to Bonneville Dam from October 1 through October 31.

10 Modifications are consistent with actions taken by the Departments of Fish and
11 Wildlife for the States of Oregon and Washington at a meeting of the Columbia River
12 Compact on 9/29/21.

13
14 11.) 635-041-0075

15 Treaty Commercial Fall Salmon Fisheries Set

16 Adopted 10/1/2021: effective 10/4/2021 through 12/31/2021.

17 These amended rules authorize the sales of fish caught in Zone 6 Treaty gillnet fall
18 fisheries landed during an open period from October 4 through October 7 and
19 October 11 through October 14.

20 Modifications are consistent with actions taken by the Departments of Fish and
21 Wildlife for the States of Oregon and Washington at a meeting of the Columbia River
22 Compact on 9/29/2021.

23
24 12.) 635-042-0060

25 Add Periods to Non-Treaty Columbia River Commercial Mainstem Fall Fisheries

26 Adopted 10/1/2021: effective 10/3/2021 through 12/31/2021.

27 This rule authorizes four fishing periods between October 3 and October 14 during
28 the fall non-Treaty commercial gillnet fishery in the lower Columbia River.

29 Modifications are consistent with actions taken by the Departments of Fish and
30 Wildlife for the States of Oregon and Washington at a meeting of the Columbia River
31 Compact on 9/29/21.

32
33 13.) 635-021-0090

34 Eliminate Size, Bag, and Gear Limits in Malheur Reservoir Due to Low Water
35 Conditions

36 Adopted 10/7/2021: effective 10/11/2021 through 12/31/2021.

37 This rule will temporarily lift all size (minimum and maximum) and daily limits in
38 Malheur Reservoir through December 31. All gear restrictions will also be lifted for
39 this fishery.

40
41 14.) 635-005-0355

42 Close Tillamook Bay Commercial Dive Gaper Fisheries

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

44 Rule modifications are needed to close the Tillamook Bay commercial gaper clam
45 dive fishery due to attainment of the annual harvest quota.

46 15.) 635-014-0090

47 Modify Individual Tillamook Bay Bag Limit

1 Adopted 10/13/2021: effective 10/14/2021 through 10/15/2021.
2 This amended rule allows Mr. Lance Craig, sponsored by Salmon for Soldiers, to
3 retain one adult wild coho salmon as part of his daily salmon bag limit during a
4 fishery on October 14 in Tillamook Bay.

5
6 Action:

7 Commissioner Spelbrink moved to ratify the **15** temporary rules set forth in the
8 today's agenda. Commissioner Zarnowitz seconded the motion, and the motion
9 carried unanimously, seven (7) in favor.

10
11 **OTHER BUSINESS**

12 2021 Art Contest Judging- Commissioner Jill Zarnowitz

13
14 **COMMISSION UPDATES**

15 Beaver Management Working Group Update
16 Trap Check Times Working Group Update
17 Wildlife Response Working Group

18
19 **PUBLIC FORUM**

20 Note: This part of the agenda was for comments on topics not scheduled elsewhere on the
21 agenda.

22
23 *North Umpqua Coalition proposal to pause of the summer steelhead hatchery program for*
24 *ten years.*

25 *Tracy Strain*

26
27 *The Value of Native Hatchery Fish Production*

28 *Anna Krug*

29 *Leonard Krug*

30
31 *Importance of Hatchery and Harvest*

32 *John Ward*

33
34 *Rebuilding of Rock Creek Hatchery on The North Umpqua*

35 *Davis Grosjacques*

36
37 *Coquille Wild Fish Problems*

38 *Cliff Lance*

39
40 *The Economic Impacts to Small Communities of Decisions Made by The Commissioners.*

41 *Roger Lindquist*

42
43 *Governor's Disaster Declaration and what it means to our communities*

44 *Stan Steele*
45

1 *Urge the Governor to declare the 2021 summer steelhead sport fishing season a disaster as*
2 *a first step to seek economic relief and transition assistance for Oregon's steelhead fishing*
3 *small business sector.*

4 *David Moskowitz*

6 *Desert Springs Trout Farm*

7 *Thomas MacDonald*

8
9 **Exhibit A: COMMISSION MINUTES**

10 Action:

11 Commissioner Zarnowitz moved to approve the September 17, 2021, meeting minutes with
12 continued authority to correct grammar and punctuation. Commissioner Labhart seconded the
13 motion, and the motion was carried seven (7) in favor.

14
15 **Exhibit B: OREGON CONSERVATION & RECREATION FUND RULE AMENDMENT**
16 **AND FUNDING APPROVALS**

17 The Commission amended OAR 635-098-0040 related to membership on the Oregon Conservation
18 and Recreation Advisory Committee to conform with House Bill 2171. The Commission also
19 approved recommendation to expend OCRF funds for staff support for the program and for the
20 project, "Sea Otter Restoration Community Engagement."

21
22 Staff: Davia Palmeri, Conservation Policy Coordinator

23 *Presentation:* Davia provided the Commission with a presentation including an update
24 from the Conservation and Recreation Advisory Committee, proposed rule amendments, House
25 Bill 2171, proposed changes to committee membership including term limits and
26 recommendation for OFRC funding recommendation.

27
28 *This presentation is located in the commission material and can be viewed at*

29 [https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/B/Exhibit%20B_Presentation.](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/B/Exhibit%20B_Presentation.pdf)
30 [pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/B/Exhibit%20B_Presentation.pdf)

31
32 **Public Testimony**

Mitchel Gregg, Bend	
Tom Rumreich, Salem	
Ty Wyatt, Vancouver	Alaska Charter Boat Captain
Douglas Buck, Reedsport	STEP
Joe Rutter, Port Townsend	
Conner Bierat, Columbus	
John Jones, Martin City	

33 Rulemaking and Approval

1
2 Action:
3 ISSUE 1:

4 Commissioner Zarnowitz moved to amend OAR Chapter 635, Division 098, 0040 as
5 proposed by staff. Commissioner Spelbrink seconded the motion, and the motion was carried
6 seven (7) in favor.

7
8 ISSUE 2:

9 Commissioner Labhart moved to approve expenditure from the Oregon Conservation and
10 Recreation Fund to support a full-time position to support the Oregon Conservation and Recreation
11 Fund program and expenditure of up to \$65,000 for the project, “Sea Otter Restoration Community
12 Engagement” contingent upon the receipt of restricted donations of up to \$50,000.

13 Commissioner Wolley seconded the motion, and the motion was carried seven (7) in favor.

14
15 **Exhibit C: OREGON DUNGENESS CRAB FISHERY MANAGEMENT PLAN**

16 The Commission approved the Oregon Dungeness Crab Fishery Management Plan for commercial
17 and recreational fisheries and adopted implementing regulations.

18
19 Staff: Dr. Caren Braby, Marine Resources Program Manager

20 Presentation: Dr. Braby provided the Commission with a presentation on the
21 Dungeness crab fishery sectors; Fishery Management Plan and recommended regulatory
22 modifications package.

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

25 [https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/C/Exhibit%20C_Presentation](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/C/Exhibit%20C_Presentation%20for%20Web.pdf)
26 [%20for%20Web.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/C/Exhibit%20C_Presentation%20for%20Web.pdf)

27
28 Public Testimony

Gway Kirchner	The Nature Conservancy
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29 Rulemaking

30
31 Action:

32 Commissioner Spelbrink moved to amend OAR Chapter 635; Division 005,006, and 012 as
33 proposed by staff in attachment 3. Commissioner Hatfield -Hyde seconded the motion and the
34 motion was carried seven (7) in favor.

35
36 **EXHIBIT D: ROGUE-SOUTH COAST MULTI-SPECIES CONSERVATION AND**
37 **MANAGEMENT PLAN**

38 The Commission was provided an informational briefing about the Rogue-South Coast Multi-
39 Species Conservation and Management plan.

40
41 Staff: Dr. Chris Lorion, Conservation Planning Coordinator

42 Dan VanDyke, District Fish Biologist

43 Presentation: Dr. Lorion provided the Commission with a presentation on the
44 Native Fish Conservation Policy, the Rouge South Coast planning and development process,
45 species and populations, current status, climate and ocean change, assessment desired status. The
46 report included limiting factors, management strategies and actions, implementation, habitat

1 strategies and actions, water quality and quantity, and habitat access. Other species actions,
2 hatchery actions fishing actions, and winter steelhead fishing, research and monitoring were also
3 included in the report.
4

5 *This presentation is located in the commission material and can be viewed at*
6 [https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/D/Exhibit%20D_Presentation](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/D/Exhibit%20D_Presentation%20for%20Web.pdf)
7 [%20for%20Web.pdf](https://www.dfw.state.or.us/agency/commission/minutes/21/10_Oct/D/Exhibit%20D_Presentation%20for%20Web.pdf)

8 Public Testimony

Senator Jeff Golden, Ashland	Oregon Legislature
Commissioner Court Boice, Curry County	Curry County Commission
Representative David Brock Smith, Port Orford	Oregon Legislature
Representative Suzanne Weber, Tillamook	Oregon Legislature
Commissioner Bob Main, Coquille	Coos County Commissioner
Representative Boomer Wright, Reedsport	Oregon Legislature
Leonard Krug, Brookings	Oregon Angles Association
John Ward, North Bend	
Stephen Godin, Scottsburg	Oregon Coast Anglers
Roger Lindquist, Gold Beach	Curry Anadromous fishermen
Joseph Janowicz, Gold Beach	Curry Anadromous fishermen
Anna Krug, Brookings	Oregon Anglers Alliance
Tracey Strain, OR	
Steve Beyerlin, Gold Beach	Curry County
Cliff Lance, OR	
Josh Bettsworth, Coos Bay	Englund Marine
Kirk Blaine, Roseburg	Native Fish Society
Bryan Sohl, Ashland	Native Fish Society
Mark Mason, Myrtle Point	

Alec Underwood, Missoula	
Nick Chambers, Index	
Landon Mace, Bend	
Richard Nawa, Selma	Klamath Siskiyou Wildlands Center
Stephen Maher, Eugene	Oregon Council, Fly Fishers International
Elliott Adler, Brooklyn, NT	The Drake Magazine
Elizabeth Perkin, Beaverton	Native Fish Society
Mike Brinkley, Eugene	
Mark Sherwood, Gold Beach	Native Fish Society
Dave Kuehn, Brookings	Oregon South Coast Fishermen
Marcus Mattioli, Medford	
Rob Atwill, Gold Beach	
Jason Atkinson, Gold Hill	Pastors Monday
Stuart Warren, Phoenix	Stuart Warren Fly Fishing
Richard Duncan Kerst, Portland	ZGF Architects
Shane Stalling, Coos Bay	
Graham Banks, Bandon	
Steve Scow, Medford	
Chris Stout, Flanders	
Brian Cowen, Seattle	
Richard Harrington, Oregon City	
Emily Bowes, Ashland	Rogue River Keeper
Charles Gehr, Talent	Native Fish Society
Cole Baker, Portland	

Nick Workhoven, Coos Bat	
Harvey Young, Central Point	
Dave Lacey, Gold Beach	South Coast Tours LLC
Reese Bender, Bandon	South Coast Naglers STEP Association
Harry Piper, Ashland	Rogue Fly Fishers
Kayla Lockhart, Portland	952-686-3441
Rachel Andras, Talent	Andras Outfitters
John Hanousek, Boise	
Matthew Millette, Hood River	
Clark Rector, Portland	
Shandy Danford, Oakland	
Matthew Sloat, Corvallis	Wild Salmon Center
Tim Elder, Ashland	Wild Salmon Center
Jake Crawford, Ashland	
Richard Heap, Brookings	
Timm Slater, Coos Bay	Bay Area Chamber of Commerce
Josh Pruden, Brookings	
Dean Finnerty, Scottsburg	Trout Unlimited
Patrick Perry, Portland	
Dwight Doty, Waco	
Jeremiah Houle, Bend	
Chris Sheline, Portland	
Joe Rutter, Port Townsend	

Peter Tronquet, South Beach	Native Fish Society
Richard Dyer, Sisters	
Chris Armstrong, Dunsmuir	
Lloyd Williamson, Medford	
Sunny Capper, Brookings	
Ben Leyva, Portland	
John Pogue, Jacksonville	
Alex Gonsiewski, Maupin	
David Moskowitz, Portland	The Conservation Angler
Matthew Lund, McMinnville	
John Jones, Martin City	
Johannes Beeby, Fort Collins	
Nathan T, Portland	
Jennifer LaFollette, West Linn	On the Swing Fly Fishing LLC
Chris Daughters, Eugene	The Caddis Fly Angling Shop
Charlie Schneider, Petaluma	Redwood Empire Trout Unlimited
Ty Wyatt, Vancouver	
Mitchel Gregg, Bend	
Dave Grosjacques, Merlin	

- 1 Informational
- 2
- 3 Chair Wahl adjourned the meeting at 5:34 p.m.