



Oregon Fish and Wildlife Commission Agenda

Meeting:
Friday, October 15, 2021 - 8:00 AM
Oregon Department of Fish and Wildlife
Virtual Meeting
4034 Fairview Industrial DR SE
Salem, OR 97302

Friday, October 15, 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

“Drought Impacts on Fish and Wildlife”

Chandra Ferrari, Water Program Manager

BRIEFING FROM ELAKHA ALLIANCE ON SEA OTTER RESTORATION

Bob Bailey, Elakha Alliance

ODFW & OHRC DEDICATION, DR. DAVID NOAKES

Curt Melcher, ODFW Director

Dr. Marc Johnson, OHRC Acting Director

ADOPT TEMPORARY RULES

Curt Melcher, Director

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

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

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

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

2.) 635-039-0085

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

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

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

3.) 635-014-0090

Open angling in Big Creek earlier than scheduled

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

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

4.) 635-041-0075

Treaty Commercial Fall Salmon Fisheries Set

Adopted 9/23/2021: effective 9/27/2021 through 12/31/2021.

These amended rules authorize the sales of fish caught in Zone 6 Treaty gillnet fall fisheries landed during an open period from September 27 through October 1.

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

5.) 635-042-0032

Set Columbia River Non-Treaty Late Fall Commercial Tangle Net Salmon Fishery

Adopted 9/23/2021: effective 9/27/2021 through 12/31/2021.

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

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

6.) 635-042-0060

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

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

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

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

7.) 635-018-0090

Angling Closures to Protect Steelhead in the Deschutes River

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

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

8.) 635-048-0005

Amend Cooperative Travel Management Areas Regulations for 2021 Hunting Seasons

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

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

9.) 635-019-0090

Open Grande Ronde River Coho Salmon Fishery

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

This amended rule opens a recreational coho fishery on the Grande Ronde River from October 1 through November 30.

10.) 635-023-0130

Modify 2021 Columbia River Fall Recreational Fisheries

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

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

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

11.) 635-041-0075

Treaty Commercial Fall Salmon Fisheries Set

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

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

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

12.) 635-042-0060

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

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

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

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

13.) 635-021-0090

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

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

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

14.) 635-005-0355

Close Tillamook Bay Commercial Dive Gaper Fisheries

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

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

15.) 635-014-0090

Modify Individual Tillamook Bay Bag Limit

Adopted 10/13/2021: effective 10/14/2021 through 10/15/2021.

This amended rule allows Mr. Lance Craig, sponsored by Salmon for Soldiers, to retain one adult wild coho salmon as part of his daily salmon bag limit during a fishery on October 14 in Tillamook Bay.

OTHER BUSINESS

Art Contest Judging

COMMISSION UPDATES

Beaver Management Working Group Update
Trap Check Times Working Group Update
Wildlife Response Working Group

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, October 13, 2021 (at least 48 hours prior to the meeting) to be included in the public forum).

*North Umpqua Coalition proposal to pause of the summer steelhead hatchery program for ten years.
Tracy Strain*

*The Value of Native Hatchery Fish Production
Anna Krug
Leonard Krug*

*Importance of Hatchery and Harvest
John Ward*

*Rebuilding of Rock Creek Hatchery on The North Umpqua
Davis Grosjacques*

*Coquille Wild Fish Problems
Cliff Lance*

*The Economic Impacts to Small Communities of Decisions Made by The Commissioners.
Roger Lindquist*

*Governor's Disaster Declaration and what it means to our communities
Stan Steele*

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

*Desert Springs Trout Farm
Thomas MacDonald*

EXHIBIT A: COMMISSION MINUTES

The Commission will be asked to approve draft Commission meeting minutes from September 17, 2021.

EXHIBIT B: OREGON CONSERVATION & RECREATION FUND RULE AMENDMENT AND FUNDING APPROVALS

The Commission will be asked to amend OAR 635-098-0040 related to membership on the Oregon Conservation and Recreation Advisory Committee to conform with House Bill 2171. Review and approve recommendation to expend OCRF funds for staff support for the program and for the project, "Sea Otter Restoration Community Engagement."

Staff: Davia Palmeri, Conservation Policy Coordinator
Public Testimony: 48-hour Advance [Registration](#) Required
Rulemaking

EXHIBIT C: OREGON DUNGENESS CRAB FISHERY MANAGEMENT PLAN

The Commission will be asked to approve the Oregon Dungeness Crab Fishery Management Plan for commercial and recreational fisheries and adopt implementing regulations.

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

EXHIBIT D: ROGUE-SOUTH COAST MULTI-SPECIES CONSERVATION AND MANAGEMENT PLAN

The Commission will be provided information about the draft Rogue-South Coast Multi-Species Conservation and Management Plan.

Staff: Dr. Chris Lorion, Conservation Planning Coordinator
Public Testimony: 48-hour Advance [Registration](#) Required
Informational

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.

November 4, 2021, 2:00-4:00 PM -Salem

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

- List of state agencies the department will consult related to Marbled Murrelet endangered species management plans – Approval

December 17, 2021 – Salem

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

- A&H Project Funding and Rulemaking – Approval/Rulemaking
- 2022 Groundfish Fisheries Regulations and 2020 Nearshore Logbook Report – Rulemaking
- R&E Project Approval, Appointments, STEP Annual Report – Approval
- Rogue-South Coast Multi-Species Conservation and Management Plan – Rulemaking
- Include Bighorn Sheep in Tags for Terminally Ill Children Program -Rulemaking
- Include Elk in Urban Deer Population Program - Rulemaking
- Free Daily Angling Licenses to Organizations for Excursions with Veterans and Service Members (Implement Senate Bill 320) - Rulemaking

January 14, 2022– Salem

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

February 17, 2022– Salem

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

March 18, 2022 – Salem

**Written public comment period will open January 15, 2022*

April 22, 2022 – Salem

**Written public comment period will open February 15, 2022*

May 13, 2022 – HOLD *No Meeting Scheduled*

**Written public comment period will open March 15, 2022*

June 17, 2022 – Salem

**Written public comment period will open April 15, 2022*

July 15, 2022 – HOLD *No Meeting Scheduled*

**Written public comment period will open May 15, 2022*

August 5, 2022 – Salem

**Written public comment period will open June 15, 2022*

September 16, 2022 – Salem

**Written public comment period will open July 15, 2022*

October 14, 2022 – Salem

**Written public comment period will open August 15, 2022*

November 18, 2022 – HOLD *No Meeting Scheduled*

**Written public comment period will open September 15, 2022*

December 16, 2022 – Salem

**Written public comment period will open October 15, 2022*

PLEASE NOTE

AGENDA

The Commission meeting will begin at 8:00 a.m. October 15, 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, **October 15** agenda, you ***must register before 8:00AM Wednesday October 13, 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 ways 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 October 13, 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.