



Oregon Fish and Wildlife Commission Agenda

Meeting:
Friday, January 14, 2022 - 8:00 AM
Oregon Department of Fish and Wildlife
Virtual Meeting
4034 Fairview Industrial DR SE
Salem, OR 97302

Friday, January 14, 2022

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

DIRECTOR'S REPORT

FIELD REPORTS – in written form only

EXPENDITURE REPORT

Shannon Hurn, Deputy Director

ADAPTING TO CLIMATE AND OCEAN CHANGE REPORT

Culvert Repair Agreement and Coldwater Refugia Access
Pete Baki, ODFW/ODOT Fish Passage Liaison

ADOPT TEMPORARY RULES

Curt Melcher, Director

1.) 635-006-0210

Require Electronic Fish Tickets for the Commercial Clam Fisheries

Adopted 12/21/2021: effective 12/28/2021 through 12/31/2021.

This revised rule requires dealers to submit electronic fish tickets for commercial harvest of intertidal and subtidal clams (except razor clams) through December 21, 2021.

2.) 635-018-0090, 635-019-0090, and 635-023-0125

Angling Closures to Protect Steelhead in the Columbia River Above The Dalles Dam and Several Tributaries

Adopted 12/22/2021: effective 1/1/2022 through 5/31/2022.

These amended rules increase protections for wild summer steelhead in the Columbia River Basin by closing angling in the Columbia River above The Dalles Dam and in several tributaries.

3.) 635-023-0134

Reduce Steelhead Bag Limit on Lower Snake River

Adopted 12/22/2021: effective 1/1/2022 through 4/30/2022.

These amended rules reduce the daily bag limit for steelhead to two from three hatchery fish per day in the Snake River from January 1 to April 30, 2022.

4.) 635-016-0090

Revises Wild Spring Chinook Fishery in the Umpqua River

Adopted 12/22/2021: effective 2/1/2022 through 6/30/2022.

This amended rule prohibits retention of all wild Chinook on the Mainstem Umpqua River and reduces the number retained daily on the North Umpqua River while allowing for retention of hatchery Chinook salmon from February 1 through June 30.

5.) 635-023-0095

Reduce Sturgeon Retention Season in The Dalles Pool and Tributaries

Adopted 12/29/2021: effective 1/1/2022 through 6/26/2022.

This amended rule reduces the recreational retention season for white sturgeon on the mainstem Columbia River in The Dalles Pool (The Dalles Dam upstream to the John Day Dam) and all adjacent tributaries. Retention will only be allowed on Mondays, Wednesdays, and Saturdays from January 1 through January 26.

6.) 635-0067-0032, 635-067-0034

Amend Bighorn Sheep Auction and Raffle Tag Open Areas

Adopted: January 1, 2022 – Effective Dates: January 1, 2022 through June 29, 2022

Each year one bighorn sheep tag is issued through auction and one bighorn sheep tag is issued through raffle, with proceeds funding bighorn sheep management. The area open to hunting with these tags is limited to areas where bighorn sheep hunts and tags have been issued for the current year. The Fish and Wildlife Commission approved a rule modification to the Tags for Terminally Ill Children Program allowing up to one bighorn sheep hunting opportunity to be provided each year to a qualified child but only in an area not compatible with normal season and tag opportunities. This opportunity for a qualified child may be offered in 2022. Temporary rules are needed to clarify that the open area to hunt with bighorn sheep auction and raffle tags is limited to areas with controlled bighorn sheep hunts and controlled tags issued for the current year, which does not include the potential open area for a bighorn sheep hunting opportunity provided through the Tags for Terminally Ill Children Program.

7.) 635-017-0090

Allow Temporary Use of Two Rod Validation in Lower Willamette River

Adopted Date Adopted 1/10/2022: effective 3/1/2022 through 8/15/2022.

The proposed rule amendment would allow for the use of the two-rod validation in the lower Willamette River while fishing for all game and non-game fish species, except sturgeon. The area includes the lower Willamette River downstream of Willamette Falls (including Multnomah Channel), and that portion of the Clackamas River downstream of the Highway 99 Bridge (just upstream of the confluence with the Willamette).

OTHER BUSINESS

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, January 12, 2022 (at least **48** hours prior to the meeting) to be included in the public forum).*

Investigating the Potential for an Electronic Logbook for Oregon's Commercial Dungeness Crab Fishery

Gway Kirchner, The Nature Conservancy

Dungeness Crab Fishery Regulation Issues

Precautions to Prevent the Spread of Chronic Wasting Disease in Oregon Deer and Elk
Justin Yager

Fish Passage Laws
Brian Posewitz, WaterWatch

North Umpqua River Concerns
Lyle Curtis, Oregon Anglers Alliance
Columbia River Fisheries Management
Steve Fick
Jim Wells

PacifiCorp's Chewaucan River Project, Lake County. New closed-loop pumped storage hydropower project proposal
Bob Sallinger, Audubon Society of Portland

EXHIBIT A: COMMISSION MINUTES

The Commission will be asked to approve draft Commission meeting minutes from December 17, 2022.

EXHIBIT B: AMEND ACREAGE OF ACCESS AND HABITAT PROJECT

The Commission will be asked to amend description of the Heppner Regulated Hunt Area.
Staff: Travis Schultz, Access & Habitat Program Coordinator
Public Testimony: 48-hour Advance [Registration](#) Required
Approval and Rulemaking

EXHIBIT C: CONSERVATION AND RECREATION FUND PROJECT APPROVAL

The Commission will be asked to approve the Conservation and Recreation Fund Advisory Committee recommendations for project.
Staff: Davia Palmeri, Conservation Policy Coordinator
Public Testimony: 48-hour Advance [Registration](#) Required
Approval

EXHIBIT D: RESTORATION AND ENHANCEMENT PROJECT APPROVAL AND BOARD APPOINTMENT

The Commission will be asked to approve the Recreation and Enhancement Boards project recommendation and appoint two Boards members.
Staff: Kevin Herkamp, STEP and R&E Program Coordinator
Public Testimony: 48-hour Advance [Registration](#) Required
Approval and Appointment

EXHIBIT E: SCHEDULE OF DAMAGES FOR COMMERCIAL FISHING VIOLATIONS

The Commission will be asked to establish average market values of food for determining damages related to commercial fishing violations.
Staff: John Seabourne, Fish Division Operations Manager
Public Testimony: 48-hour Advance [Registration](#) Required
Rulemaking

EXHIBIT F: COUNCIL ON OCEAN ACIDIFICATION AND HYPOXIA MEMBER APPOINTMENTS

The Commission will be asked to appoint/reappoint two members to the Oregon Coordinating Council on Ocean Acidification and Hypoxia.
Staff: Dr. Charlotte Regula-Whitefield, Ocean Acidification Policy Coordinator
Public Testimony: 48-hour Advance [Registration](#) Required
Appointment

EXHIBIT G: JUMP CREEK FISH PASSAGE EXEMPTION

The Commission will be asked to approve fish passage exemptions for ten artificial barriers on Jump Creek in the Silvies Basin.

Staff: Katherine Nordholm, Fish Screens and Passage 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.

February 17, 2022– Salem

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

- ODFW-ODOT Culvert Repair Agreement- *Approval*
- Regional Dry Maintenance Time Periods- *Rulemaking*
- Indian Creek Fish Passage Waiver- *Approval*
- ODFW-ODOT Culvert Repair Agreement- *Approval*
- Commercial Market Squid Management Measures- *Rulemaking*
- ODFW and Grand Ronde Tribe MOU for Shellfish- *Rulemaking*
- Shellfish Mariculture Transport Biosecurity Regulation Updates – *Rulemaking*
- Lower Columbia River White Sturgeon Update - *Informational*

March 18, 2022 – Salem

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

- Administrative Rules for Environmental Restoration Weirs (HB 2298)-*Rulemaking*
- Access and Habitat Project Funding- *Approval*
- Beaver Management and Trap Check Review Working Group

April 22, 2022 – TBD

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

- 2022-2023 Oregon Game Bird Regulations - *Rulemaking*

May 13, 2022 – HOLD *No Meeting Scheduled*

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

June 17, 2022 – TBD

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

- Furbearer and Unprotected Mammal Regulations – *Rulemaking*
- Access and Habitat Project Funding- *Approval*
- 2023 Auction/Raffle Tag Allocation- *Approval*

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 – TBD

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

- Access and Habitat Project Funding- *Approval*
- Big Game Regulations; 2023 Tag Setting, Seasons, and Regulations- *Rulemaking*

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 – TBD

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

- Access and Habitat Project Funding- *Approval*

PLEASE NOTE

AGENDA

The Commission meeting will begin at 8:00 a.m. January 14, 2022. 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 Exhibits scheduled on the Friday, January 14 agenda, you ***must*** [Registration before 8:00AM Wednesday January 12, 2022; 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.

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, or ODFW.Commission@odfw.oregon.gov. ***You must register before 8:00AM Wednesday January 12, 2022; 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.

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.

THANK YOU FOR TAKING THE TIME TO PRESENT YOUR VIEWS

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.