



Oregon Fish and Wildlife Commission Agenda

Tour:
Thursday, December 15, 2022, 8:00 AM
Sheraton Portland Hotel
Hotel Lobby
8235 NE Airport Way
Portland, OR 97220

Meeting:
Friday, December 16, 2022 - 8:00 AM
Sheraton Portland Hotel
Mt. Adams Room
8235 NE Airport Way
Portland, OR 97720

Friday, December 16, 2022

The Fish and Wildlife Commission has moved to hybrid meetings, meaning that you have the option to attend in-person or virtually. Those who would like to provide testimony virtually must [REGISTER](#) in advance to receive a testimony link to the meeting. In-person registration will be available at the meeting.

This meeting will be live streamed to YouTube and can be viewed at <https://www.youtube.com/user/IEODFW/videos>

DIRECTOR'S REPORT

FIELD REPORTS – in written form only

EXPENDITURE REPORT

Shannon Hurn, Deputy Director for Administration

ADAPTING TO CLIMATE AND OCEAN CHANGE REPORT

ODFW Carbon Reduction Plan

In written form, discussion may occur under Other Business, if time allows

ROGUE SOUTH COAST CONSERVATION PLAN UPDATE

In written form, discussion may occur under Other Business, if time allows

ADOPT TEMPORARY RULES

Curt Melcher, Director

1.) 635-014-0090

Authorize Retention of Hatchery Coho in the Lower Skipanon River

Adopted 10/17/2022: effective 10/18/2022 through 12/31/2022.

These amended rules will allow harvest of hatchery coho in the lower Skipanon River from October 18 through December 31.

2.) 635-004-0355

Reduce Commercial Nearshore Fishery Black Rockfish Bi-monthly Trip Limit for Period 6

Adopted 10/18/2022: effective 10/18/2022 through 12/31/2022.

This rule reduces two-month cumulative trip limits for the commercial nearshore black rockfish fishery for period 6 (November thru December 2022) from 1,800 pounds to 200 pounds.

3.) 635-016-0090

Chetco and Winchuck Rivers Gear Restrictions Due to Low Water Conditions

Adopted 10/31/2022: effective 11/1/2022 through 12/31/2022.

This amended rule extends the current fly angling gear restrictions and salmon/steelhead bobber fishing rule in portions of the Chetco and Winchuck rivers through November 15.

4.) 635-067-0000

Amend Rules to Modify Season Dates for a 2022 Oregon Controlled Bighorn Sheep Hunt

Adopted: November 04, 2022 – Effective Dates: November 04, 2022 through December 31, 2022

Oregon Administrative Rules establishing season dates for 2022 controlled bighorn sheep hunts were adopted by the Commission on September 17, 2021. Amendment of these rules is necessary as a result of wildfires significantly impacting the ability of tag holders to participate in certain controlled hunts. Need for maintaining the extended rocky mountain goat season dates is also due to wildfire impacts as addressed in the temporary administrative rule certificate and order filed on September 9, 2022.

5.) 635-010-0019

Modify Dates for Specified Controlled Deer Hunts and Hunt Area Boundary for Controlled Youth Elk Hunt

Adopted: November 04, 2022 – Effective Dates: November 04, 2022 through January 01, 2023

Oregon Administrative Rules establishing season dates for 2022 controlled eastern Oregon deer hunts, deer bow hunts, and controlled elk hunts were adopted by the Commission on September 17, 2021. The “2022 Oregon Big Game Regulations” describing hunt areas and seasons was distributed in December 2021. Season dates adopted at that time included date errors for three hunts shown in the hunt tables presented to the Commission. These rule amendments are needed to correct the seasons for hunt 131R2 and hunt 640T to reflect the accurate dates published on tags for these hunts.

OAR chapter 635, division 073 also needs amendment because one of the landowners participating in an Access and Habitat Program project that provided access to tag holders for hunt 252T2 unexpectedly withdrew from the project after controlled hunt tags were drawn. This modification of the hunt area boundary for 252T2 will account for the unexpected reduction in hunter access by expanding the hunt area.

6.) 635-016-0090

Lift Temporary Low Flow Angling Closure for the Sixes River

Adopted 11/8/2022: effective 11/9/2022 through 12/31/2022.

This amended rule lifts a temporary closure that was put in place on the Sixes River to protect fall Chinook due to low water conditions.

7.) 635-005-0465

Delay Commercial Dungeness Crab Season Opening

Adopted 11/18/2022: effective 12/1/2022 through 3/31/2023.

This amended rule delays the opening date for the Oregon 2022-2023 ocean commercial Dungeness crab fishery.

8.) 635-005-0355

Close Commercial Dive Gaper Clam Fishery in Tillamook Bay

Adopted 12/9/2022: effective 12/10/2022 through 12/31/2022.

This amended rule extends the August 8 closure of the Tillamook Bay commercial dive gaper clam fishery which closed based on projections that the 235,000-pound quota would be achieved.

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, Wednesday, December 14, 2022 (at least **48** hours prior to the meeting to be included in the public forum).*

Wolves

Bea Dames, Student

Amaroq Weiss, Center for Biological Diversity

Ocean Fishing proposed law changes

Jeff Wilmarth, Pacific Pond Charter

Rogue South Coast Multi- Species Conservation and Management Plan and report

Kirk Blain, Native Fish Society

EXHIBIT A: COMMISSION MEETING MINUTES

The Commission will be asked to approve draft Commission meeting minutes from October 14, 2022.

EXHIBIT B: MEMORANDUM OF AGREEMENT WITH THE COW CREEK BAND OF UMPQUA TRIBE OF INDIANS

The Commission will be asked to approve a Memorandum of Agreement and adopt OARs to implement the terms of the agreement.

Staff: Davia Palmeri, Conservation Strategy Coordinator

Public Testimony: 48-hour Advance [REGISTER](#) required for virtual participation.

Rulemaking and Approval

EXHIBIT C: MEMORANDUM OF AGREEMENT WITH THE CONFEDERATED TRIBES OF SILETZ INDIANS

The Commission will be asked to approve a Memorandum of Agreement and adopt OARs to implement the terms of the agreement.

Staff: Davia Palmeri, Conservation Strategy Coordinator

Public Testimony: 48-hour Advance [REGISTER](#) required for virtual participation.

Rulemaking and Approval

EXHIBIT D: CONSERVATION AND RECREATION FUND EXPENDITURE APPROVAL

The Commission will be asked to approve expenditures from the Oregon Conservation and Recreation Fund (OCRF) for competitive grant projects approved at the December 6th meeting of the Oregon Conservation and Recreation Advisory Committee.

Staff: Dr. Charlotte Regula-Whitefield, OCRF Program Coordinator

Public Testimony: 48-hour Advance [REGISTER](#) required for virtual participation.

Approval

EXHIBIT E: ACCESS AND HABITAT PROJECT FUNDING

The Commission will be asked to approve project funding requests recommended by the Access and Habitat(A&H) Board at the October 17 A&H Board meeting.

Staff: Travis Schultz, Access & Habitat Program Coordinator

Public Testimony: 48-hour Advance [REGISTER](#) required for virtual participation

Approval

EXHIBIT F: RESTORATION AND ENHANCEMENT & SALMON AND TROUT ENHANCEMENT PROGRAMS REPORTS; R&E BOARD APPOINTMENTS

The Commission will be asked to approve project funding requests recommended by the R&E Board for cycle 4 of 4 for the 2021-23 biennium.

Staff: Marty Olson, R&E Program Coordinator

Public Testimony: 48-hour Advance [REGISTER](#) required for virtual participation.

Appointment

EXHIBIT G: FISH PASSAGE PROGRAM RULES

The Commission will be asked to approve revised fish passage rules.

Staff: Greg Apke, Statewide Fish Passage Program Coordinator

Dr. Shaun Clements, Deputy Fish Division Administrator

Public Testimony: 48-hour Advance [REGISTER](#) required for virtual participation.

Rulemaking

EXHIBIT H: 2023 GROUND FISH FISHERIES REGULATIONS AND 2021 NEARSHORE LOGBOOK REPORT

The Commission will be asked to adopt regulations for the 2023 recreational and commercial groundfish fisheries and to review the 2021 commercial nearshore logbook report.

Staff: Jessica Watson, Marine Fisheries Section manager

John North, Deputy Fish Division Administrator

Public Testimony: 48-hour Advance [REGISTER](#) required for virtual participation.

Rulemaking

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 of a public body with regard to current litigation or litigation likely to be filed as authorized by ORS 192.660 (2)(h).

EXHIBIT I: PETITION TO PROHIBIT COYOTE KILLING CONTESTS IN OREGON

The Commission will consider a petition received from fifteen non-government organizations requesting the Commission to promulgate rules to prohibit coyote killing contests in Oregon. The Commission will be asked to either deny the petition or accept the petition and initiate rule making proceedings. **The Commission requests comment on whether options exist for achieving the rule's substantive goals in a way that reduces the negative economic impact on businesses.**

Staff: Derek Broman; Furbearer Program Coordinator

Brian Wolfer, Wildlife Division Deputy Administrator

Public Testimony: 48-hour Advance [REGISTER](#) required for virtual participation.

Approval

OTHER BUSINESS

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.

January 13, 2023 – Salem

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

February 17, 2023 – Portland

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

March 17, 2023- Salem

**Written public comment period will open January 15, 2023*

- Access and Habitat Project Funding- Approval

April 21, 2023 – TBD

**Written public comment period will open February 15, 2023*

- Oregon Game Bird Regulations - Rulemaking

May 12, 2023 - HOLD *No Meeting Scheduled*

**Written public comment period will open March 15, 2023*

June 16, 2023 - Newport

**Written public comment period will open April 15, 2023*

- Access and Habitat Project Funding- Approval
- Auction/Raffle Tag Allocation- Approval

July 14, 2023 – HOLD *No Meeting Scheduled*

**Written public comment period will open May 15, 2023*

August 4, 2023 - Salem

**Written public comment period will open June 15, 2023*

September 15, 2023 - Bend

**Written public comment period will open July 15, 2023*

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

October 13, 2023 – Klamath Falls

**Written public comment period will open August 15, 2023*

November 17, 2023 – HOLD *No Meeting Scheduled*

**Written public comment period will open September 15, 2023*

December 15, 2023 - McMinville

**Written public comment period will open October 15, 2023*

- Access and Habitat Project Funding- Approval

PLEASE NOTE

HOW TO REGISTER TO SPEAK AT THE COMMISSION MEETING

Public Comment and Public Hearing Testimony: Regular Commission meetings allow for in-person, virtual, or written public comment. When registering to testify please provide *first and last name, topic, a valid email address, and phone number*.

Comment and testimony are limited to three minutes. All parties interested in providing public comment or testifying as part of a public hearing shall participate using one of the following methods:

- In-Person Comment: Parties interested in providing in-person verbal public comment shall fill out a “Witness Registration” form available at the meeting.
- Video or Audio Conference Call: **If you wish to give virtual testimony on Exhibits scheduled on the Friday, December 16 agenda, *YOU MUST REGISTER (REGISTER) BEFORE 8:00 AM WEDNESDAY December 14, 2022; a minimum of 48 hour prior to the meeting.*** Staff will collect contact your information and provide information on how to access the meeting to provide comment.
- Written Comment: Send to ODFW.Commission@odfw.oregon.gov or 4034 Fairview Industrial Drive SE, Salem, Oregon, 97302. 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.

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 December 14, 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.

THANK YOU FOR TAKING THE TIME TO PRESENT YOUR VIEWS

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.

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.