



Meeting:
Friday, March 17, 2023– 8:00 AM
Oregon Department of Fish and Wildlife
Commission Room/ Hybrid Meeting
4034 Fairview Industrial Dr SE
Salem, OR 97302

1
2 Notice of these meetings had been made by press release of statewide media circulation. Those
3 attending part or all the meeting included:
4

Mary Wahl, Chair	Curt Melcher, Director
Jill Zarnowitz, Vice Chair	Shannon Hurn, Deputy Director for Administration
Bob Spelbrink, Commissioner	Davia Palmeri, Acting Deputy Director for Fish and Wildlife Programs
Mark Labhart, Commissioner	Debbie Colbert, Deputy Director for Fish and Wildlife Programs
Becky Hatfield-Hyde, Commissioner	Nick Myatt, East Region Manager
Kathayoon Khalil, Commissioner	Chris Kern, West Region Manager
Leslie King, Commissioner	Brian Wolfer, Acting Wildlife Division Administrator
	Mike Harrington, Fish Division Administrator
	Sarah Reif, Habitat Division Administrator
	Michelle Tate, Executive Assistant
	Casey Thomas, Captain Oregon State Police
	Anika Marriott, Assistant Attorney General – Virtual
	Erin Donald, Assistant Attorney General

5
6 **MEETING**

7
8 On Friday, **March 17, 2023, at 8:00 AM, Chair Wahl called the Oregon Fish and Wildlife**
9 **Commission** (the Commission) meeting to order.

10
11 **DIRECTOR’S REPORT**

12
13 **Field Reports** – in written form only;

14 *This report is available in the meeting materials and at*

15 [https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/March%20%202023%](https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/March%20%202023%20Field%20Report.pdf)
16 [20Field%20Report.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/March%20%202023%20Field%20Report.pdf)

17
18 **Expenditure Report**

19 Shannon Hurn, Deputy Director for Administration

20
21 Shannon reported that ODFW’s unrestricted cash balance finished at \$59.2 million and
22 restricted cash was \$53.8 million, for a total of \$113.0 million in total ending balance. The
23 agency was scheduled to present on the Governor’s Recommended Budget March 20th and
24 21st in the Joint Ways and Means Subcommittee on Natural Resources.
25

1 *This report is available in the meeting materials and at*
2 https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/Commission%20Financial%20Report%20March%202023.pdf
3
4

5 **ADAPTING TO CLIMATE AND OCEAN CHANGE REPORT**

6 Oregon Connectivity Assessment and Mapping Project (OCAMP) Final Priority Wildlife
7 Connectivity Areas -- Dr. Rachel Wheat; Wildlife Connectivity Coordinator
8

9 *This report is available in the meeting materials and at*
10 https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/Wheat%20Commission%20March%202023%20PWCA.s.pdf
11
12

13 **ELECTRONIC LICENSING SYSTEM (ELS) UPDATES AND PLANNED**
14 **ENHANCEMENTS**

15 Ken Loffink, Administrative Services Division Administrator
16 Kara Wymore, Administrative Services Division Deputy Administrator
17 Angela Ward, Business Process Analyst
18

19 *This report is available in the meeting materials and at*
20 https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/Wheat%20Commission%20March%202023%20PWCA.s.pdf
21
22

23 **ADOPT TEMPORARY RULES**

24 The Commission ratified the following temporary rules. The five (5) temporary rules were
25 previously adopted by the director under his emergency action authority.
26

27 1.) 635-039-0080

28 Federal Actions and Management Measures Implemented for Recreational Groundfish
29 Fisheries

30 Adopted 2/24/2023: effective 3/1/2023 through 8/27/2023.

31 These amended rules adopt in-season actions previously adopted by the federal
32 government for the 2023-2024 Pacific Coast recreational groundfish fishery which
33 increase the bag limit for the long leader gear recreational fishery from 10 to 15 fish.
34

35 2.) 635-041-0063

36 Treaty rule modifications to allow sales in Bonneville and The Dalles pools setline fisheries.

37 Adopted 2/24/2023: effective 2/24/2023 through 4/30/2023.

38 This amended rule allows the sales of white sturgeon landed during setline fisheries in
39 Bonneville Pool (February 27 – March 1) and The Dalles Pool (March 6–9).
40

41 3.) 635-023-0125

42 Set recreational spring salmon season in the Columbia River

43 Adopted 2/24/2023: effective 3/1/2023 through 3/31/2023.

44 This amended rule sets the Columbia River, and modifies the Select Area, recreational
45 salmon fisheries from March 1 through June 15.
46
47

1 4.) 635-039-0090
2 Federal Actions and Management Measures Implemented for Recreational Groundfish
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6 government for the 2023-2024 Pacific Coast recreational groundfish fishery which
7 increase the bag limit for the long leader gear recreational fishery from 10 to 15 fish.
8

9 5.) 635-017-0090

10 Close Angling in Willamina Creek 200 feet below the Lower Falls

11 Adopted 3/8/2023: effective 3/9/2023 through 8/15/2023.

12 This amended rule prohibits all angling in Willamina Creek approximately 200 feet below
13 the lower falls in response to illegal targeting of winter steelhead.
14

15 Action:

16 Commissioner King moved to ratify the five (5) temporary rules set forth in the today's tan
17 agenda. Commissioner Spelbrink seconded the motion, and the motion carried unanimously,
18 seven (7) in favor.
19

20 COMMISSION UPDATES

21 Chair Wahl asked Director Melcher to come back to the Commission and provide
22 information on what the content and timing looks like for Mule Deer Plan update,
23 and when the updated Mule Deer Plan will be coming in front of the Commission.
24

25 Chair Wahl noted for the record: The Commission and staff are hearing concerns about the
26 changes to the fish passage rules associated with trap and hall that were adopted in
27 December 2022. The Commission and staff are working with the Governor's office on an
28 appropriate Government-to-Government processes with the tribes that initially raised this
29 issue. The Commission would like to hear more about this but will wait until that process
30 plays out. We are paying attention to it and are hearing that people are concerned about
31 when trap and hall could be used instead of volitional fish passage in the future. I would
32 note, as far as we know, there have been three of these in the past twenty years that the
33 department approved that are in operation. There aren't very many of these occurrences.
34 This is an important item, and we will look at it again once the Governor's office process
35 has played out.
36

37 OTHER BUSINESS

38 None
39

40 PUBLIC FORUM

41 This part of the agenda is for comments on topics not scheduled on the agenda. The Commission
42 did not act on items brought to their attention in this forum.
43

44 *Columbia River Steelhead*

45 *David Moskowitz, The Conservation Angler*
46
47

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2
3 **Exhibit A: COMMISSION MINUTES**

4 Action:

5 Commissioner Zarnowitz moved to approve the February 13, 2023, meeting minutes with
6 continued authority to correct grammar and punctuation. Commissioner Labhart seconded
7 the motion, and the motion was carried seven (7) in favor.
8

9 **Exhibit B: OREGON CONSERVATION AND RECREATION FUND (OCRF) PROJECT**
10 **APPROVAL**

11 The Commission approved the Conservation and Recreation Fund Advisory Committee’s
12 recommendations for projects from the Conservation and Recreation Fund.

13 Staff: Dr. Charlotte Regula-Whitefield, OCRF Coordinator
14

15 Presentation: Charlotte provided the Commission with a presentation on the
16 recommendation from the Oregon Conservation and Recreation Fund Committee to fund
17 the project “Let’s talk about beavers: using social science to reduce conflict and enable
18 coexistence in a changing climate”; and expenditures up to \$8,000 to support unanticipated
19 insurance requirements for a limited number of projects that were awarded funding in
20 December 2022, by the Commission.
21

22 *This presentation is located in the commission material and can be viewed at*
23 [https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/B/Exhibit%20B_Pres](https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/B/Exhibit%20B_Presentation_OCRF_3-17-23.pdf)
24 [entation_OCRF_3-17-23.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/B/Exhibit%20B_Presentation_OCRF_3-17-23.pdf)
25

26 No Public Testimony

27 Approval
28

29 Action:

30 Commissioner Hatfield-Hyde move to approve expenditures from the Oregon Conservation
31 and Recreation Fund of \$137,501 for the project “Let’s talk about beavers: Using social
32 science to reduce conflict and enable coexistence in a changing climate.”

33 Commissioner Khalil seconded the motion; and the motion was carried seven (7) in favor.
34

35 Commissioner Hatfield-Hyde moved to approve expenditures of \$8,000 to support
36 insurance requirements for a limited number of projects that were awarded funding on
37 December 16th, 2023, by the Commission. Commissioner Khalil seconded the motion; and
38 the motion was carried seven (7) in favor.
39

40 **Exhibit C: ACCESS AND HABITAT PROJECT FUNDING APPROVAL AND BOARD**
41 **MEMBER APPOINTMENT**

42 The Commission approved project funding requests recommended by the Access and
43 Habitat (A&H) Board at the January 24, 2023, A&H Board meeting and appointed a
44 Landowner Representative to the Access and Habitat Board.

45 Staff: Travis Schultz, Access and Habitat Coordinator

46 Presentation: Travis provided the Commission with information and background on the
47 three projects proposed for funding: Columbia River Plateau Habitat; Foster Ranch Habitat

1 and Access; and Oregon State Police Enforcement projects. Information regarding the three
2 applicants for the Access and Habitat Board Landowner Representative seat was also
3 provided in the presentation.

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/23/03_Mar/C/Exhibit%20C_Pres](https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/C/Exhibit%20C_Presentation_A-H_3-17-23.pdf)
7 [entation_A-H_3-17-23.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/C/Exhibit%20C_Presentation_A-H_3-17-23.pdf)
8

9 No Public Testimony
10 Rulemaking

11
12 Action:
13 Commissioner Hatfield- Hyde moved to approve the three projects recommended for
14 funding by the Access & Habitat Board. Commissioner Spelbrink seconded the motion,
15 and the motion was carried seven (7) in favor.

16
17 Commissioner Labhart moved to appoint Ron Borisch to serve a four-year term as
18 Landowner Representative on the Access & Habitat Board. Commissioner King seconded
19 the motion, and the motion was carried seven (7) in favor.

20
21 **EXHIBIT D: COMMERCIAL MARKET SQUID FISHERY REGULATIONS**

22 The Commission prohibited light boats in the commercial squid fishery and added the
23 definition of seine skiff to OAR.

24 Staff: Greg Krutzikowsky, Nearshore Policy Project Leader

25
26 Presentation: Greg provided the Commission information on market squid biology and
27 ecology; and the fishery and its management. He provided a fishery update and reported on
28 the results of staff's examination of a light boat prohibition which included surveys of
29 catcher vessels and other interested parties.

30
31 *This presentation is located in the commission material and can be viewed at*
32 [https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/D/Exhibit%20D_Mar](https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/D/Exhibit%20D_Market%20squid%20OFWC%2003-23.pdf)
33 [ket%20squid%20OFWC%2003-23.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/03_Mar/D/Exhibit%20D_Market%20squid%20OFWC%2003-23.pdf)
34

35 Public Testimony

Houston Vaughan, Gig Harbor WA -virtual; F/V Revival
Nickolas Jerkovich, Gig Harbor WA -virtual; F/V Squid A Lot
Ross Jefferson, Moxee
Jeff Oliver, Newport
Joe Mulkey
Josh Whaley
Nickolas Jerkovich JR, Gig Harbor WA - virtual

36 Rulemaking

37
38 Action:

1 Commissioner Spelbrink moved to amend OAR 635 Division 004 and 005 to adopt the
2 fishery management measures as proposed in Attachment 3. Commissioner Zarnowitz
3 seconded the motion, and the motion was carried seven (7) in favor.
4

5 **EXECUTIVE SESSION**

6 The Commission met in an executive session pursuant to ORS 192.660 (2)(f) to
7 consider information or records that are exempt by law from public inspection, and
8 consulted with legal counsel concerning legal rights and duties of a public body
9 regarding current litigation or litigation likely to be filed as authorized by ORS
10 192.660 (2)(h).
11

12 The Commission also reviewed and evaluate the employment-related performance
13 of the chief executive officer of a public body, a public officer, employee, or staff
14 member who does not request an open hearing as authorized by ORS 192.660(2)(i).
15

16 Chair Wahl adjourned the meeting at 3:17 p.m.