



Oregon Fish and Wildlife Commission Minutes

Tour:
Thursday, June 15, 2023, 8:15
Best Western Agate Beach Inn
Lobby
3019 N Coast Hwy
Newport, OR 97365

Meeting:
Friday, June 16, 2023– 8:00 AM
Best Western Agate Beach Inn
Jasper/Onyx Room/Hybrid
3109 N Coast Hwy
Newport, OR 97365

1
2 *Commission minutes are considered draft until approved by the Commission.*
3
4 Notice of these meetings had been made by press release of statewide media circulation. Those
5 attending part or all the meeting included:
6

Mary Wahl, Chair	Curt Melcher, Director
Jill Zarnowitz, Vice Chair	Shannon Hurn, Deputy Director of Administration
Bob Spelbrink, Commissioner	Debbie Colbert, Deputy Director of Fish and Wildlife Programs
Mark Labhart, Commissioner	Davia Palmer, Acting Deputy Director of Fish and Wildlife Programs
Becky Hatfield-Hyde, 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
	Erin Donald, Assistant Attorney General

7
8 **MEETING**

9
10 On Friday, **June 16, 2023, at 8:00 AM, Chair Wahl the Oregon Fish and Wildlife Commission**
11 (the Commission) meeting to order.

12
13 Commissioner Khalil excused for personal business.

14
15 **DIRECTOR’S REPORT**

16
17 Field Reports – in written form only; *this report is available in the meeting materials and at*
18 [https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/June%202023%20Field%20R](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/June%202023%20Field%20Report.pdf)
19 [eport.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/June%202023%20Field%20Report.pdf)

20
21 Expenditure Report

22 Staff: Shannon Hurn, Deputy Director for Administration
23 Shannon reported to the Commission that unrestricted cash balance finished at \$51.9 million and
24 restricted cash came in at \$55.6 million, for a total of \$107.5 million in ending balance. Total
25 product sales were 4.9% with an additional \$1.04 million than in May of 2022. The agency’s
26 budget bill (Senate Bill 5509) adheres closely to the Governor’s Recommended Budget which

1 maintained current service level, authorized some new investments but created no new programs.
2 There are several General Fund additions in Senate bill 5509, particularly for the Water Program
3 and Oregon Conservation and Recreation Fund, and Lottery Fund investment for Klamath Basin
4 native fish reintroduction coordination efforts.

5
6 *This report is available in the meeting materials and at*

7 [https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Commission%20Financial%20](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Commission%20Financial%20Report%20June%202023.pdf)
8 [Report%20June%202023.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Commission%20Financial%20Report%20June%202023.pdf)

9
10 **ADAPTING TO CLIMATE AND OCEAN CHANGE REPORT**

11 Amphibians Under a Changing Climate

12 Carylon Eckrich, Acting Strategy Species Coordinator

13 Emily VanWyk, Acting Conservation Strategy Coordinator

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

16 [https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Amphibian%20Conservation%](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Amphibian%20Conservation%20Under%20a%20Changing%20Climate.pdf)
17 [20Under%20a%20Changing%20Climate.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Amphibian%20Conservation%20Under%20a%20Changing%20Climate.pdf)

18
19 **ODFW'S ACTION PLAN FOR BEAVER MODIFIED LANDSCAPES**

20 Davia Palmeri, Acting Deputy Director of Fish and Wildlife Programs

21 Adrienne Averett, Interdivisional Beaver Coordinator

22
23 *These reports are available in the meeting materials and at*

24 [https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Action%20Plan%20for%20Be](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Action%20Plan%20for%20Beaver%20Modified%20Landscapes.pdf)
25 [aver%20Modified%20Landscapes.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Action%20Plan%20for%20Beaver%20Modified%20Landscapes.pdf) ;

26 [https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/ODFW_3YBeaverHabitatActio](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/ODFW_3YBeaverHabitatActionPlan_Final_20230616.pdf)
27 [nPlan_Final_20230616.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/ODFW_3YBeaverHabitatActionPlan_Final_20230616.pdf)

28
29 **ADOPT TEMPORARY RULES**

30 The Commission ratified the following temporary rules. These fourteen (14) temporary rules were
31 previously adopted by the director under his emergency action authority.

32 **1.) 635-041-0020**

33 **Retention Period Extension for Treaty Subsistence Fishing in the Fifteenmile**
34 **Creek Sanctuary**

35 Adopted 4/27/2023: effective 4/29/2023 through 10/17/2023.

36 Under permanent rule, the annual closure date for treaty tribal subsistence fishing
37 around the mouth of Fifteenmile Creek extends from November 16 through June 15.

38 This amended rule allows subsistence fishing in this area to resume on April 29,
39 2023, to allow access to spring Chinook salmon.

40
41 **2.) 635-017-0090**

42 **Modify Closure Dates in Willamina Creek 200 feet below the Lower Falls**

43 Adopted 5/15/2023: effective 5/21/2023 through 8/15/2023.

44 This amended rule allows angling to resume in Willamina Creek approximately 200
45 feet below the lower falls on May 22.

1 **3.) 635-005-0490**

2 **Allow Waivers to Retrieve Excess Derelict Crab Gear**

3 Adopted 5/16/2023: effective 5/16/2023 through 8/14/2023.

4 This amended rule allows state contracted vessels to recover more derelict gear
5 under a waiver issued by ODFW than the amount otherwise allowed by rule.

6
7 **4.) 635-023-0125**

8 **Adopt Recreational Spring Salmon Season in the Columbia River**

9 Adopted 5/18/2023: effective 5/19/2023 through 9/27/2023.

10 This amended rule adopts additional angling and retention opportunity for the
11 mainstem Columbia River recreational salmon fishery.

12
13 **5.) 635-023-0125**

14 **Extend Recreational Spring Salmon Season in the Columbia River**

15 Adopted 5/24/2023: effective 5/25/2023 through 9/27/2023.

16 This amended rule adopts additional angling and retention opportunity for the
17 mainstem Columbia River recreational salmon fishery downstream of Bonneville
18 Dam.

19
20 **6.) 635-016-0090**

21 **Umpqua River Thermal Refuge Closures and Increase Harvest Methods for
22 Bass in the Coquille River**

23 Adopted 5/30/2023: effective 6/1/2023 through 6/30/2023.

24 This amended rule prohibit angling at the mouth of tributaries of the Mainstem
25 Umpqua River from the Scottsburg Bridge upstream to the River Forks Park Boat
26 Ramp. This rule also allows the use of bait, spears, and spear guns to harvest
27 smallmouth bass in the Coquille River (mainstem), East Fork Coquille River, Middle
28 Fork Coquille River, North Fork Coquille River, and South Fork Coquille River
29 (mouth to USFS boundary near Powers) from June 1 through October 31.

30
31 **7.) 635-019-0090**

32 **Open Hatchery Chinook Fishing in Lookingglass Creek**

33 Adopted 5/31/2023: effective 6/3/2023 through 6/26/2023.

34 This rule allows recreational harvest of hatchery Chinook in Lookingglass Creek
35 from June 3 through June 11.

36
37 **8.) 635-042-0145**

38 **Modify Youngs Bay Select Area Commercial Fishery**

39 Adopted 5/31/2023: effective 6/1/2023 through 7/31/2023.

40 This rule modifies the 2023 spring Youngs Bay Select Area commercial fishery by
41 reducing the open hours in the current week and restricting the open area in the
42 period scheduled for next week.

43
44 **9.) 635-023-0125**

45 **Close Recreational Spring Salmon/Steelhead Season Fishery in the Columbia
46 River Downstream of Bonneville Dam**

47 Adopted 5/31/2023: effective 6/1/2023 through 9/27/2023.

1 This amended rule closes the mainstem Columbia River salmon/steelhead
2 recreational fishery downstream of Bonneville Dam.

3
4 **10.) 635-039-0085**

5 **Increase Recreational Halibut Days and Bag Limit in Central Coast and**
6 **Southern Oregon Subareas**

7 Adopted 6/2/2023: effective 6/12/2023 through 10/31/2023.

8 This amended rule provides recreational anglers additional opportunity to harvest
9 Pacific halibut by adding June 13 and June 20 to the Columbia River Subarea season
10 and increasing the bag limit to two halibut in the Central Coast and Southern Oregon
11 Subareas.

12
13 **11.) 635-023-0128**

14 **Set Recreational Salmonid Fisheries and Thermal Angling Sanctuaries in the**
15 **Columbia River During Summer Season**

16 Adopted 6/8/2023: effective 6/16/2023 through 7/31/2023.

17 This amended rule sets the Columbia River recreational salmon and steelhead
18 fisheries from June 16 through July 31 (summer season). This rule also closes
19 angling in portions of the mainstem Columbia River adjacent to the mouths of Eagle
20 Creek and the Deschutes River, and that portion of Herman creek and lagoon within
21 the Columbia River Zone beginning July 15.

22
23 **12.) 635-041-0045, 635-041-0076**

24 **Authorize Commercial Sales for Treaty Indian Summer Fisheries**

25 Adopted 6/12/2023: effective 6/16/2023 through 7/31/2023.

26 These amended rules authorize the sales of fish caught in treaty fisheries.

- 27 • Platform hook and line fisheries are open in Zone 6 (between Bonneville and
28 McNary dams) from June 16 through July 31.
- 29 • Platform hook and line fisheries are open downstream from Bonneville Dam from
30 June 16 through July 31.
- 31 • Yakama Nation Zone 6 tributary (Wind River, Drano Lake, and Klickitat River)
32 fisheries are open June 16 until further notice.
- 33 • Gillnet fisheries are open in Zone 6 (between Bonneville and McNary dams)
34 during periods from June 19 through June 21 and June 26 through June 28.

35
36 **13.) 635-019-0090**

37 **Steelhead Protections in Lower John Day River Waters**

38 Adopted 6/12/2023: effective 6/16/2023 through 6/26/2023.

39 This amended rule reduces the daily bag limit for hatchery steelhead in the lower
40 John Day River from June 16 through August 31.

41
42 **14.) 635-018-0090**

43 **Steelhead Protections in Eagle Creek and Deschutes River Waters**

44 Adopted 6/12/2023: effective 6/16/2023 through 10/11/2023.

45 This amended rule reduces the daily bag limit to one hatchery steelhead per day in
46 the lower reaches of Eagle Creek and Deschutes River from June 16 through July 14
47 to align with regulations for the adjacent mainstem Columbia River mainstem

1 enacted to provide additional protection for upriver steelhead. This rule also closes
2 angling in the Thermal Angling Sanctuary portions of Eagle Creek and the
3 Deschutes River beginning July 15.
4

5 **Action:**

6 Commissioner King moved to ratify the fourteen (14) temporary rules set forth in the June 16,
7 2023, agenda. Commissioner Spelbrink seconded the motion, and the motion carried unanimously,
8 six (6) in favor; one excused - Khalil.
9

10 **COMMISSION UPDATES**

11 Commissioner Mark Labhart provided an update on the Wildlife Corridors, Crossings, and
12 Connectivity Conference.

13 *This presentation is located in the commission material and can be viewed at*
14 [https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Wildlife%20Corr](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Wildlife%20Corridors_Crossings_Connectivity%20Conference.pdf)
15 [idors_Crossings_Connectivity%20Conference.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Wildlife%20Corridors_Crossings_Connectivity%20Conference.pdf)
16

17 **OTHER BUSINESS**

18 **PUBLIC FORUM**

19 This part of the agenda is for comments on topics not scheduled on the agenda. The Commission
20 did not act on items brought to their attention in this forum.
21
22

23 *Derelict Gear Recovery Program*
24 *Michael Pettis, Crab Fisherman*
25

26 *A Day of Celebration*
27 *Leonard Krugg, Oregon Anglers Alliance*
28

29 *Winchester Dam*
30 *Jeff Dose*
31 *Kirk Blain, Native Fish Society*
32

33 *Columbia River Wild Summer Steelhead*
34 *David Moskowitz, The Conservation Angler*
35

36 **Exhibit A: COMMISSION MINUTES**

37 **Action:**

38 Commissioner Labhart moved to approve the April 21, 2023, meeting minutes with continued
39 authority to correct grammar and punctuation. Commissioner King seconded the motion, and the
40 motion was carried six (6) in favor; one excused - Khalil.
41

42 **Exhibit B: CONSERVATION & RECREATION FUND EXPENDITURE**
43 **APPROVAL**

44 The Commission approved Oregon Conservation & Recreation Advisory Committee
45 recommendations for project funding.

46 Sarah Reif, Habitat Division Administrator
47 Reva Gillman, Acting Oregon Conservation Fund Coordinator
48

1 *This presentation slide is located in the commission material and can be viewed at*
2 [https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20B/Exhibit%20B_Prese](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20B/Exhibit%20B_Presentation_OCRF%20Project%20Approval.pdf)
3 [ntation_OCRF%20Project%20Approval.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20B/Exhibit%20B_Presentation_OCRF%20Project%20Approval.pdf)
4

5 No Public Testimony
6 Approval
7

8 Action:

9 Commissioner Hatfield-Hyde moved to approve the twenty-five (25) projects recommended for
10 funding by the Oregon Conservation and Recreation Advisory Committee as described in
11 Attachment 2. Commissioner King seconded the motion, and the motion was carried six (6) in
12 favor; one excused - Khalil.
13

14 **Exhibit C: COASTAL PELAGIC SPECIES FISHERIES REGULATIONS**

15 The Commission adopted annual coastal pelagic species (CPS) rules.

16 Gregory Krutzikowsky, Nearshore Policy, and Coastal Pelagic Species Project
17 Leader
18

19 Presentation: Greg provided the Commission with a presentation that included information on
20 Sardine biology, fishery management, science, and climate change effects overview. Information
21 on the 2023-2024 federal harvest specifications and management measures was provided.
22

23 *This presentation is located in the commission material and can be viewed at*
24 [https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Ex%20C/Ex%20C%20Comm](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Ex%20C/Ex%20C%20Commercial%20CPS%20Fisheries%20Powerpoint.pdf)
25 [ercial%20CPS%20Fisheries%20Powerpoint.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/Ex%20C/Ex%20C%20Commercial%20CPS%20Fisheries%20Powerpoint.pdf)
26

27 Public Testimony
28 Rulemaking
29

30 Action:

31 Commissioner King moved to adopt the amended OARs in Division 004 and 005 as presented by
32 staff. In attachment 3. Commissioner Spelbrink seconded the motion, and the motion was carried
33 six (6) in favor; one excused - Khalil.
34

35 **EXHIBIT D: RESTORATION AND ENHANCEMENT PROGRAM PROJECT**
36 **APPROVAL & BOARD APPOINTMENT**

37 The Commission approved the Recreation and Enhancement (R&E) Board
38 recommendations for project funding and appointed Troy Laws as the new representative
39 to the R&E Board to represent Commercial Fishing interests.
40

41 Marty Olson, R&E and STEP Programs Coordinator
42

42 No Public Testimony
43 Approval and Appointment
44
45
46
47

1 Action: ISSUE 1
2 Commissioner Labhart moved to approve the projects recommended by the Restoration and
3 Enhancement Board as set forth in Attachments 2 and 3. Commissioner Spelbrink seconded the
4 motion, and the motion was carried six (6) in favor; one excused - Khalil.

5
6 Action: ISSUE 2
7 Commissioner Spelbrink moved to appoint Troy Laws to a four-year term as a Commercial
8 Salmon Industry Representative on the Restoration and Enhancement Board. Commissioner King
9 seconded the motion, and the motion was carried six (6) in favor; one excused - Khalil.

10
11 **EXHIBIT E: ACCESS AND HABITAT PROGRAM PROJECT APPROVAL**

12 The Commission approved the Access and Habitat (A&H) Board recommendations for project
13 funding.

14 Travis Schultz, Access & Habitat Coordinator

15
16 *This presentation slide is in the commission material and can be viewed at*

17 [https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20E/Exhibit%20E_Prese](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20E/Exhibit%20E_Presentation_Access%20and%20Habitat.pdf)
18 [ntation_Access%20and%20Habitat.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20E/Exhibit%20E_Presentation_Access%20and%20Habitat.pdf)

19
20 No Public Testimony
21 Approval

22
23 Action:
24 Commissioner King moved to approve the five projects recommended for funding by the Access
25 & Habitat Board. Commissioner Spelbrink seconded the motion, and the motion was carried six
26 (6) in favor; one excused – Khalil.

27
28 **EXHIBIT F: 2023 AUCTION & RAFFLE TAG ALLOCATIONS**

29 The Commission approved recommendations of the Access and Habitat Board and ODFW staff for
30 2023 auction and raffle tag allocations.

31 Don Whittaker, Ungulate Coordinator Travis Schultz, Access and Habitat
32 Coordinator

33
34 *This presentation slide is located in the commission material and can be viewed at*

35 [https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20E/Exhibit%20E_Prese](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20E/Exhibit%20E_Presentation_Access%20and%20Habitat.pdf)
36 [ntation_Access%20and%20Habitat.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20E/Exhibit%20E_Presentation_Access%20and%20Habitat.pdf)

37
38 No Public Testimony
39 Approval

40
41 Action:
42 Commissioner King moved to approve the 2024 auction and raffle big game tag allocations as
43 proposed by staff and the A&H Board and shown in attachments 2 and 3. Commissioner Hatfield-
44 Hyde seconded the motion, and the motion was carried six (6) in favor; one excused - Khalil.

45

1 **EXHIBIT G: MEMORANDUM OF AGREEMENT BETWEEN ODFW AND THE**
2 **CONFEDERATED TRIBES OF THE COOS, LOWER UMPQUA, AND SIUSLAW**
3 **INDIANS**

4 The Commission approved a Memorandum of Agreement and adopted OARs to implement the
5 terms of the agreement.

6 Davia Palmeri, Acting Deputy Director of Fish and Wildlife Programs
7

8 Davia provided the Commission with information on the Memorandum of Agreement (MOA)
9 between ODFW and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians
10 (CTCLUSI). The presentation included relevant commission authority, authority over wildlife
11 management, and authority to enter into agreements. Davia also provided information on the
12 geographic scope, cooperative management, tribal harvests, limits and areas for tribal harvest,
13 tribal regulations, and implementation of the MOA.
14

15 *This presentation is located in the commission material and can be viewed at*
16 [https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20G/Exhibit%20G_Pres](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20G/Exhibit%20G_Presentation_CTCLUSI-ODFW%20Agreement.pdf)
17 [entation_CTCLUSI-ODFW%20Agreement.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20G/Exhibit%20G_Presentation_CTCLUSI-ODFW%20Agreement.pdf)
18

19 Public Testimony

Brian McLachlan, Portland	
Cheryl Kennedy, Chairwoman	CTGR
Ramil Beers	CTCLUSI

20 Rulemaking and Approval

21 Action:

22 Commissioner Labhart moved to approve the draft Memorandum of Agreement in Attachment 3
23 Addendum 1 and adopt new OAR 635-800-0050 as proposed by staff and shown in Attachment 4.
24 Commissioner Spelbrink seconded the motion, and the motion was carried six (6) in favor; one
25 excused - Khalil.
26
27

28 **EXHIBIT H: MEMORANDUM OF AGREEMENT BETWEEN ODFW AND THE**
29 **CONFEDERATED TRIBES OF SILETZ INDIANS**

30 The Commission approved a Memorandum of Agreement and adopted OARs to implement the
31 terms of the agreement.

32 Davia Palmeri, Acting Deputy Director of Fish and Wildlife Programs
33

34 Davia and Siletz Tribal members provided the Commission with information on the Memorandum
35 of Agreement (MOA) between ODFW and The Confederated Tribes of Siletz Indians. Tribal
36 members provided an overview of Siletz Tribal history and the tribe today. Davia's presentation
37 included information on Tribal-State resource co-management; background on the consent decree;
38 Siletz actions and preparation for a new agreement; and relevant commission authority: authority
39 over wildlife management; and authority to enter into agreements. Davia also provided information
40 on the geographic scope, cooperative management, tribal harvests, limits and areas for tribal
41 harvest, tribal regulations, and implementation of the MOA.
42

1 *This presentation is located in the commission material and can be viewed at*
2 [https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20H/Exhibit%20H_Pres](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20H/Exhibit%20H_Presentation_Siletz-ODFW%20Agreement.pdf)
3 [entation_Siletz-ODFW%20Agreement.pdf](https://www.dfw.state.or.us/agency/commission/minutes/23/06_Jun/EX%20H/Exhibit%20H_Presentation_Siletz-ODFW%20Agreement.pdf)
4
5

Public Testimony

Corinne Sams; Board of Trustees- Chairman	CTUIR
Austin Smith Jr	
Brian McLachlan, Portland	
Brad Kneaper	CTLUSI
Delores Pigsley	CTSI
Bud Lane	CTSI
Buddy Lane	CTSI
Bennil Peterson	Siletz

6 Rulemaking and Approval
7

8 Action:

9 Commissioner Spelbrink moved approve the draft Memorandum of Agreement in Attachment 3
10 and adopt new OAR 635-800-0500 as proposed by staff and shown in Attachment 4.

11 Commissioner Zarnowitz seconded the motion, and the motion was carried six (6) in favor; one
12 excused - Khalil.
13

14 **EXHIBIT I: MEMORANDUM OF AGREEMENT BETWEEN ODFW AND THE**
15 **CONFEDERATED TRIBES OF GRAND RONDE**

16 This agenda item was moved to August 4, 2023, agedna.
17

18 Chair Wahl adjourned the meeting at 3:50 p.m.