



Oregon Fish and Wildlife Commission Agenda

Tour:

Thursday, February 15, 2024; 11:00AM -2:00 PM
North Clackamas Watersheds Council
Milwaukie Presbyterian Church
2416 SE Lake Road
Milwaukie, OR 97222

Meeting:

Friday February 16, 2024 – 8:00 a.m.
Hidden Creek Community Center
5100 NE Hidden Creek DR
Hillsboro, OR 97124

Friday, February 16, 2024

*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 **virtual testimony** on an Exhibit scheduled on this agenda must **REGISTER** no less than 48 hours in advance to receive a testimony link to the meeting. To provide testimony on an agenda item in-person, registration will be available at the meeting.*

*To be added to the February 16 agenda to provide testimony **virtually or in-person** during **Public Forum** you must **contact** the Director's office no less than 48 hours advance of the meeting for approval.*

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 of Administration

ADAPTING TO CLIMATE AND OCEAN CHANGE REPORT

Advancing Resiliency of Species in the Face of a Changing Climate: Setting the Stage for 2024.

Dr. Debbie Colbert, Deputy Director of Fish and Wildlife Programs

Dr. Shaun Clements, Deputy Fish Division Deputy Administrator

GIS at ODFW

Cedric Cooney; Natural Resources Data and Systems Manager

Jon Bowers, Geographic Information Systems (GIS) Coordinator

ADOPT TEMPORARY RULES

Curt Melcher, Director

1.) 635-005-0480

Waive Replacement Crab Buoy Tag Fee

Adopted 1/29/2024: effective 1/29/2024 through 3/31/2024.

This amended rule will allow ODFW to issue replacement buoy tags to fishers without charging for the cost of the tags.

2.) 635-017-0090

Allow Temporary Use of Two Rod Validation in the Willamette River

Adopted 1/29/2024: effective 3/1/2024 through 8/28/2024.

This amended rule allows use of the two-rod validation while fishing for all species, except sturgeon, in the Lower Willamette River and tributaries from March 1 through August 15, 2024, and in the Upper Willamette River from May 1 through July 31, 2024.

3.) 635-005-0290, 635-005-0355

Implement Adaptive Management Modifications to Both the Intertidal and Subtidal Tillamook Bay Commercial Clam Fisheries

Adopted 2/7/2024: effective 2/9/2024 through 8/6/2024.

These amended rules will update the annual landing limits for the Tillamook Bay commercial bay clam dive fishery as well as prohibit the commercial harvest of intertidal cockles in Tillamook Bay during all weekends and holidays.

4.) 635-005-0355

[Correction] Implement Adaptive Management Modifications to the Intertidal and Subtidal Tillamook Bay Commercial Clam Fisheries

Adopted 2/9/2024: effective 2/12/2024 through 8/6/2024.

These amended rules will update the annual landing limits for the Tillamook Bay commercial bay clam dive fishery as well as prohibit the commercial harvest of intertidal cockles in Tillamook Bay during all weekends and holidays.

5.) 635-041-0063

Modifications to allow sales in Bonneville, The Dalles, and John Day pools treaty setline fisheries

Adopted 2/9/2024: effective 2/9/2024 through 4/30/2024.

This amended rule allows the sale of white sturgeon landed during treaty setline fisheries in Bonneville Pool (February 10–12) and The Dalles and John Day pools (February 13-20).

6.) 635-042-0145, 635-042-0160, 635-042-0170, 635-042-0180

Adopt Select Area Commercial Fisheries

Adopted 2/14/2024: effective 2/14/2024 through 7/31/2024.

These rules implement the 2024 winter, spring, and summer Select Area commercial fisheries from February 15 through July 31. The following fisheries are addressed by these rules:

- Blind/Knappa sloughs,
- Tongue Point/South Channel,
- Youngs Bay, and
- Deep River

COMMISSION UPDATES

OTHER BUSINESS

Delegation re: administrative filing associated with the rulemaking record submitted to the Oregon Court of Appeals in Civ:A182213 (*Columbia River Keeper et al., v. Oregon Fish & Wildlife Comm'n*)

Appointment of an Interim Director

The Commission will appoint an Interim Director to be effective on April 1, 2024

PUBLIC FORUM

*Note: **This part of the agenda is for comments on topics not listed elsewhere on this agenda.** Please contact the Oregon Department of Fish and Wildlife Office of the Director before 8:00 AM, Wednesday, February 14, 2024 (at least **48** hours prior to the meeting to be included in the public forum).*

Dog Training to Avoid Porcupines
Dominic Bachman

Cold Water Refuge in the Columbia River
David Moskowitz

EXHIBIT A: COMMISSION MEETING MINUTES

The Commission will be asked to approve draft Commission meeting minutes from January 12 and January 26, 2024

EXHIBIT B: OREGON LISTING DETERMINATION FOR SOUTHERN RESIDENT ORCAS

The Commission will be asked to determine if Southern Resident Orcas warrant listing as "endangered" under the Oregon Endangered Species Act.

John North, Fish Division Deputy Administrator

Howard Takata - Interim Southern Resident Orca Listing Coordinator

Mike Brown - Marine Mammal Program Leader

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

Rulemaking

EXECUTIVE SESSION

The Executive Session is held pursuant to ORS 192.660 (2)(e), (2)(f) and (2)(h), which allows the Commission to meet in executive session to conduct deliberations with persons designated by the governing body to negotiate real property transactions, to consider information or records that are exempt by law from public inspection, and to consult with legal counsel with respect to litigation filed against the Commission.

The Executive Session is held pursuant to ORS 192.660(2) (i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee, or staff member who does not request an open hearing.

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.

March 15, 2024 -Roseburg

**Written public comment period will open January 15, 2024*

A&H Project Funding – Approval

Private Forest Accord Grant Program Project Funding – Approval

Schedule of Damages - Rulemaking

April 19, 2024 -Tillamook

**Written public comment period will open February 15, 2024*

Annual Wolf Report – Director’s Report

Oregon Game Bird Regulations -Rulemaking

Pacific Halibut Fisheries -Rulemaking

Ocean Salmon Fishery- Rulemaking

Bay Clams- Rulemaking

Wildlife Habitat Conservation and Management Plan Rule Revision – Rulemaking

Mule Deer Plan-Rulemaking

May 10, 2024 -~~HOLD - No meeting scheduled.~~

June 14, 2024 -Klamath Falls

**Written public comment period will open April 15, 2024*

A&H Project Funding – Approval

OCRF Project Funding- Approval

2024 Auction Raffle Tag Allocations – Approval

Furbearer Regulations -Rulemaking

Take Permits and Disposition for Beavers – Rulemaking

Coastal Pelagic Species -Rulemaking

July 12, 2024 -~~HOLD - No meeting scheduled.~~

August 9, 2024 -Salem

**Written public comment period will open June 15, 2024*

Sage-Grouse Conservation Assessment and Strategy Plan- Rulemaking

September 13, 2024 -The Dalles

**Written public comment period will open July 15, 2024*

A&H Project Funding – Approval

Big Game Regulations- Rulemaking

October 11, 2024 -Albany

**Written public comment period will open August 15, 2024*

November 15, 2024 -~~HOLD - No meeting scheduled.~~

December 13, 2024 -Salem

**Written public comment period will open October 15, 2024*

A&H Project Funding – Approval

OCRF Project Funding- Approval

R&E Project Funding and Board Appointment - Approval

2024 Groundfish Fisheries Regulations- Rulemaking

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.

Comment and testimony are limited to three minutes or less. 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, February 16 agenda, *YOU MUST REGISTER BEFORE 8:00 AM WEDNESDAY February 14, 2024; 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, 72 hours or more, will be distributed to the Commission prior to the meeting day. Any correspondence or materials received less than 72 hours prior to the meeting will be entered into the record and when reasonably possible, will be provided to the Commissioners the day of the meeting.

PUBLIC FORUM: If you wish to give testimony virtually or in-person on any item **not listed 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 February 14, 2024; 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.

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. 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.