



Oregon Fish and Wildlife Commission Minutes

Meeting:
Thursday, June 13, 2024, 8:15
Fish and Wildlife Commission
Sleep Inn & Suites Chiloquin
34333 Hwy 97N
Chiloquin, OR 97624

Meeting:
Friday, June 14, 2024– 8:00 AM
Oregon Department of Fish and Wildlife
Hybrid Meeting
Goos oLgi gowa
35601 Choke Cherry Way
Chiloquin, OR 97624

Commission minutes are considered draft until approved by the Commission.

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

Mary Wahl, Chair	Debbie Colbert, Director
Becky Hatfield-Hyde, Vice Chair	Ken Loffink, Interim Director of Administration
Bob Spelbrink, Commissioner	Nick Myatt, East Region Manager
Mark Labhart, Commissioner	Chris Kern, West Region Manager
Kathayoon Khalil, Commissioner- virtual	Bernadette Graham Hudson, Wildlife Division Administrator
Leslie King, Commissioner	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

MEETING

On Friday, **June 14, 2024, at 8:00 AM, Chair Wahl called the Oregon Fish and Wildlife Commission** (the Commission) meeting to order.

Commissioner Hatfield-Hyde was excused from a portion of this meeting.

DIRECTOR’S REPORT

Field Reports – in written form only; *this report is available in the meeting materials and at:*
https://www.dfw.state.or.us/agency/commission/minutes/24/06_Jun/June%202024%20Field%20Report%20CRP.pdf

Expenditure Report

Ken Loffink, Interim Deputy Director for Administration

Ken reported for the month ending April 30, 2024, ODFW’s unrestricted cash balance finished at \$46.4 million and restricted cash came in at \$70.3 million, for a total of \$116.9 million in custody at State Treasury. The department finished up with public engagement meetings on May 23rd regarding ODFW’s budget development for the 2025-27 biennium.

The budget will be finalized with approval by the F&W Commission before entry into the State Budget system. The next step is posting of the Governor’s Recommended Budget before 2025 Legislative Session kicks off development of a 2025-27 Legislatively Adopted Budget.

This report is available in the meeting materials and at:

https://www.dfw.state.or.us/agency/commission/minutes/24/06_Jun/Commission%20Financial%20Report%20June%202024%20Final.pdf

ADAPTING TO CLIMATE AND OCEAN CHANGE REPORT

The importance of Oregon's high desert lakes and playas as bird migration hot spots

Emily VanWyk, Sensitive Species Conservation

Sarah Reif, Habitat Division Administrator

This report is available in the meeting materials and can be viewed at:

https://www.dfw.state.or.us/agency/commission/minutes/24/06_Jun/Climate%20Presentati on%20High%20Desert%20Lakes%20&%20Playas%20June%2014%202024.pdf

Adopt Temporary Rules

Debbie Colbert, Director, requested the Commission ratify the following temporary rules. The eleven (11) temporary rules were previously adopted by the director under his emergency action authority.

1. 635-023-0125

Reopen the recreational spring salmon fishery in the Columbia River downstream of Bonneville Dam

Adopted 5/16/2024: effective 5/17/2024 through 6/15/2024.

This amended rule will add days to the recreational salmon fishery in the Columbia River downstream of Bonneville Dam May 17-19, May 25-27, and June 12-15.

2. 635-042-0022, 635-042-0145, 635-042-0160, 635-042-0170, 635-042-0180

Adopt Non-Treaty Columbia River Commercial Mainstem Tangle Net Fishery

Adopted 5/16/2024: effective 5/20/2024 through 7/31/2024.

These amended rules authorize one commercial fishing period for hatchery salmon in commercial fishing zones 1-5 of the Columbia River downstream of Bonneville Dam on May 20 and modify allowable sales for fish harvested in the Select Areas during the mainstem commercial fishery.

3. 635-019-0520

Open hatchery Chinook salmon angling in Lookingglass Creek

Adopted 5/17/2024: effective 5/24/2024 through 7/31/2024.

This amended rule allows recreational harvest of hatchery Chinook in Lookingglass Creek from May 24 through June 14.

4. 635-023-0125

Modify the recreational spring salmon fishery in the Columbia River downstream of Bonneville Dam

Adopted 5/23/2024: effective 5/24/2024 through 6/15/2024.

This amended rule will add one additional day (May 24) to the recreational salmon fishery in the Columbia River downstream of Bonneville Dam currently scheduled for May 25-27 and June 12-15.

5. 635-005-0490

Allow waivers to retrieve excess derelict crab gear

Adopted 5/24/2024: effective 5/25/2024 through 8/14/2024.

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

6. 635-023-0125

Modify the recreational spring Chinook salmon fishery in the Columbia River downstream of Bonneville Dam

Adopted 5/30/2024: effective 6/1/2024 through 6/15/2024.

This amended rule will add 11 additional days (June 1-11) to previously-adopted dates (June 12-15) in the Columbia River recreational spring Chinook salmon fishery downstream of Bonneville Dam.

7. 635-023-0125

Modify recreational spring salmon and steelhead season in the Columbia River

Adopted 6/7/2024: effective 6/8/2024 through 6/15/2024.

This amended rule will expand the legal area to angle from a boat for salmon and steelhead below Bonneville Dam in the Columbia River through June 15. It will also open the Columbia River above Bonneville to angling for hatchery salmon and hatchery steelhead through June 15.

8. 635-023-0128

Set Recreational Salmon/Steelhead Summer Season and Enact Thermal Angling Sanctuaries in Columbia River

Adopted 6/7/2024: effective 6/16/2024 through 7/31/2024.

This amended rule sets the Columbia River recreational salmon and steelhead fisheries from June 16 through July 31 (summer season).

This rule also closes angling in portions of the mainstem Columbia River adjacent to the mouths of Eagle Creek and the Deschutes River, and that portion of Herman Creek and Lagoon within the Columbia River Zone beginning July 15.

9. 635-041-0045, 635-041-0076

Authorize Commercial Sales for Columbia River Treaty Indian Summer Fisheries

Adopted 6/7/2024: effective 6/17/2024 through 7/31/2024.

These amended rules authorize the sales of fish caught in several treaty fisheries. Sales allowed in Zone 6 (between Bonneville and McNary dams) platform and hook-and-line fisheries from June 17 through July 31.

Sales allowed in platform and hook-and-line fisheries downstream from Bonneville Dam from June 17 through July 31. Sales allowed in Yakama Nation Zone 6 tributary (Wind River, Drano Lake, and Klickitat River) fisheries from June 17 until further notice. Sales allowed in Zone 6 (between Bonneville and McNary dams) gillnet fisheries during periods from June 17 through June 19 and June 24 through June 27.

10. 635-018-0500

Steelhead Protections in Eagle Creek (Columbia River Tributary) and Deschutes River

Adopted 6/7/2024: effective 6/16/2024 through 9/18/2024.

This amended rule reduces the daily bag limit for hatchery steelhead to one fish per day in the lower reaches of Eagle Creek (Columbia River Tributary) and Deschutes River from June 16 through July 14 to align with regulations for the adjacent Columbia River mainstem enacted to provide additional protection for upriver steelhead.

This rule also closes angling in the Thermal Angling Sanctuary portions of Eagle Creek (Columbia River Tributary) and the Deschutes River beginning July 15.

11. 635-019-0500

Steelhead Protections in Lower John Day River

Adopted 6/7/2024: effective 6/16/2024 through 8/29/2024.

This amended rule reduces the daily bag limit for hatchery steelhead in the lower John Day River from June 16 through August 29, 2024.

Action:

Commissioner Labhart moved to ratify the eleven (11) temporary rules set forth in the today's tan agenda. Commissioner King seconded the motion, and the motion carried unanimously, six (6) in favor.

COMMISSION UPDATES

OTHER BUSINESS

PUBLIC FORUM

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

Upper Klamath and Agency Lakes Native Trophy Trout Redband Trout Fishery
Dave Gerard
ODFW Hatchery Assessment and Evaluation
David Moskowitz, The Conservation Angler

EXHIBIT A: COMMISSION MINUTES

Action:

Commissioner Spelbrink moved to approve the April 19, May 3, and May 10, 2024, meeting minutes with continued authority to correct grammar and punctuation. Commissioner King seconded the motion, and the motion was carried six (6) in favor.

EXHIBIT B: 2025-2027 BUDGET

The Commission approved the 2025-27 Agency Request Budget.

Ken Loffink, Interim Deputy Director of Administration
Bernadette Gramh Hudson, Wildlife Division Administrator
Mike Harrington, Fish Division Administrator
Sarah Reif, Habitat Division Administrator

Staff provided the Commission with a presentation on the 2025-2027 Agency Requested Budget. The presentation included ODFW budget principles, proposed 2025-2027 agency focal areas, and policy option packages.

Approval

Action:

Commissioner Labhart moved to approve the department's 2025-27 Agency Request Budget. Commissioner Spelbrink seconded the motion, and the motion was carried six (6) in favor.

This presentation is located in the commission material and can be viewed at

https://www.dfw.state.or.us/agency/commission/minutes/24/06_Jun/B/Ex%20B%20June%2014%20Commission%20Agency%20Recommended%20Budget.pdf

Public Testimony

Albert LePage	
Danielle Moser	Oregon Wild
Kelly Peterson	Humane Society
Mike Totey	Oregon Hunters Association
Steve Hagan	Oregon Hunters Association
Jim Muck	
Stan Steele	Oregon Trappers Association
Sristi Kamal	Western Env. Law Center
Tom McDonald	Desert Springs Trout Farm
Bethany Cotton	Cascadia Wildlands
Yelena Nowak	Oregon Trawl Commission
Bruce Polley	
Dave Wright	
David Moskowitz	The Conservation Angler
James Fraser	
Steve Fick	

EXHIBIT C: MULE DEER PLAN UPDATE

The Commission approved the revised Mule Deer Management Plan.

Dr. Don Whittaker, Ungulate Species Coordinator

Dr. Josh Smith, Mule Deer Coordinator

Brian Wolfer, Deputy Wildlife Division Administrator

Staff provided the Commission with a presentation on the Mule Deer Management Plan Revisions.

The presentation provided information on what the plan does, timeline, and the plan process.

This presentation is located in the commission material and can be viewed at

https://www.dfw.state.or.us/agency/commission/minutes/24/06_Jun/C/Ex%20C-Presentation-Mule%20Deer%20Plan.pdf

Public Testimony

Tyler Dungannon	Oregon Hunters Association
Steve Hagan	Oregon Hunters Association
Doug Cottom	
Tristen Henery	Theodore Roosevelt Conservation Partnership

Rulemaking

Action:

Commissioner King moved to amend Oregon Administrative Rule Division 190 as proposed by staff to revise Oregon’s Mule Deer Management Plan goal, plan objectives, issues and strategies, and population and buck ratio management objectives. Commissioner Hatfield-Hyde seconded the motion, and the motion was carried six (6) in favor.

EXHIBIT D: FISHING REGULATION CHANGES FOR 2024 OREGON COASTAL FALL SALMON SEASONS AND SMALLMOUTH BASS IN COOS-COQUILLE

The Commission adopted rule amendments to angling regulations for coastal streams for 2024 fall fishing seasons and to allow spear/spear gun harvest of smallmouth bass in Coos Coquille District.

Chris Kern, West Region Manager

Chris provided the Commission with a presentation on the 2024 fall salmon seasons on the Oregon Coast and smallmouth bass in the Coos-Coquille district. The presentation included information on the harvest management framework, review outcomes, and the 2024 proposals.

This presentation is located in the commission material and can be viewed at https://www.dfw.state.or.us/agency/commission/minutes/24/06_Jun/D-%20Fishing%20Regs/Ex%20D%20Presentation%20Coastal%20Salmon%20WEB.pdf

Public Testimony

Jim Muck	
Stan Steele	Oregon Anglers Alliance
David Moskowitz	The conservation angler

Rulemaking

Action:

Commissioner Spelbrink moved to adopt the staff recommendations for the 2024 revised fall salmon seasons on the Oregon Coast and small mouth bass in the Coos Coquille district as proposed by staff and revised attachment three. Commissioner King seconded the motion, and the motion was carried five (5) in favor Spelbrink, King, Khalil, Labhart, Wahl; one (1) excused, Hatfield-Hyde

EXHIBIT E: BEAVER TAKE PERMIT RULES

The Commission adopted take permit and disposition rules for beaver and other wildlife to implement House Bill 3464 (2023 Oregon Legislative Session).

Brian Wolfer, Deputy Wildlife Division Administrator

Brian provided the Commission with a presentation on the proposed Beaver Take Permit Rules. The presentation included current statutory definitions in ORS 496.004, Protected Furbearers or Furbearing Mammals; and ORS 610.002, Predatory Animal along with information on HB 3464(2023)

This presentation is located in the commission material and can be viewed at https://www.dfw.state.or.us/agency/commission/minutes/24/06_Jun/E-%20Beaver%20Take/Ex%20E-Presentation-Beaver%20Take%20Permit%20Rules.pdf

Public Testimony

Paige Prewett	Rep Marsh
Srusti Kamal	
Jakob Shockey	
Kate Kauffman	

Aidan Bassett	
Sally Compton	
Danielle Moser	

Rulemaking

Action:

Commissioner King moved amend OAR 635 Division 002,043,045 and 435 as proposed by staff. Commissioner Spelbrink seconded the motion, and the motion was carried five (5) in favor Spelbrink, King, Khalil, Labhart, Wahl; one (1) excused Hatfield-Hyde

EXHIBIT F: 2024 -2026 FURBEARER REGULATIONS

The Commission approved the Furbearer Regulations for 2024-26.

Derek Broman, Game Program Manager

Brian Wolfer, Deputy Wildlife Division Administrator

Derek provided the Commission with a program overview, and the proposed changes to furbearer regulations in Oregon, focusing on adjustments to hunting and trapping rules. Key points include modifications to the trapping season dates, updates on the types of traps allowed, and changes to reporting requirements for trapped animals.

This presentation is located in the commission material and can be viewed at

https://www.dfw.state.or.us/agency/commission/minutes/24/06_Jun/F/Ex%20F-Presentation-Furbearer%20Regulations.pdf

Public Testimony

Senator Brock Smith	
Jim Furnish	
Robert Beschta	
Paul Engelmeyer	
Patricia McDowell	
Robert Hughes	
Ernie Niemi	
Stan Steele	Oregon Trappers Association
Jakob Shockey	Project Beaver
Suzanne Fouty	
Jeffery Baldwin	
Adam Bronstein	
David Moskowitz	The Conservation Angler
Kate Kauffman	
Amy Patrick	Oregon Hunters Association
Meg Walker	
Fran Recht	
Matt Orr	
Amy Stuart	

Rulemaking

Action:

Commissioner King moved amend OAR 635, Division 045 and 050 as proposed by staff to set regulations and seasons for the harvest and pursuit of furbearing mammals. Commissioner Spelbrink seconded the motion, and the motion was carried five (5) in favor Spelbrink, King, Khalil, Labhart, Wahl; one (1) excused, Hatfield-Hyde

EXHIBIT G: ACCESS & HABITAT PROJECT FUNDING AND BOARD MEMBER APPOINTMENTS

The Commission will be asked to approve the Access and Habitat Board recommendations for project funding and to appoint two Hunter Representatives to the Access and Habitat Board.

Travis Schultz, A&H Program Coordinator

Travis provided the Commission with information on the two projects proposed by the Access and Habitat Board and the reappointment of Morgan Olson and appointment of Truman Stone to the Board.

This presentation is located in the commission material and can be viewed at

https://www.dfw.state.or.us/agency/commission/minutes/24/06_Jun/G%20-%20AH/Ex%20G-Presentation-AH.pdf

No Public Testimony

Approval

Action:

Commissioner Labhart moved to approve both projects recommended for funding by the Access and Habitat Board. Commissioner King seconded the motion, and the motion was carried five (5) in favor Spelbrink, King, Khalil, Labhart, Wahl; one (1) excused, Hatfield-Hyde

Commissioner Labhart moved to reappoint Morgan Olson to serve a second term and appoint Truman Stone to serve a four-year term and Landowner Representative on the Access and Habitat Board. Commissioner King seconded the motion, and the motion was carried five (5) in favor Spelbrink, King, Khalil, Labhart, Wahl; one (1) excused, Hatfield-Hyde

EXHIBIT H: 2024 AUCTION RAFFLE TAG ALLOCATIONS

The Commission will be asked to approve recommendations of the Access and Habitat Board and ODFW staff for 2024 auction and raffle tag allocations.

Dr. Don Whittaker, Ungulate Species Coordinator

Travis Schultz, A&H Program Coordinator

Don and Travis provided the Commission with a list of the proposed 2025 Auction and Raffle tag allocation.

This list is located in the commission material and can be viewed at:

https://www.dfw.state.or.us/agency/commission/minutes/24/06_Jun/H%20-%20Auction%20Raffle/Ex%20H_PresentationBig%20Game%20Raffle%20and%20Auction%20Tags.pdf

No Public Testimony

Approval

Action:

Commissioner Spelbrink moved to approve the 2025 auction and raffle big game tag allocations as proposed by staff and the A&H Board and shown in attachments 2 and 3. Commissioner Labhart seconded the motion, and the motion was carried five (5) in favor Spelbrink, King, Khalil, Labhart, Wahl; one (1) excused, Hatfield-Hyde

EXHIBIT I: COMMERCIAL COASTAL PELAGIC SPECIES FISHERIES RULE AMENDMENTS

This exhibit was rescheduled for a future meeting.

EXHIBIT J: LIST OF STATE AGENCIES/LANDS THAT CAN PLAY A ROLE IN SOUTHERN RESIDENT ORCA CONSERVATION

The Commission approved a list of state agencies that own or manage land or have recorded easements for lands which can play a role in Southern Resident Orca conservation.

Howard Takata, Interim Southern Resident Orca Listing Coordinator

Mike Brown, Marine Mammal Project Leader

John North, Assistant Fish Division Administrator

Staff provided the Commission with a presentation on the state agencies lands that can play a role in Southern Resident Orca Conservation. Post listing process, public involvement; a list of state land owning and managing agencies included in OAR 635-100-0160(1); and the state agencies whose lands and/or waters have a role in SRO conservation were included in the presentation.

This presentation is located in the commission material and can be viewed at:

https://www.dfw.state.or.us/agency/commission/minutes/24/06_Jun/J-%20SRO/Ex%20J%20Presentation%20SRO%20WEB.pdf

No Public Testimony

Approval

Action:

Commissioner Khalil moved to determine that the state lands/waters owned or managed by ODFW, ODSL, and OPRD can play a role in the conservation of SROs. Staff is directed to prepare, on behalf of the Commission, a letter for signature by Chair Wahl to notify these agencies of the Commission's determination. Commissioner King seconded the motion, and the motion was carried five (5) in favor Spelbrink, King, Khalil, Labhart, Wahl; one (1) excused, Hatfield-Hyde.

EXHIBIT K: OREGON CONSERVATION AND RECREATION FUND PROJECT FUNDING

The Commission approved Oregon Conservation and Recreation Fund (OCRF) Advisory Committee recommendations for project funding.

Reva Gillman, OCRF Program Coordinator

Revia provided the Commission with information on proposed allocation of OCRF funding.

This presentation is located in the commission material and can be viewed at:

https://www.dfw.state.or.us/agency/commission/minutes/24/06_Jun/K-%20OCRF/Ex%20K-Presentation-OCRF%20Project%20Approval.pdf

No Public Testimony

Approval

Action:

Commissioner Labhart moved 24 projects recommended for funding by the Oregon Conservation and Recreation Advisory Committee as described in Attachment 2. Commissioner King seconded the motion, and the motion was carried five (5) in favor Spelbrink, King, Khalil, Labhart, Wahl; one (1) excused, Hatfield-Hyde

OTHER BUSINESS

Chair Wahl adjourned the meeting at 6:30 p.m.