



Oregon Fish and Wildlife Commission Minutes

Meeting:
Thursday, February 13, 2025, 8:00
Fish and Wildlife Commission
Virtual Meeting
7900 NE 82nd Ave
Portland, OR 97220

Meeting:
Friday, February 14, 2025– 8:00 AM
Oregon Department of Fish and Wildlife
Virtual Meeting
7900 NE 82nd Ave
Portland, OR 973220

1 *Commission minutes are considered draft until approved by the Commission.*

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

Mary Wahl, Chair	Debbie Colbert, Director
Becky Hatfield-Hyde, Vice Chair	Ken Loffink, Chief Operating Officer
Bob Spelbrink, Commissioner	Sarah Reif, Acting Deputy Director of Fish & Wildlife Programs
Mark Labhart, Commissioner	Nick Myatt, East Region Manager
Leslie King, Commissioner	Chris Kern, West Region Manager
Dallas Hall Defrees, Commissioner	Bernadette Graham Hudson, Wildlife Division Administrator
	Mike Harrington, Fish Division Administrator
	Jessica Watson, Acting Habitat Division Administrator
	Michelle Tate, Executive Assistant
	Casey Thomas, Captain Oregon State Police
	Anika Marriott, Assistant Attorney General
	Erin Donald, Assistant Attorney General

6
7 **MEETING**

8
9 On Friday, **February 14, 2025, at 8:00 AM, Chair Wahl called the Oregon Fish and Wildlife**
10 **Commission** (the Commission) meeting to order.

11
12 **DIRECTOR’S REPORT**

13
14 **Field Reports** – in written form only; *this report is available in the meeting materials and*
15 *at*
16 https://www.dfw.state.or.us/agency/commission/minutes/25/02_Feb/February%202025%20Field%20Report%20CR.pdf

17
18
19 **Expenditure Report**
20 Ken Loffink, Chief Operating Officer

21
22 Ken reported that as of December 31, 2024, the department’s total cash balance stood at \$136
23 million, with \$63.1 million in unrestricted funds and \$72.9 million in restricted funds held at the
24 State Treasury. The unrestricted cash includes \$22 million from a \$26 million insurance settlement
25 for 2020 wildfire damages, which is being used for repairs, including a new hatch house at
26 Klamath Hatchery. Excluding these funds, the available unrestricted cash of \$41 million aligns
27 with budget projections. For the 2023-25 biennium, expenditures are at 53% of the approved

1 budget, reflecting cost-saving measures, with spending expected to remain within limits. Looking
2 ahead to 2025-27, the agency is set to present the Governor's Recommended Budget (GRB) on
3 March 31 and April 1, with public testimony on House Bill 5009 scheduled for April 2. The
4 agency's fee adjustment bill, House Bill 2342, will have a public hearing on February 24, requiring
5 legislative approval for any fee changes.

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

8 [https://www.dfw.state.or.us/agency/commission/minutes/25/02_Feb/Commission%20Financial%20](https://www.dfw.state.or.us/agency/commission/minutes/25/02_Feb/Commission%20Financial%20Report%20February%202025.pdf)
9 [Report%20February%202025.pdf](https://www.dfw.state.or.us/agency/commission/minutes/25/02_Feb/Commission%20Financial%20Report%20February%202025.pdf)

10 11 **HATCHERY RESILIENCY PROJECT UPDATE**

12 Shaun Clements, Interim Legislative Director

13
14 *This report is available in the meeting materials and at*

15 [https://www.dfw.state.or.us/agency/commission/minutes/25/02_Feb/Directors%20Report_Hatcher](https://www.dfw.state.or.us/agency/commission/minutes/25/02_Feb/Directors%20Report_Hatchery%20Resiliency%20Project%20Update.pdf)
16 [y%20Resiliency%20Project%20Update.pdf](https://www.dfw.state.or.us/agency/commission/minutes/25/02_Feb/Directors%20Report_Hatchery%20Resiliency%20Project%20Update.pdf)

17 **CLIMATE & OCEAN CHANGE POLICY REPORT**

18 Sarah Reif, Acting Deputy Director of Fish and Wildlife Programs

19
20 *This report is available in the meeting materials and at*

21 [https://www.dfw.state.or.us/agency/commission/minutes/25/02_Feb/Directors%20Report_Climate](https://www.dfw.state.or.us/agency/commission/minutes/25/02_Feb/Directors%20Report_Climate%20and%20Ocean%20Change%20Report.pdf)
22 [%20and%20Ocean%20Change%20Report.pdf](https://www.dfw.state.or.us/agency/commission/minutes/25/02_Feb/Directors%20Report_Climate%20and%20Ocean%20Change%20Report.pdf)

23 24 **Adopt Temporary Rules**

25 The Commission ratified the following temporary rules. The fifteen (15) temporary rules were
26 previously adopted by the director under her emergency action authority.

27 28 **1.) 635-004-0375**

29 **Amend Rules for Commercial Pelagic Species Fisheries for consistency with federal** 30 **regulations**

31 Adopted 12/30/2024; effective 12/30/2024 through 6/24/2025.

32 This amended rule will modify state regulations for commercial Coastal Pelagic Species (CPS)
33 fisheries to be consistent with federal regulations governing Pacific sardine harvest specifications
34 and management measures for the July 2024-June 2025 fishing season. Federal rules
35 recommended by the Pacific Fishery Management Council (PFMC) for the 2024-2025 season
36 include a continued closure of the Pacific sardine directed commercial fishery along the entire
37 West Coast due to low stock biomass, and limits on incidental sardine harvest in other commercial
38 fisheries.

39 40 **2.) 635-023-0101**

41 **Modify Recreational Retention Seasons for Sturgeon in Bonneville and The Dalles Pools and** 42 **Adjacent Tributaries**

43 Adopted 12/31/2024; effective 1/1/2025 through 3/31/2025.

44 This amended rule modifies the recreational retention season for white sturgeon on the mainstem
45 Columbia River in the Bonneville (Bonneville Dam upstream to The Dalles Dam) and The Dalles
46 (The Dalles Dam upstream to the John Day Dam) pools and all adjacent tributaries. Retention will

1 be allowed only on Wednesdays and Saturdays from January 1 through January 29 in the
2 Bonneville Pool and in The Dalles Pool. Modifications are consistent with actions taken by the
3 Departments of Fish & Wildlife for the States of Oregon and Washington at a Columbia River
4 Joint State hearing on November 8, 2024.

5
6 **3.) 635-023-0101**

7 **Close Retention of Sturgeon in Bonneville and The Dalles pools and Adjacent Tributaries**

8 Adopted 1/2/2025: effective 1/3/2025 through 3/31/2025.

9 This amended rule closes the retention season for white sturgeon on the mainstem Columbia River
10 in the Bonneville Pool (Bonneville Dam upstream to The Dalles Dam) and The Dalles Pool (The
11 Dalles Dam upstream to the John Day Dam) and all adjacent tributaries. Modifications are
12 consistent with actions taken by the Departments of Fish & Wildlife for the States of Oregon and
13 Washington on January 2.

14
15 **4.) 635-016-0500**

16 **Modify Wild Spring Chinook Regulations in Umpqua District**

17 Adopted 1/2/2025: effective 2/1/2025 through 6/30/2025.

18 This amended rule will prohibit retention of all wild Chinook on the Mainstem Umpqua River. It
19 will restrict harvest to one wild adult Chinook per day and ten wild adults per season on the North
20 Umpqua River from February 1 through June 30 in accordance with the sliding scale established
21 pursuant to the State's Coastal Multispecies Conservation and Management Plan (CMP).

22
23 **5.) 635-005-0465**

24 **Commercial Dungeness Crab Season Partial Opening**

25 Adopted 1/7/2025: effective 1/11/2025 through 3/31/2025.

26 This amended rule sets the opening date for the Oregon 2024-2025 ocean commercial Dungeness
27 crab fishery from the Oregon-Washington border to Cape Falcon, Oregon.

28
29 **6.) 635-041-0063**

30 **Modify Treaty Setline Commercial Fisheries in the Columbia River**

31 Adopted 1/10/2025: effective 1/10/2025 through 4/30/2025.

32 This amended rule modifies state authorization of sales of white sturgeon caught in the winter
33 Treaty setline fisheries in Bonneville and The Dalles pools to reflect recent tribal action to close
34 these fisheries ahead of
35 schedule.

36
37 **7.) 635-070-0000**

38 **Adjust season dates for western Oregon Elk General Season Antlerless Elk Damage hunts in
39 2024.**

40 Adopted: January 14, 2025 – Effective Dates: January 14, 2025, through April 1, 2025

41 Oregon Administrative Rules establishing seasons and tag numbers for 2024 western Oregon elk
42 hunts were adopted in September 2023. Season dates presented in a map for one western Oregon
43 elk General Season Antlerless Elk Damage hunt area are incorrect as printed in the 2024 Big Game
44 regulations. These rule amendments are needed to correct the seasons published in the referenced
45 Big Game regulations to reflect the accurate dates adopted by the Commission.

1
2 **8.) 635-042-0130**

3 **Adopt Non-Treaty Columbia River Mainstem Commercial Smelt Fishery**

4 Adopted 1/17/2025: effective 1/20/2025 through 3/31/2025.

5 This amended rule will implement the 2025 non-treaty commercial smelt fishery in Zones 1-3 of
6 the lower Columbia River on Mondays, Wednesdays, and Thursdays from 5 a.m. to 5 p.m. from
7 January 20 through March

8 13.

9 **9.) 635-007-2025; 635-017-0090**

10 **Allow Temporary Use of Two Rod Validation in the Willamette River**

11 Adopted 1/29/2025: effective 3/1/2025 through 8/27/2025.

12 This amended rule allows use of the two-rod validation while fishing for all species, except
13 sturgeon, in the Lower Willamette River and tributaries from March 1 through August 15, 2025,
14 and in the Upper Willamette
15 River and tributaries from May 1 through July 31, 2025.

16
17 **10.) 635-041-0063, 635-041-0064**

18 **Allow sale of sturgeon caught in Columbia River Treaty setline and Platform & H&L**
19 **fisheries**

20 Adopted 1/31/2025: effective 1/31/2025 through 4/30/2025.

21 This amended rule provides state authorization of sales of white sturgeon caught in the winter
22 Treaty setline fisheries in The Dalles and John Day pools to reflect recent tribal action to reopen
23 (The Dalles) and extend (John Day) these fisheries. It also authorizes sales of white sturgeon
24 caught in on-going Treaty platform and hook-and-line fisheries if caught during, and in the open
25 area of, a tribally authorized open setline fishery.

26
27 **11.) 635-004-0375**

28 **Suspend Rule for Commercial Pelagic Species Fisheries to correct an error**

29 Adopted 2/4/2025: effective 2/4/2025 through 6/24/2025.

30 This will suspend a temporary rule due to an omission of reference to several applicable Oregon
31 Administrative Rules.

32
33 **12.) 635-004-0375**

34 **Amend Rules for Commercial Pelagic Species Fisheries to correct an error**

35 Adopted 2/3/2025: effective 2/6/2025 through 6/24/2025.

36 This amended rule corrects an error in the temporary rule filed for this rule number on 12/30/2024.

37
38 **13.) 635-041-0063**

39 **Allow sale of sturgeon caught in Columbia River Treaty setline fishery**

40 Adopted 2/10/2025: effective 2/11/2025 through 4/30/2025.

41 This amended rule provides state authorization of sales of white sturgeon caught in the winter
42 Treaty setline fisheries in The Dalles Pool to reflect recent tribal action to reopen this fishery.

43
44 **14.) 635-023-0101**

45 **Set recreational retention fishery for sturgeon in The Dalles Pool and adjacent tributaries**

46 Adopted 2/11/2025: effective 2/15/2025 through 3/31/2025.

1 This amended rule establishes one retention day for the recreational white sturgeon fishery on the
2 mainstem Columbia River in The Dalles Pool (The Dalles Dam upstream to the John Day Dam)
3 and all adjacent tributaries. Retention will be allowed on Saturday February 15 in The Dalles Pool.
4

5 **15.) 635-042-0145, 635-042-0160, 635-042-0170, 635-042,0180**

6 **Adopt Select Area Commercial Fisheries**

7 Adopted 2/11/2025: effective 2/11/2025 through 7/31/2025.

8 These rules implement the 2025 winter, spring, and summer Select Area commercial fisheries from
9 February 13 through July 31. The following fisheries are addressed by these rules: • Blind/Knappa
10 sloughs, • Tongue Point/South Channel, • Youngs Bay, and • Deep River Modifications are
11 consistent with actions taken by the Departments of Fish and Wildlife for the States of Oregon and
12 Washington at the Columbia River Compact hearing on 2/10/25.
13

14 Action:

15 Commissioner King moved to ratify the fifteen (15) temporary rules set forth in the February 14,
16 2025 Commission agenda. Commissioner Labhart seconded the motion, and the motion carried
17 unanimously, six (6) in favor. Wahl, Hatfield-Hyde; Labhart, Spelbrink, King, Hall Defees
18

19 **COMMISSION UPDATES**

20 *No Commission Action: Informational Only*

21
22 *Corridors, Connectivity, & Crossings Conference*
23 *Mark Labhart, Commissioner*

24
25 *Urban Ecosystem Research Consortium (UERC) Symposium*
26 *Leslie King, Commissioner*
27

28 **PUBLIC FORUM**

29 This part of the agenda was for comments on topics not scheduled on the agenda. The
30 Commission will be unable to take action on items brought to their attention in this forum.
31

32 *A different way to approach the start of Dungeness Crab Season*

33 *Rex Leach*
34 *Joe Mulkey*
35 *Stuart Schuttplz*
36 *Jared Reeves*
37 *Crystal Adams*
38 *Jake Fletcher*
39 *Brent Winfield*
40 *Bernie Lindley*
41 *Rick Lilienthal*
42

43 *Request to resend the Administrative Rule that requires the uses of barbless hooks on*
44 *the Columbia River*

45 *Bruce Hansen*
46 *Bill Monroe Jr.; NWGAA*

1 *Liz Hamilton*

2
3 *Winchester Dam Fish Passage*
4 *Jim McCarthy, WaterWatch of Oregon*
5 *Charles Gehr, Native Fish Society*

6
7 *Winchester Dam*
8 *Alexander Worth*

9
10 **OTHER BUSINESS**

11 Commissioner Labhart proposed revisiting the barbless hook requirement on the Lower Columbia
12 River, citing public and constituent concerns. He noted increased enforcement actions by Oregon
13 State Police, with a 60% rise in citations and warnings from 2022 to 2023. Many anglers
14 reportedly disregard the rule due to frustration over lost fish. Labhart emphasized the
15 Commission's intent to support recreational fishing while balancing conservation efforts and
16 commercial fishing opportunity.

17
18 Commissioner Labhart moved to direct staff to consider the barbless hook requirement on the
19 Lower Columbia River, in isolation from other fisheries regulations, at a future Commission
20 meeting. Staff would be directed to evaluate the pros and cons of a rule change, and
21 recommendations for potential action. Commissioner Spelbrink seconded the motion, the motion
22 was carried: five (5) in favor Hatfield-Hyde; Labhart, Spelbrink, King, Hall Defees; one (1)
23 opposed Wahl.

24
25 **EXHIBIT A: COMMISSION MINUTES**

26 Action:

27 Commissioner Spelbrink moved to approve the December 13, 2024, meeting minutes with
28 continued authority to correct grammar and punctuation. Commissioner King seconded the
29 motion, and the motion was carried six (6) in favor. Wahl, Hatfield-Hyde; Labhart, Spelbrink,
30 King, Hall Defees

31 **EXHIBIT B: OREGON SEA URCHINS: RECREATIONAL AND COMMERCIAL**
32 **TAKE, AND CULLING TO ASSIST CONSERVATION OF KELP**

33 The Commission adopted a set of changes to ODFW regulations to accommodate interest in
34 three activities: (1) recreational harvest of purple sea urchins for personal use; (2)
35 commercial harvest of purple sea urchins for the retail seafood market; and (3) culling of sea
36 urchins to assist with the conservation of kelp.

37 *Commission Action: Rulemaking*

38 Steven Rumrill, Shellfish Program Leader

39 Kendall Smith, South Coast Shellfish Biologist

40 Scott Groth, Resource Assessment and Management Section Leader

41
42 *Presentation:* Steve and Scott provided the Commission with a presentation on Oregon Sea
43 Urchins – Recreational Harvest, Commercial Take, and Culling to Assist Conservation
44 of Kelp". The presentation highlighted an increasing abundance of purple sea urchins
45 due to prolonged ocean warming and their negative impact on kelp ecosystems. Three
46 key issues were addressed: (1) increasing the daily recreational catch limit of purple

1 sea urchins from 10 to 35 per person to help control their population, (2) maintaining
2 the current commercial permit system without expanding it due to low market demand,
3 and (3) authorizing controlled culling of sea urchins to protect kelp forests. The staff
4 recommendations supported these measures, and a proposed amendment to Oregon's
5 regulations was provided for Commission approval and department implementation in
6 2025.

7
8 *This presentation is located in the commission material and can be viewed at*
9 https://www.dfw.state.or.us/agency/commission/minutes/25/02_Feb/EX%20B%20-%20PDF%20FILES%20FOR%20WEB/Exhibit%20B_Presentation.pdf
10
11

12 Public Testimony

Name	Organization (if applicable)
Jeff Griffin	
Saiful Bin Jaafar	The SEA _[SR1]
Sara Hamilton	Oregon Kelp Alliance

13 Rulemaking

14
15 Action:

16 Commissioner Hatfield-Hyde moved to amend OAR Chapter 635, Divisions 11 and 39 as
17 proposed by staff in Attachment 3 and Attachment 5. Commissioner King seconded the motion,
18 and the motion was carried six (6) in favor. Wahl, Hatfield-Hyde; Labhart, Spelbrink, King, Hall
19 Defees

20
21 **EXHIBIT C: PRIVATE FOREST ACCORD RULE AMENDMENTS** -Rescheduled for a
22 future meeting.

23 **EXECUTIVE SESSION**

24 The Commission met in executive session to conduct deliberations with persons designated
25 by the governing body to negotiate real property transactions, to consider information or
26 records that are exempt by law from public inspection, and to consult with legal counsel
27 concerning the legal rights and duties of a public body with regard to current litigation or
28 litigation likely to be filed as authorized by ORS 192.660 (2)(e), (2)(f) and (2)(h).

29
30 **Other Business continued**

31 Regarding dungeness crab season changes, Commissioner Spelbrink acknowledged the safety
32 concerns raised during public forum testimony but is not yet ready to make a motion today. With
33 40-year career as a crabber, he has an understanding of the dangers firsthand, especially when
34 deploying gear. Has personally had three close calls that could have been fatal. The Commission
35 takes these concerns seriously and Commissioner Spelbrink indicated he would likely raise this
36 issue again at a future meeting.

37
38 Vice Chair Hatfield-Hyde moved to reject the settlement offer received from Douglas County.
39 Commissioner King seconded that motion. The motion carried four (4) in favor Defrees; King;

1 Hatfield-Hyde; Wahl; two (2) abstained Spelbrink, Labhart. Vice-Chair Hatfield-Hyde then
2 remarked that the Commission is aware of the broad issues at play in the Umpqua region and she
3 would appreciate devoting a future public session to discuss these issues with some of the affected
4 communities. Chair Wahl agreed and suggested the department help to organize a community
5 conversation on a broad set of issues; the Commissioners and Director Colbert agreed.
6

7 **WORK SESSION: GOVERNANCE BEST PRACTICES-** Rescheduled for March 14, 2025

8
9 Chair Wahl adjourned the meeting at 3:15 p.m.

DRAFT