

Agenda Item Summary

BACKGROUND

The Oregon Fish and Wildlife Commission (Commission) was given a briefing on the public review draft of the *Upper Willamette River Conservation and Recovery Plan for Chinook salmon and Steelhead* (UWR Plan) at its December 3, 2010 meeting. At that meeting the Commission was given all public comments that had been received by the Oregon Department of Fish and Wildlife (Department) on the public draft and heard testimony on the draft. The UWR Plan serves a dual purpose as a Federal Recovery Plan and a State of Oregon Conservation Plan consistent with requirements of Oregon's Native Fish Conservation Policy (NFCP).

The public review draft of the UWR Plan was modified based upon comments received from agencies, environmental organizations, landowners, interested members of the public, and stakeholders during the public comment period. Comment on the public review draft was accepted through January 2011. Based on public comments, the primary revisions include:

- Supporting text and clarifying language was added, formatting changes were made, and inaccuracies were corrected.
- Clarification and greater detail of harvest and hatchery impacts and implementing hatchery strategies and actions were made (Chapters 5, 6, 7, and 9).
- Clarification of analyses that scoped the relative importance of different threats (Chapter 6).
- Greater emphasis on actions that address prespawning mortality (Chapters 7 and 9)
- Greater detail on the projected effects of climate change and human population growth were provided (Chapter 5).
- Greater detail on priority actions, coordination with the Willamette Project Biological Opinion, and implementation coordination were provided (Chapters 8 and 9).
- Minor edits were made to address clarity, inconsistencies, or inadvertent errors.

Attachment 7 is a brief summary of the most substantive revisions that were made, based on public comments that were received. A more formal summary of comments and response to comments is being coordinating between ODFW and NOAA as part of the federal ESA adoption process. Federal adoption of the UWR Plan is expected by end of August, 2011.

The administrative rules (Attachment 3) the Commission is being asked to adopt today establish the basic state policy which will then be

implemented by the UWR Plan. In addition, the Commission is asked to adopt administrative rule revisions to make Willamette subbasin Management Plans (Attachment 4) consistent with these rules and the final UWR Plan (Attachment 5).

PUBLIC INVOLVEMENT

A large Stakeholder Team was recruited to help the State of Oregon develop the UWR Plan. Representatives from agriculture, commerce, conservation/recreation groups, federal land managers, fishing groups, forestry, local governments, ports, soil and water conservation districts, wastewater, utilities and watershed councils were on the Team and provided their input throughout the development of the Plan, which began in March 2006. Over the intervening years, the Stakeholders provided comments on draft chapters and a final draft of the UWR Plan and recommended that it move forward for Commission adoption in June 2011, concurrent with Federal ESA Recovery Plan adoption. Other groups were also convened to help develop the UWR Plan. These included an Expert Panel, which identified limiting factors and threats for each population and a Planning Team, which helped develop, refine, and review technical aspects of the plan.

In addition to reviews by the Stakeholder Team, drafts of the UWR Plan were reviewed by the Planning Team, NOAA Fisheries staff in both the Northwest Region and the Northwest Fisheries Science Center, the IMST (note: the IMST provided comments though no formal recommendations for modifications), and the Department's regional, inter-jurisdictional (Columbia River/Ocean), and Conservation and Recovery staff. The UWR Plan was revised after consideration of all reviewers' comments.

The public draft of the UWR Plan was posted on the Department's website

(http://www.dfw.state.or.us/fish/CRP/upper_willamette_river_plan.asp) on Oct 20, 2010 for 60 days of public review and comment prior to the December 3, 2010 Commission meeting. In addition, four public open house meetings were held in Albany (Oct 20), Canby (Nov 1), Eugene (November 8) and Salem (November 9) to describe the Plan, allow for public comment and seek public participation in implementing the Plan. Several public informational products were developed to aid in outreach for and understanding of the UWR Plan at the public open houses and other informational presentations. These products were exhibit items at the December 3, 2010 Commission meeting.

Prior to the public open houses, the Governor's Natural Resources Office (GNRO) notified state legislators, mayors, and county commissioners about the UWR Plan's release and opportunities for public input and direct briefings (upon request). The GNRO also presented the UWR Plan to all of the state's natural resource agency directors in the summer of 2010. Groups represented on the Stakeholder Team were offered briefings by the GNRO and ODFW, and these were held for several entities, including multiple watershed councils and conservation interests.

ISSUE 1**ADOPT THE ADMINISTRATIVE RULES SPECIFIC TO THE REQUIREMENTS OF THE NFCP TO DIRECT THE DEPARTMENT'S IMPLEMENTATION OF THE UWR PLAN****ANALYSIS**

The proposed administrative rules (Attachment 3) were developed to direct how the Department implements the UWR Plan and to ensure consistency with the NFCP. Certain portions of the UWR Plan are referenced, and thereby adopted, in the rules. The Commission has already adopted Willamette subbasin plans. The proposed administrative rules in Attachment 4 reorganizes portions of the subbasin plans and makes sections of the subbasin plans that relate to Chinook salmon and steelhead trout consistent with Attachment 3, and the UWR Plan and the NFCP.

OPTIONS

1. Adopt administrative rules directing the Department's implementation of the UWR Plan as proposed by staff in Attachments 3 and 4.
2. Modify and adopt proposed administrative rules.
3. Status Quo

STAFF RECOMMENDATION

Option 1

ISSUE 2**APPROVAL OF THE UWR PLAN****ANALYSIS**

The UWR Plan is the State of Oregon's working document that implements the Commission's administrative rules for conservation and recovery of salmon and steelhead populations in Willamette River subbasins. The Commission is asked to approve the UWR Plan as the appropriate way to implement the Commission's administrative rules. As noted previously, some of the standards in the UWR Plan are referenced, and thereby included in the administrative rules.

OPTIONS

1. Approve the UWR Plan.
2. Modify and approve the UWR Plan.
3. Status Quo

STAFF RECOMMENDATION

Option 1

DRAFT MOTION

I move to adopt the administrative rules shown in Attachments 3 and 4 and approve the *Upper Willamette River Conservation and Recovery Plan for Chinook salmon and Steelhead* (Attachment 5).

EFFECTIVE DATE

Administrative rules: Upon filing.