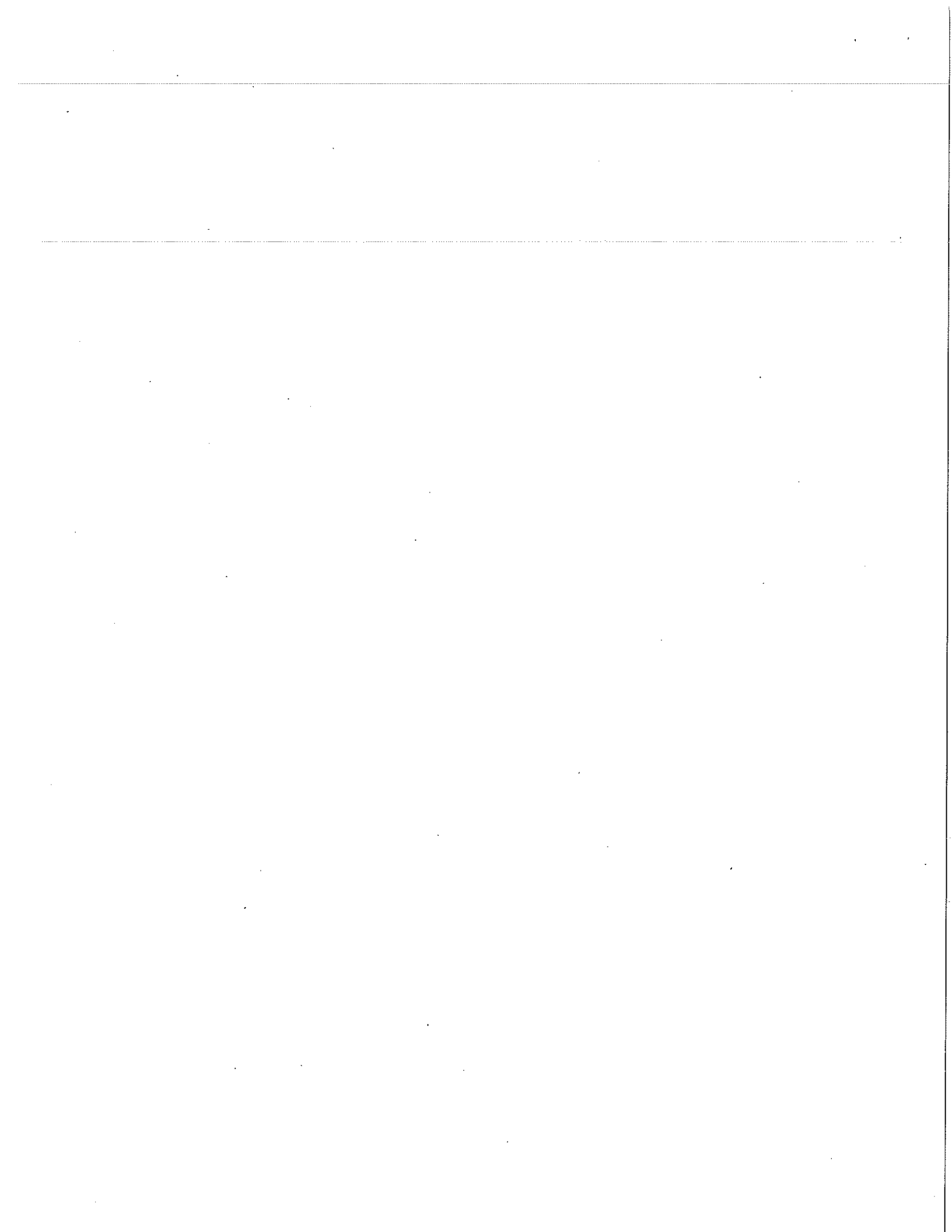


Exhibit B
Public Correspondence

Public Correspondence received as of
May 22, 2013





Siletz Watershed Council
23 North Coast Highway
Newport, OR 97365
541.265.9195

May 22, 2013

Oregon Department of Fish and Wildlife
3406 Cherry Ave NE
Salem, Oregon 97303

ATTENTION: Oregon Fish and Wildlife Commission

Dear Commissioners:

On behalf of the Siletz Watershed Council (SWC) I am writing regarding the fishing deadline for the fall salmon season of 2013. It has come to our attention that there is the possibility of a deadline change from its current location (1000 ft. above Ojalla Bridge) to Illahee Park in the town of Siletz.

It was the unanimous conclusion of the SWC that moving the 2013 fall salmon deadline would have adverse affects on spawning salmon due to angling pressure. We DO NOT endorse any deadline change from its current location which is 1000 above Ojalla Bridge.

It is well documented that there is a high number of main stem spawners within the Siletz River, according to ODFW carcass surveys between 61-84% of all Chinook spawning took place in the main stem of the Siletz between 2006 and 2011. Of the main stem spawning fish, an average of 87% spawned above Ojalla Bridge. The Siletz Watershed Council believes that these spawning fish should not have any undo stress from anglers during this vital stage of their life cycle. In 2011 according to ODFW, the stretch of the main stem that had the highest peak counts of redds is the five miles of river directly upstream from Ojalla Bridge. We absolutely do not endorse the deadline being moved up to Mill Park, opening this stretch of water would allow anglers to fish water that holds on average 37% (some years up to 50%) of all main stem spawners. Angling for spawning fish or fish that are staging for spawning is irresponsible (if not immoral). The SWC feels that it is the responsibility of the Oregon Department of Fish and Wildlife (ODFW) to ensure that the regulations promote a sustainable fishery and therefore should not open up these highly fertile spawning grounds to recreational anglers.

Besides protecting vital spawning grounds, SWC sees other reasons why the angling deadline should remain at its 2012 location:

- The public was not able to weigh in on where the deadline placement should be. There should be no deadline change without public input because this has been a controversial issue in the past which was normally addressed at public meetings.
- Management of this fishery should establish a permanent deadline (1000 feet above Ojalla Bridge) and then juggle bag limits accordingly to protect spawner escapement, rather than confusing anglers with changing the deadline year to year.

- Local ODFW staff and stakeholders are working hard on the Coastal Multi-Species Conservation and Management Plan which is set to be adopt permanent regulations regarding the fall salmon fishery. Moving the deadline insults the hard work done thus far and will hamper relationships between staff and stakeholders.
- With the deadline set at 1000 feet above Ojalla Bridge there is still 33 miles of fishable water downstream.
- Almost all the property between Ojalla Bridge and Illahee Park is privately owned and there is very limited bank access in this stretch of river. Moving the deadline up to Illahee Park will only improve access for anglers in boats.

From a management standpoint the SWC does not see the logic in moving the fishing deadline for 2013 when it is probable that it will be moved right back in 2014. We should wait for the recommendations that will come from the Coastal Multi-Species Conservation and Management Plan before making any changes from the 2012 fall salmon season regulations. The SWC asks that you allow for the local ODFW staff and stakeholders to agree on the best management practices for this fishery before you change the fall salmon angling deadline in order to avoid any conflicts that might arise.

I appreciate you taking the time to read about our concerns and trust you understand that the risks outweigh the rewards for moving the 2013 fall salmon deadline from its current location. We expect you will exercise the highest degree of caution in this decision and hope that you will wait for the recommendations that will come from the MidCoast Multi-Species Conservation and Management Plan before any changes are made from the 2012 fall salmon regulations on the Siletz River.

Sincerely,

Aaron Duzik
Coordinator, Siletz Watershed Council
(503) 621-2433
siletzwatershedcouncil@gmail.com

Debbi Farrell

From: Ed Bowles
Sent: Tuesday, May 21, 2013 12:33 PM
To: Debbi Farrell
Subject: FW: Proposed 2013 Nehalem Bay Salmon Regulations
Attachments: Garry Bullard letter to Chris Knutsen.pdf

For coastal commission packet

From: Tim Josi [<mailto:tjosi@co.tillamook.or.us>]
Sent: Friday, May 17, 2013 9:31 AM
To: Ed.BOWLES@state.or.us; chris.j.knutsen@state.or.us
Cc: garrybullard@charter.net
Subject: Proposed 2013 Nehalem Bay Salmon Regulations

Hi Ed and Chris. I recently received a copy of a letter sent to both of you from Garry Bullard. A copy of his letter is attached.

This issue is of interest to me due to what appears to be inequities associated with the regulation as detailed by Mr. Bullard. What is reality is the perception of impropriety by some of my constituents living in the Nehalem Valley. I also have a personal reason for being interested although it's not really related. I find it increasingly difficult to fish any of the productive places on the Josi Farm due to the overwhelming number of guide boats that have taken over. There seems to be little room for local or bank fishermen anymore.

I am not suggesting any changes with the number of guides at this time using the Tillamook County rivers, but the number and presence of guides are the common denominator for the issue highlighted by Mr. Bullard and the lack of fishing opportunity on the Josi Farm.

So based upon my bit of a rant and Mr. Bullard's concerns I would like to know if you believe the proposed 2013 Nehalem Bay Salmon Regulations are evenly balanced between the fishing guides and the fishermen not using guides on the Nehalem Bay?

Thank you,
Tim

Tim Josi
Tillamook County Commissioner
201 Laurel Avenue
503-842-3403 (w)
503-812-1932 (m)
tjosi@co.tillamook.or.us



Oregon

John A. Kitzhaber, M.D., Governor

File
Department of Fish and Wildlife

Northwest Region

4907 3rd Street

Tillamook, OR 97141

(503) 842-2741

Fax (503) 842-8385

www.dfw.state.or.us

May 21, 2013



Mr. Tim Josi
Tillamook County Board of Commissioners
201 Laurel Avenue
Tillamook, Oregon 97141

Tim
Dear Mr. Josi:

Thank you for your email dated May 17, 2013 to Fish Division Administrator, Ed Bowles and District Fish Biologist, Chris Knutsen regarding some of the issues raised by Mr. Garry Bullard in an earlier letter to ODFW. We have attached a copy of our response to Mr. Bullard for your convenience; however, I did want to take the time to specifically address your concerns regarding perceived harvest inequities as they relate to professional fishing guides and non-guided anglers in the Nehalem Basin fishery.

As you know, licensing of fishing guides falls under the Outfitter and Guide Program administered by the Oregon State Marine Board. As such, ODFW does not control the number of guides that choose to participate in a fishery. In the Nehalem Basin, the actual number of guides that participate in the fall Chinook fishery is actually low relative to many other coastal areas (e.g. Tillamook and Siletz basins) and their combined catch comprises only about 8% of the basin-wide Chinook harvest. Professional fishing guides often have the larger, more sophisticated boats and electronics, so they tend to fish the jaws area where both boating and fishing skill can produce excellent catch rates among guides and non-guides alike. As in other fisheries, the guides catch rate is often 3 times or higher than the average non-guided sport boat.

While the relatively high harvest rates in the "jaws" of Nehalem Bay is not currently a biological issue, harvest rates will be somewhat reduced in the near future if proposed regulation changes (outlined in the letter to Mr. Bullard) are implemented. Whether this translates into improved harvest rates in the upper bay will need to be determined. Please let me know if you have any further questions.

Sincerely, <

Rick Klumph

Rick Klumph
North Coast Watershed Manager



Oregon

John A. Kitzhaber, M.D., Governor

File
Department of Fish and Wildlife

Northwest Region

4907 3rd Street

Tillamook, OR 97141

(503) 842-2741

Fax (503) 842-8385

www.dfw.state.or.us



May 20, 2013

Garry R. Bullard
P.O. Box 365
Manzanita, Oregon 97130

Dear Mr. Bullard:

Thank you for your letter dated May 3, 2013 to District Fish Biologist, Chris Knutsen regarding proposed angling regulations for the 2013 Nehalem Chinook fishery. I have discussed your concerns with Chris Knutsen and Ed Bowles and I wanted to provide you with a brief response in advance of the Fish and Wildlife Commission meeting scheduled for June 6.

First, the fall Chinook forecast for 2013 is for approximately 7,800 adults to escape fisheries and make it to the spawning grounds. This escapement would put the return at exactly the estimated 20-year average spawning abundance and would be similar to the 2011 and 2012 spawning escapement of ~7,600 and ~7,500 adults, respectively. As you know, our spawning escapement goal for the basin is 6,900 adults – so, we met goal for the last two years and we are forecasted to meet goal again this year. This is a positive abundance trend that is consistent with what we have observed in other North Coast basins over past several years.

Second, as a member of the Coastal Multi-Species Conservation Plan Stakeholder Team, you are aware that we have proposed to modify inland (wild) Chinook bag limits under permanent rule for both summer and fall Chinook populations in the Nehalem basin. For example, under average abundance conditions (such as those that we observed the past two years and are forecasting for this year) the bag limit for the Nehalem basin summer Chinook would be 1 per day and 5 per season (through 9/15) and 1 per day and 10 per season for unmarked Chinook the remainder of the year (in aggregate with other 1/10 basins). The 5 summer Chinook seasonal limit would also apply toward the 10 fall Chinook seasonal aggregate. This and other proposals outlined in the draft conservation plan will be afforded substantial opportunity for public comment before it goes before the Commission later this year; however, if adopted, I believe it will address much of the conservation concern expressed in your letter.

Thirdly, through our creel survey effort the past couple of years, we have been able to begin to characterize the Nehalem River basin fishery more thoroughly. For example, last season we estimated that approximately 50% of the basin-wide harvest of approximately 3,000 adult Chinook occurred in the "jaws" area. Interestingly, 13% of the "jaws" Chinook harvest was

comprised of out-of-basin hatchery Chinook. These are fish that were clearly "dip-ins" as they were not encountered in appreciable numbers further up the bay. Given the rate of "dip-in" hatchery Chinook, it is also likely that many wild-origin (unmarked) Chinook "dip-in" and become vulnerable to harvest in the jaws area as well. So, while fishing at the jaws is definitely productive, the Chinook catch does not consist entirely of in-basin fish. As for the professional guide fishery in Nehalem Bay, our creel surveys have shown that guided trips comprise only about 8% of the total basin Chinook harvest (data from 2011 and 2012). For comparison, this is less than one-half of the guide harvest rate observed in the Siletz River basin (where we also have recent creel survey information).

Again, thank you for your comments and interest in our fishery resources. I hope you will find that some of the changes being proposed for the future will alleviate many of your conservation concerns. If I can be of any further assistance, please do not hesitate to contact me.

Sincerely,



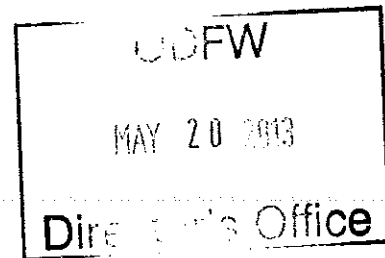
Rick Klumph
North Coast Watershed Manager
ODFW - North Coast Watershed District

c: Bowles (ODFW); Knutsen (ODFW)

May 17, 2013

For Commission Record

Mr. Chris Knutsen
District Fish Biologist
ODFW –North Coast Watershed
4907 Third Street
Tillamook, OR 97141



Subject: 2013 FINAL ODFW Staff Proposal—Northwest Region Summer/Fall Salmon Fishery

Dear Chris:

Thank you for your email dated May 15, 2013 with FINAL ODFW Staff proposals for June 2013 Commission meeting. I will be sending these written comments/suggestions via mail to the ODFW Commission for their consideration at the June 7, 2013 meeting.

PERSONAL BACKGROUND

I have lived in Oregon for almost 50 years, fished all over the State, but during the past 15 years I have spent most of my time fishing in the Nehalem River Basin. In 2002 I bought property in Wheeler, built a house, then retired and moved to Wheeler full time in 2005, to not only fish/recreate, but also to enjoy the serenity and beauty of the Bay, which is unparalleled. Each year since 2005 I have moored my 18 foot North River boat at the Wheeler Marina from July 1 to Nov 1; and being retired I do spend a lot of time on the water fishing inside the Bay. I consider myself to be a good fisherman and have caught my fair share of salmon over the years inside the Bay. Prior to retiring I have fished in the so called "Jaws Area" from time to time with friends. I have made a personal decision since then not to fish in the Jaws Area although I have the experience and equipment.. From my own experiences, I do believe the salmon are easier to catch there because they are actively feeding, moving in and out from the ocean and are in fact concentrated in a narrow area. Based on that, I firmly believe an area restriction, reduced wild Chinook bag limit and shorter fishing season in Jaws Area and Lower Bay is necessary when the spawning escapement goal for both Wild Chinook and Wild Coho is in jeopardy, like your estimates for 2013 indicate.

That being said I offer my feedback and ideas regarding angling regulation development for the Nehalem Basin and ODFW staff proposals for 2013. Please keep in mind what a great statesman (Winston Churchill) once said and I quote:

"Criticism may not be agreeable, but it is necessary. It fulfills the same function as pain in the human body. It calls attention to an unhealthy state of things".

In my opinion, the ODFW staff decision to **not have local public meetings to discuss these fisheries as the 2013 proposals are very similar to last year** was a disappointment for all of us "locals", guides and other fishermen/citizens who are stakeholders concerned about the health of the Salmon Fishery on the North Coast. It appears too late for this year, but next year ODFW staff should consider having three (3) separate public meetings in each of the North Coast Fisheries. (Nehalem- Tillamook- Nestucca) to receive input and suggestions. We need to be part of the solution and not considered part of the problem. Opportunity for public comment in writing to the Commission after you and ODFW Staff have developed a proposal is a poor substitute for face to face dialogue with the public and ODFW staff before you develop a proposal.

It is hard for me to understand why ODFW staff would recommend that the Commission adopt a daily bag limit of 2 non-fin clipped Chinook for 2013 with no area restrictions and a forecasted escapement of around 7800 in the Nehalem Basin. I hope and trust it is not for the benefit of any particular interest group that lobbied ODFW intensely at the 2012 public meeting in Tillamook.

I understand the 2012 forecast was 8,728, but actual spawning return was 7,515 (around 14% less than estimated). The actual number is slightly above the spawner escapement goal. If ODFW staff estimate is off by similar percentage in 2013, the Nehalem will again fall below the spawner escapement goal of 6,989 adults. It appears you may have adjusted the forecast down for 2013 because of the 2012 actual return?

I kept and reviewed a copy of an email I received from you prior to the April 28, 2011 public meeting in Tillamook which I attended. I never did hear what the actual spawning escapement was in 2011, but you forecasted 7,578. You also stated back then, that since we are only forecasted to be slightly above our escapement goal of 6,989 adults, you recommended keeping a somewhat conservative bag limit of 1 non-fin clipped Chinook per day and 10 for the season with "jaws" area closed until Sept 15 when Wild Coho season was to open. Most of us agreed and thought that was a good ODFW decision to support/enhance conservative sustainability criteria.

In conclusion Chris, I feel that for the Nehalem Bay and River, ODFW Staff should be proposing that the Commission adopt the same conservative Chinook bag limit and area restrictions for 2013 that you proposed and was adopted by the Commission in 2011:

--* 1 non fin-clipped Chinook per day and 10 for the season (July 1—Dec 31).**

***** Close "area from entrance of Nehalem Bay to Nehalem Bay State Park boat ramp" until the wild Coho season opener of Sept 15.**

*****---- 1 non fin-clipped Coho per day/1 per season with 700 quota, down from 1200 quota last year, seems reasonable and conservative, since number of returning Wild Coho was down in 2012 as well.**

I would like to compliment you and ODFW Staff for drafting a conservation plan that will adjust the future wild Chinook bag limit down to **1 per day 10 per season (less for summer Chinook season)**.effective 2014. I would suggest **1 per day 5 per season for spring/summer season** that would run from April 1 –June 30. In the Bay and May 25-July 31 in Nehalem River, Mainstem and North Fork.

As I understand your proposal, the Fall salmon season would begin July 1-Dec 31 instead of Aug1-Dec 31 each year.

I agree that this will provide a long-term hedge against exploitation pressures on the North Coast. I hope this will be discussed and adopted at this year's June 7 Commission meeting.

I also do believe that the broader goal should be **to restore and rebuild the wild salmon and steelhead runs** in the Nehalem Watershed as opposed to releasing more hatchery raised salmon and steelhead.

Many of us here in Nehalem community also feel that ODFW Staff needs to better monitor and improve the enforcement of established fishing regulations in the Nehalem Basin Fishery and that the creel survey data collection process and harvest tag data can also be improved. We appreciate all that you do, and understand the fiscal constraints that confront ODFW. Site specific ODFW led local meetings with local stakeholders would go a long way to assist ODFW Staff in fishery management and minimize the "criticism of ODFW proposals each year".

Cordially,



Michael Glowa

PO Box 454

Wheeler, OR 97147

503.368.3930

May 14, 2013

Mr. Chris Knutsen
District Fish Biologist
ODFW North Coast Watershed
4907 Third Street
Tillamook OR 97141

Dear Chris:

It was with a considerable degree of disappointment that I reviewed the 2013 regulation proposals for the Nehalem (which is my principal interest) and other North Coast rivers. In light of the mediocre, at best, results of last year (discounting the disproportionately high catch rate at the jaws--more about that later) I had hoped for a chinook bag limit of 1 per day, 10 for the season. The summer run (again I refer to inside the bay) was very spotty and the October run just didn't seem to happen. I fail to see the optimism that leads to a repeat of the 2012 bag limits.

Regarding the jaws fishery, it is obvious to everyone that frequents the Nehalem that the catch opportunity is badly skewed in favor of those who have the equipment, will and opportunity to fish the jaws. The fish are kegged up there and still actively feeding, resulting in a disproportionate catch ratio. Assuming the objective is to provide a quality fishing opportunity for everyone that is consistent with long term preservation of the resource it is obvious to me, and most everyone I talk to, that the jaws need to be closed. The fish need to be able to enter the bay where they can disperse without running the gauntlet that exists at the jaws. Certainly this is the attitude of the sport fishing community, although I recognize the guides are motivated by a different set of priorities. Although this letter is about the Nehalem, much the same situation exists at the mouth of the other North Coast rivers such as the Siletz and Nestucca, although perhaps not as pronounced.

If political pressures preclude closing the jaws then at the very least a concerted effort should be mounted to enforce a bag limit per person, not per boat, which is the defacto situation now. When I see a boat come in to the Wheeler city dock with 4 fishermen plus the guide and watch everyone offload a limit of fish, it requires extreme naivete to think that each person caught their 2 fish (or whatever the bag limit is). If you catch it, you tag it, and when you catch the one that makes your daily limit, you tag it and keep your rod out of the water. That law is heavily ignored in large parties.

I have fished all my life and am nearing the end of that run, but I would like to feel that the same experience can be available for those that follow. The situation that exists currently creates a schism wherein there is a quality experience for the few while the majority get left overs.

Close the jaws----please.

Very truly yours

Bill Hercher
7455 SW 136th Ave
Beaverton Oregon 97008

P.S.

Please make this letter a part of the file regarding the Nehalem fishery.

CC:

Ed Bowles
Administrator, Fish Division ODFW
3406 Cherry Ave NE
Salem OR 97303

GARRY R. BULLARD

May 3, 2013

Mr. Chris Knutsen
District Fish Biologist
ODFW -- North Coast Watershed
4907 Third Street
Tillamook, OR 97141

Dear Chris:

Re: Proposed 2013 Nehalem Bay Salmon Regulation

Thank you for the courtesy of your email outlining your proposed North Coast Fall Fisheries Regulations. I assume that it will come as no surprise to you that I am in respectful disagreement with your proposed repetition of the serious mistakes that were made last year. Here are some of my reasons:

1. The Jaws. By all accounts fishing by the guides and others with appropriate equipment was great at the Jaws. This should surprise no one as the fish are concentrated in a narrow area and are still feeding. The Jaws' harvest was magnified by your decision to restore a two fish daily limit. As you explained it at the time your reasoning was that there was a two fish daily limit in the 2008 so-called permanent regulations and you wanted to demonstrate that regulations can become more liberal as well as more restrictive. What this has to do with maintenance of a sustainable run has a lot of people still scratching their heads. Of course, at the Jaws the two fish daily limit has a multiplier effect with each day's turnover of two, three, four, even six customers per guide boat. A conservative conservation policy, as opposed to making a point of some kind, would dictate that the Jaws should be open only when it can be demonstrated that there is in fact a surplus return. Often wrong estimates and computer model guesses are interesting but they are a very poor basis for critical decisions. Extra harvest should be allowed only when it is clear that the run is in fact sufficient to meet conservative sustainability criteria based on catch rates from the State Park boat ramp to the Highway 53 Bridge. Obviously, the high catch rate at the Jaws distorts the rate upward.

2. Inside the Bay. Ask almost anyone who fishes Nehalem Bay from the State Park boat ramp to the Highway 53 Bridge and you will be told that 2012 was a very poor year. There were few fish throughout the summer and the October fish never did seem to arrive. The reason is pretty clear to anyone willing to consider it objectively. The fish were being taken at the Jaws by the guides and their customers, etc. Essentially, the inner bay was being cordoned off. One can hardly blame the guides. They will take whatever advantage you give them and they are very good at pleasing their customers. The virtual non-appearance of the predicted wild Coho run in 2012 paralleled the scanty return of the fall Chinook. That disappointment emphasized the folly of relying on predictions and computer models to set policy as opposed to the reality of what occurs.

P.O. BOX 365, MANZANITA, OREGON 97130

GARRY R. BULLARD

3. The Haves and the Have Nots. The situation you have created has led to a great deal of frustration and anger in the Nehalem Bay community. In short, there are a few who catch most of the fish, generally on a commercial basis, and there is the majority of residents and day fishermen who fish Nehalem Bay and who do very poorly. This situation is a consistent event and topic of conversation which undermines your credibility and that of ODFW. It is largely a matter of where a person is able to fish. You have managed to create a very unfortunate class divide as well as what I believe to be an unsustainable harvest which endangers the runs. Eventually this will lead to emergency measures, such as the closure and restrictions, we have experienced in recent years.

In 2009 the ODFW issued this bulletin: "On June 5, the Oregon Fish and Wildlife Commission closed the fall Chinook season in the Nehalem beginning Aug. 1 based on surveys that showed low returns the past three years, coupled with another poor return forecast in 2009."*

In those "past three years", the Jaws were open and there was a two fish daily limit. You are repeating history.

4. Public Input. You pay lip service to public input but this is hardly credible when you announce that you will not have local public meetings this year "because the proposals are very similar to last year". The public meeting in Tillamook last year was packed by the guides, their friends and supporters. The ceremonial show of hands was given great weight. Some of these folks have been boasting about that event every since. At the same time, petitions signed by over 200 local people, without an organized campaign, were totally ignored. So you have accomplished a "twofer" -- an obviously flawed process in 2012 as a basis for repeating a bad decision and for not talking to the public this year.

Finally, it gives me no pleasure to be critical of your leadership of this matter. I understand that these are tough issues. However, your responsibility is to protect the resource long term, not to maximize the harvest and the income of a few. I have reluctantly come to the conclusion that you are listening to only one side of the issue. As a result you are putting one of our most treasured resources at risk.

Please add this letter to the Commission file in this matter.

Sincerely,



Garry R. Bullard

C: Ed Bowles

* June 10, 2009, ODFW News Release

P.O. BOX 365, MANZANITA, OREGON 97130

Garry R. Bullard

Ed,

This problem is NOT
going to go AWAY. IT
CAN ONLY get worse.

Regards,

Garry