

## Agenda Item Summary

### BACKGROUND

Oregon law requires the Oregon Fish and Wildlife Commission (Commission) to adopt angling regulations annually. Development of the 2015 Oregon Sport Fishing Regulations takes place in the second year following the Five-Step Public Process that was used to develop the 2013 Oregon Sport Fishing Regulations. These proposals developed by staff follow the Commission "Interim Year" categories outlined below, and were developed in consultation with Department of Justice (DOJ), Oregon State Police (OSP), ODFW district staff and key constituent groups.

The proposed changes to the 2015 Oregon Sport Fishing Regulations fit into one or more of the following categories:

- Critical conservation needs
- Housekeeping and error corrections, simplification
- Inadvertent restrictions
- Regulation changes directed by basin plan adoption
- New or expanded non-controversial angling opportunities including actions identified in the 25-Year Angling Enhancement Plan

Issues 1 and 2 of this summary address adoption of these rules.

### PUBLIC INVOLVEMENT

No formal public meetings were held.

### ISSUE 1

**RE-ADOPT THE 2014 OREGON SPORT FISHING REGULATIONS AS ADMINISTRATIVE RULES; CHANGES OF UNIVERSAL DATES FOR FISHING SEASON OPENERS.**

### ANALYSIS

Staff proposes that the Commission re-adopt the 2014 Oregon Sport Fishing Regulations with the following changes:

- Change all references in the OARs from "2014 Sport Fishing Regulations" to "2015 Sport Fishing Regulations,"
- Change dates for the fishing season openers to reflect that the fourth Saturdays of April and May 2015 are different dates than the fourth Saturdays of April and May 2014.
- Change other universal dates as necessary.

Staff considers these changes to be non-controversial and therefore have consolidated in one draft motion.

In anticipation that the Commission will approve the universal date change to reflect season openers for 2015 in its action on Issue 1, staff has the date changes in Attachment 4 as they will appear in the pamphlet. Staff is also proposing that the Commission authorize staff to make formatting changes, to correct spelling or grammar errors, address inadvertent inconsistencies and to improve the overall readability of the 2015 Oregon Sport Fishing Regulations.

### OPTIONS

1. Accept the proposed regulation changes.
2. Modify the proposed regulation changes.

3. Reject the proposed regulation changes.

<b>DRAFT MOTION</b>	I move to adopt OAR Chapter 635 Divisions 008, 011, 013, 014, 016, 017, 018, 019, 021, 023 and 039 as proposed by staff in Attachment 3, and to universally reflect the calendar dates for trout season openers as described and shown in Attachment 4 [with the following exceptions . . .].
<b>EFFECTIVE DATE</b>	January 1, 2015.

## **ISSUE 2**

### **STATEWIDE AND ZONE ANGLING REGULATIONS PROPOSED FOR THE 2015 OREGON SPORT FISHING REGULATIONS PAMPHLET**

## **ANALYSIS**

All proposed rule changes for the 2015 Oregon Sport Fishing Regulations pamphlet are detailed in Attachment 4. Each proposal has been assigned a unique number and highlighted.

### **Key Issues**

Of the 110 proposed rule changes shown in Attachment 4, the majority are housekeeping changes, which are categorized as corrections, clarifications, formatting changes, and simplification of regulations. Fish Division tasked District staff with reviewing the current regulations with a focus on recommending changes that would simplify Oregon's angling regulations. These proposed changes will simplify the regulations without significantly impacting angling opportunities in the state. While the proposed changes are a good start on simplification of the regulations, the Commission can anticipate further action by the agency on this front over the next several years, in consultation with the public.

In addition, many of the regulation proposals that were submitted are in response to the June Commission action approving the Coastal Multi-species Conservation and Management Plan.

Staff has identified several "Key Issues" which will be presented to provide further analysis and background on the proposals. These issues are summarized below.

### **Statewide:**

No key issues. Regulation stating that it is illegal to harvest or possess freshwater clams and mussels was clarified.

### **Northwest Zone:**

Staff has proposed multiple regulation changes to comply with the Coastal Multi-species Conservation and Management Plan.

### **Key Issue 1:**

Staff is proposing to extend the spring Chinook season in Three Rivers as a new non-controversial angling opportunity. New gear regulations that

were implemented in 2012 have reduced snagging and other illegal activity during the hatchery spring Chinook and summer steelhead fishery in July. Sufficient hatchery spring chinook and summer steelhead remain available in the river to provide additional harvest opportunity while still meeting broodstock needs. This proposal extends angling opportunity for hatchery spring Chinook and summer steelhead on Three Rivers.

**Southwest:**

Multiple changes were proposed to comply with the Coastal Multi-species Conservation and Management Plan.

**Key Issue 1:**

Staff is proposing to implement a restrictive bag limit and gear restriction in the Chetco and Winchuck River to protect wild fall Chinook. The regulation proposal was developed with input from a public workgroup as directed by Rogue Fall Chinook Conservation Plan. Under this proposal no more than 1 adult non-adipose fin clipped Chinook salmon per day and 5 per year could be harvested. Additionally, a seasonal gear restriction is being proposed where angling would be restricted to fly and bobber angling only.

**Willamette Zone:**

The majority of the proposals that were submitted pertained to housekeeping and simplification.

**Key Issue 1:**

Staff is proposing to change the Zone regulation regarding the catch limit for salmon and steelhead. Under the proposal, all waters below Willamette Falls would remain under the current regulations allowing for daily catch limits of 2 adult salmon or steelhead and 5 jacks per day. The waters above Willamette Falls would allow for separate daily catch limits for salmon and steelhead where an angler could harvest 2 adult adipose fin-clipped salmon and 5 jacks per day as well as 3 adipose fin-clipped steelhead per day. The additional catch limits for steelhead above Willamette Falls are to address conservation needs associated with non-native summer steelhead interactions with ESA-listed winter steelhead in the upper Willamette.

**Key Issue 2:**

Staff is proposing to allow for an additional adipose fin-clipped steelhead per day (total of 4) in the Santiam Basin. Based ODFW data there are sufficient fin-clipped adult steelhead in the Santiam river to support this additional angling opportunity. Increasing the limit will provide added harvest benefit without negatively impacting the resource. Additionally, it will serve to help reduce potential interaction with native winter steelhead. Also in the Santiam basin, the season for chinook and coho salmon were adjusted to make it easier for anglers to comply with regulations. Instead of two separate seasons for each species that over lapped two weeks at either the beginning or end season the proposed season would be in place

from Jan 1 – Aug 31 and from Oct 15 – Dec 31.

**Central Zone:**

The majority of the proposals that were submitted pertained to housekeeping and simplification.

**Key Issue:**

Staff is proposing to open the Deschutes River fall Chinook fishery from the mouth at the I-84 bridge upstream to Sherars Falls from August 1 to October 31; the catch limit would be two adults and five jacks per day. Due to the strong returns since the early 2000's, fall Chinook escapement to the Deschutes River has far exceeded escapement and management goals necessary to implement sport fisheries as described in the Lower Deschutes River Fish Management Plan. A number of factors are likely responsible for the population increase including a reduction in ocean harvest, improved passage conditions on the Columbia River, improved habitat in the Deschutes, along with many other smaller factors. Since 1996, with the exception of 1997 and 2001, an emergency rule opening the river to fall Chinook angling has been approved each year. There are no indications that the Deschutes fall Chinook population will fall below management goals in the near future. A permanent rule opening fall Chinook will reduce angler confusion, while still meeting management objectives.

**Northeast Zone:**

**Key Issue:**

Staff is proposing to change smallmouth bass regulations for the John Day river from Tumwater Falls to the confluence with the North Fork John Day. Previous bass regulations implemented in 2002 were designed to increase the size of bass in this section of river, with the goal of reducing predation on salmonids and improving the quality of the fishery. Monitoring indicates that this regulation has been ineffective at meeting this goal. This proposal moves this section of river under zone regulation with a catch limit of 5 fish per day, no more than 3 fish over 15 inches, simplifying the regulations.

**Southeast Zone:**

The majority of the proposals that were submitted address housekeeping and regulation simplification, with staff working diligently on simplifying the current regulations for the Southeast Zone. A proposal was submitted to rewrite the Zone Regulations to help reduce the number of special regulations. For example, 11 special regulations allowing for the harvest of two brown trout are currently in place, by adding this to the Zone Regulations, the special regulations can be deleted. This strategy is also being proposed for kokanee, by adding language to the Zone Regulations three special regulations can be removed.

**Snake River Zone:**

No key issues. Minor housekeeping corrections were submitted

**Columbia River Zone:**

No key issues. A proposal was submitted to increase the sturgeon sanctuary in Bonneville Pool. The proposal will prohibit angling for sturgeon from The Dalles Dam downstream 1.8 miles to a line from the dock at the Port of The Dalles boat ramp straight across to a marker on the Washington shore from May 1-July 31. This regulation was adopted by temporary rule in March of 2014.

**Marine Zone:**

No key issues, minor housekeeping corrections were submitted.

**OPTIONS**

1. Accept the proposed regulation changes.
2. Modify the proposed regulation changes.
3. Reject the proposed regulation changes.

**STAFF  
RECOMMENDATION**

Accept the proposed regulation changes as recommended by staff.

<b>DRAFT MOTION</b>	I move to adopt the 2015 Oregon Sport Fishing Regulations as proposed by staff in Attachment 4 and authorize staff to make formatting changes, to correct spelling or grammar errors, address inadvertent inconsistencies, and improve readability.
<b>EFFECTIVE DATE</b>	January 1, 2015.