



## Oregon Fish and Wildlife Commission Agenda

Meeting:  
Friday, March 15, 2019 – 9:00 AM  
Oregon Department of Fish and Wildlife  
Commission Room  
4034 Fairview Industrial DR SE  
Salem, Oregon 97302

**Friday March 15, 2019**

### **DIRECTOR'S REPORT**

Field Reports – in written form only

Expenditure Report

Erica Kleiner, Deputy Director of Administration

Big Game Hunting Review Process

Nick Myatt, Big Game Hunting Review Project Lead

Electronic Licensing System Update

Steve Bergmann, Administrative Services Division Administrator

### **PUBLIC FORUM**

*Note: This part of the agenda is for comments on topics not scheduled elsewhere on the agenda. Please contact the Oregon Department of Fish and Wildlife Office of the Director at least **48** hours prior to the meeting to be included in the public forum. If you bring written summaries or other materials to the meeting please provide the Commission Assistant with 20 copies prior to your testimony. The Commission is unable to take action on items brought to their attention in this forum.*

*Southern Resident Killer Whales and Salmon Conservation*

*Dave Moskowitz, the Conservation Angler*

### **ADOPT TEMPORARY RULES**

Curt Melcher, Director

#### **1.) 635-041-0065**

##### **Modifications to the 2019 Treaty Indian Winter Commercial Fisheries**

Adopted February 12, 2019: effective February 12, through July 29, 2019.

These rules modify the Treaty Indian winter season commercial gillnet fishery. Modifications are consistent with action taken February 12, 2019 by the Departments of Fish & Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

#### **2.) 635-005-0465**

##### **Commercial Dungeness Crab Evisceration South of Bandon**

Adopted February 14, 2019: effective February 14, through July 22, 2019.

In coordination with Oregon Department of Agriculture (ODA) temporary rule making (see OAR 635-025-0423), this amended rule implements a biotoxin management zone for the ocean commercial Dungeness crab fishery from Bandon (43° 07' N. Lat.) southward to the Oregon/California border (42° 00' N. Lat.) due to detection of elevated levels of domoic acid in

crab viscera in the specified area. In combination, this rule and ODA rule require that all Dungeness crab taken from the biotoxin management area zone after 12:01 AM February 14, 2019 be sold to a licensed food processor that eviscerates the crab consistent with the ODA rule. In addition, crab harvested from Cape Blanco (42° 50' N. Lat.) to a line just north of Gold Beach (42° 26' N. Lat.) after 12:01 AM February 11, 2019 will be subject to recall for evisceration. These rules prohibit the sale of live or whole crab caught from the biotoxin management zone, and prohibit the sale of any crab that is not processed consistent with these rules.

### **3.) 635-041-0065**

#### **Modifications to the 2019 Treaty Indian Winter Commercial Fisheries**

Adopted February 19, 2019: effective February 20, through July 29, 2019.

These rules modify the Treaty Indian winter season commercial gillnet fishery. Modifications are consistent with action taken February 19, 2019 by the Departments of Fish & Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

### **4.) 635-060-0009**

#### **Successful Applicants**

Adopted: February 19, 2019 Effective Dates: January 1, 2019 through June 01, 2019

A temporary rule is needed to extend the date for the beginning of the ability to purchase Spring Bear Controlled Hunt Tags associated with the February 2019 Spring Bear Controlled Hunt Draw.

This temporary rule is needed to modify 635-060-0009(1) to extend the date identifying when controlled hunt tags will be available to purchase. Due to as-of-yet unresolved computer issues, the Spring Bear Controlled Hunt Draw has been delayed until later in February, 2019. As a result, the ability to purchase controlled hunt tags based on the draw needs to be extended to allow for the possibility tags would not be available to be purchased on the 20th of February.

### **5.) 635-023-0125**

#### **Columbia River Recreational Seasons for Salmon and Steelhead Set**

Adopted February 20, 2019: effective March 1, through May 5, 2019.

This amended rule sets regulations for Columbia River recreational spring Chinook and steelhead seasons with descriptions of areas, dates, and bag limits for harvest of adipose fin-clipped Chinook salmon and adipose fin-clipped steelhead. Revisions are consistent with action taken February 20, 2019 by the Oregon and Washington Departments of Fish and Wildlife in a meeting of the Columbia River Compact. February 20, 2019 by the Oregon and Washington Departments of Fish and Wildlife in a meeting of the Columbia River Compact.

### **6.) 635-041-0065**

#### **Modifications to the 2019 Treaty Indian Winter Commercial Fisheries**

Adopted February 28, 2019: effective March 1, through July 29, 2019.

These rules modify the Treaty Indian winter season commercial gillnet fishery. Modifications are consistent with action taken February 28, 2019 by the Departments of Fish & Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

**7.) 635-017-0090**

**Modifications to the Willamette Zone Temporarily Reducing Bag Limits and Implementing 2-Rod Allowances**

Adopted February 28, 2019: effective March 4, through August 31, 2019.

This rule amendment will modify the Chinook bag limit in the Clackamas River (Mouth to River Mill Dam), Eagle Creek, (Clackamas River, Mouth to markers 200ft below hatchery ladder outlet),

and Estacada Lake (Clackamas River, River Mill Dam upstream to Faraday Diversion (Cazadero) Dam). This rule also allows for usage of a Two-Rod Validation in specified areas of the Willamette River downstream of Willamette Falls. Modifications allow the use of two fishing rods while fishing for both game and non-game fish species, except sturgeon, in certain areas of the Willamette River, including flowing waters that are open to angling for hatchery Chinook, hatchery steelhead, trout, or warm water gamefish.

**8.) 635-041-0065**

**Modifications to the 2019 Treaty Indian Winter Commercial Fisheries**

Adopted March 11, 2019: effective March 12, through July 29, 2019.

These rules modify the Treaty Indian winter season commercial gillnet fishery. Modifications are consistent with action taken March 11, 2019 by the Departments of Fish & Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

**EXHIBIT A: COMMISSION MINUTES**

The Commission will be asked to approve draft February 8, 2019 Commission meeting minutes.

**EXHIBIT B: ACCESS AND HABITAT PROGRAM PROJECT FUNDING AND BOARD APPOINTMENT**

The Commission will review and approve the Access and Habitat Board recommendations for project funding and appoint a Landowner Representative to the Board.

Staff: Travis Shultz, Access and Habitat Coordinator

Public Testimony

Approval

**EXHIBIT C: FISH SCREENING TASKFORCE MEMBER APPOINTMENT**

The Commission will appoint a new Fish Screening Task Force Member representing fishing and fish conservation.

Staff: Ken Loffink, Fish Screening Program Coordinator

Public Testimony

Approval

**EXHIBIT D: RESTORATION AND ENHANCEMENT PROJECT APPROVALS**

The Commission will be asked to approve recommendations from January 11, 2019 Restoration and Enhancement Board meeting (cycle 17-7 & 19-1); and will be provided a presentation of 2017-19 R&E Biennial Report.

Staff: Kevin Herkamp, STEP/R&E Coordinator;

Richard Heap; R&E Board Chairman.

Public Testimony

Approval

## **EXHIBIT E: 2019 OCEAN SALMON FISHERIES INFORMATIONAL BRIEFING**

The Commission will be updated on 2019 ocean salmon fishery planning leading up to the May 1, 2019 salmon season start date.

Staff: Christine Mallette, Ocean Salmon Technical Services Section  
Manager, Ocean Salmon and Columbia River

Public Testimony  
Informational

## **OTHER BUSINESS**

### **EXECUTIVE SESSION**

The Executive Session is held pursuant to ORS 192.660(2)(h) which allow the Commission to meet in executive session to consult with legal counsel with respect to litigation filed or likely to be filed against the Commission.

## **ADJOURN**

## **FUTURE PROPOSED COMMISSION TOPICS**

\* Written public comments for future Commission Topics can be submitted in writing prior to the meeting date at [ODFW.Commission@state.or.us](mailto:ODFW.Commission@state.or.us) or mailed to 4034 Fairview Industrial Drive SE Salem, OR 97302

### **April 18, 2019 – Tour - St Helens**

#### **April 19, 2019 – St Helens**

*\*Written public comment period will open February 15, 2019*

- 2019-2020 Oregon Game Bird Regulations- Rulemaking
- Pacific Halibut Fisheries – Rulemaking
- Coastal Chinook Salmon Terminal Fisheries – Rulemaking
- 2019 Fish Passage Prioritization List- Approval
- Commercial Fishery Permit Board - Appointment

### **May 2019 – No meeting scheduled**

### **June 6, 2019 – Tour - Gold Beach**

#### **June 7, 2019 – Gold Beach**

*\*Written public comment period will open April 15, 2019*

- A & H Project Funding – Approval
- Big Game Simplification Process – Informational
- 2020 Auction Raffle Allocations – Approval
- Commercial Coastal Pelagic Fisheries – Rulemaking
- Coastal Wild Coho Salmon River Fisheries – Rulemaking

### **July 2019 – No meeting scheduled**

#### **August 2, 2019 – Salem**

*\*Written public comment period will open June 15, 2019*

- Legislative Approved Budget Update - Directors Report
- R & E Project Approval, Member Appointment and STEP Annual Report – Informational and Approval

#### **September 13, 2019 – Salem**

*\*Written public comment period will open July 15, 2019*

- A & H Project Funding – Approval
- Big Game Regulations; 2020 Tags and Season Dates – Rulemaking
- Sport Fish Regulations - Rulemaking

### **October 10, 2019 – Tour – Ontario**

#### **October 11, 2019 – Ontario**

*\*Written public comment period will open August 15, 2019*

### **November 2019 – No meeting scheduled**

**December 6, 2019 – Salem**

*\*Written public comment period will open October 15, 2019*

- A & H Project Funding – Approval
- Groundfisheries and Nearshore Logbook Report – Rulemaking
- R&E Project Approval- Approval

**PLEASE NOTE**

**AGENDA**

The Commission meeting will begin at 8:00 a.m. March 15, 2019, and proceed chronologically through the agenda. If you wish to receive written materials prepared for any of the agenda items, please contact the Director's Office in Salem at 503.947.6044 to request a packet for those items, which interest you or see the agency's website at <http://www.dfw.state.or.us/Comm/schedule.htm> .

A recess will be taken at 12:00 Noon, when the Commission will have lunch and may discuss matters of general interest. The public is welcome to attend, and an announcement will be made of the location of the lunch. Lunch will not be provided to the public.

**PUBLIC TESTIMONY**

If you wish to give testimony on any item scheduled on this agenda, please sign up on the sheets provided the day of the meeting. You will be called to testify by the Commission Chair. The Commission places great value on information received from the public, and wants to avoid arbitrary limits on the time or attention allocated to each witness. Therefore, persons desiring to testify or otherwise present information to the Commission are encouraged to:

- (1) Provide written summaries of information to the Commission twenty (20 sets);
- (2) Limit testimony to three (3) minutes, recognizing that substance, not length, determines the value of testimony or written information;
- (3) Endorse rather than repeat testimony of other witnesses; and
- (4) Groups or organizations wishing to testify should designate one spokesperson whenever possible.

**PUBLIC FORUM**

If you wish to give testimony on any item not scheduled elsewhere on the agenda, please contact the Director's Office, Oregon Department of Fish and Wildlife, 503.947.6044, **at least 48 hours prior to the meeting**. The Commission Chair immediately following the Director's report portion of the agenda will call you. Please provide twenty (20) sets of written summaries or other materials to the Commission Assistant prior to your testimony. The Commission is unable to take action on items brought to their attention in this forum.

**THANK YOU FOR TAKING THE TIME TO PRESENT YOUR VIEWS**

Materials delivered to the Director's Office sufficiently in advance of the meeting can be copied and distributed to the Commission. If you bring written materials to the hearing, please provide twenty (20) copies. If you have questions regarding this Agenda, please contact the Director's Office, Oregon Department of Fish and Wildlife, 4034 Fairview Industrial Dr. SE, Salem, OR 97302, 503.947.6044.

**PARKING**

Parking is available to anyone who attends the Commission meeting.

**REASONABLE ACCOMMODATION OF DISABILITIES**

Reasonable accommodation, such as assistive hearing devices, sign language interpreters, and materials in large print or audiotape, will be provided as needed. In order to ensure availability, please contact the Director's Office at 503.947.6044 at least 72 hours prior to the meeting to make your request. TTY users can reach ODFW by using the Oregon Telecommunications Relay Service. Please dial 711 and ask to be connected to 503-947-6044.