



Oregon Fish and Wildlife Commission Agenda

Meeting:
Friday, April 23, 2021 - 8:00 AM
Oregon Department of Fish and Wildlife
Virtual Meeting
4034 Fairview Industrial DR SE
Salem, OR 97302

Friday, April 23, 2021

See notes on the last page of this agenda for instructions on how to [register](#) to testify on the exhibit items.

DIRECTOR'S REPORT

FIELD REPORTS – in written form only

EXPENDITURE REPORT

Erica Kleiner, Deputy Director for Administration

ADAPTING TO CLIMATE AND OCEAN CHANGE REPORT

“Update on Implementing Executive Order 20-04 - Directing State Agencies to Take Actions to Reduce and Regulate Greenhouse Gas Emissions” and “Climate Adaptive Inland Angling Policy Framework”.

Davia Palmeri, Conservation Policy Coordinator

Dr. Charlotte Regula Whitefield, Acting Senior Policy Analyst

PYGMY RABBITS

Kaly Adkins, Regional Diversity Biologist

GRAY WOLF 2020 ANNUAL REPORT

Roblyn Brown, Wolf Coordinator

ADOPT TEMPORARY RULES

Curt Melcher, Director

1.) 635-043-0175, 635-066-0010, 635-067-0004

Animal parts check-in requirements for hunter harvested bear/cougar, and Roadkill Salvage Permit animals

Adopted: March 22, 2021 – Effective Dates: March 22, 2021 through September 17, 2021

Due to continued Department office closures in response to the COVID-19 Emergency and the expected increase of harvested animals with the 2021 hunting seasons, Temporary Rules are needed to continue compliance with CDC guidelines for social distancing and Governor Kate Brown’s Emergency Declaration and directives designed to reduce the spread of COVID-19 by reducing social contact.

2.) 635-042-0145

Revise 2021 Commercial Fishing Seasons in Youngs Bay Select Area

Adopted March 24, 2021: effective March 25, 2021 through July 29, 2021.

This amended rule modifies the fishing area for two previously adopted commercial fishing periods (on March 25 and 29,) in the Youngs Bay Select Area.

3.) 635-042-0160, 635-042-0170

Revise 2021 Commercial Fishing Seasons in Knappa Slough, South Channel, and Tongue Point Select Areas

Adopted March 24, 2021: effective March 25, 2021 through July 2, 2021.

635-042-0160

This amended rule increases the open hours for two previously adopted periods in Knappa Slough. Modifications are consistent with action taken March 23 by the Departments of Fish & Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

635-042-0170

This amended rule includes the following changes to Select Area commercial fisheries:

- Provides two additional fishing periods in the Tongue Point Select Area; and
- Modifies the open hours of one previously adopted period in South Channel for consistency with the new Tongue Point periods.

Modifications are consistent with action taken March 23 by the Departments of Fish & Wildlife for the States of Oregon and Washington at a meeting of the Columbia River Compact.

4.) 635-019-0090

Close Angling for and Retention of Steelhead Upstream of McKay Dam

Adopted March 24, 2021: effective March 24, 2021 through June 30, 2021.

This amended rule closes recreational steelhead angling and retention upstream of McKay Dam including the McKay Reservoir, McKay Creek, and all tributaries from April 1 through June 30, 2021.

5.) 635-042-0145

Revise 2021 Commercial Fishing Seasons in Youngs Bay Select Area

Adopted March 31, 2021: effective April 1, 2021 through July 29, 2021.

This amended rule modifies the fishing area for a previously adopted commercial fishing period (April 1), and adds two reduced-area fishing periods in the Youngs Bay Select Area.

6.) 635-042-0180

Set 2021 Commercial Fishing Seasons in the Deep River Select Area

Adopted March 31, 2021: effective April 1, 2021 through July 2, 2021.

This amended rule provides one additional fishing period in the Deep River Select Area.

Modifications are consistent with action taken by the Departments of Fish & Wildlife for the States of Oregon and Washington at the March 30 Columbia River Compact.

7.) 635-042-0160, 635-042-0170

Revise 2021 Commercial Fishing Seasons in Knappa Slough, South Channel, and Tongue Point Select Areas

Adopted March 31, 2021: effective April 1, 2021 through July 2, 2021.

This amended rule includes the following changes to Select Area commercial fisheries:

- Provides one additional fishing period in the Tongue Point Select Area;
- Modifies the open hours of one previously adopted period in South Channel for consistency with the new Tongue Point periods; and
- Increases the open hours for four previously adopted periods in Knappa Slough.

8.) 635-042-0145

Revise 2021 Commercial Fishing Seasons in Youngs Bay Select Area

Adopted April 8, 2021: effective April 8, 2021 through July 29, 2021.

This amended rule modifies the fishing area for a previously adopted commercial fishing period (April 8), and adds one additional fishing period in the Youngs Bay Select Area.

9.) 635-042-0170

Revise 2021 Commercial Fishing Seasons in South Channel and Tongue Point Select Areas

Adopted April 8, 2021: effective April 8, 2021 through July 2, 2021.

This amended rule includes the following changes to Select Area commercial fisheries:

- Provides two additional fishing period in the Tongue Point Select Area; and
- Modifies the open hours of two previously adopted period in South Channel for consistency with the new Tongue Point periods.

Modifications are consistent with action taken by the Departments of Fish & Wildlife for the States of Oregon and Washington at the April 7 Columbia River Compact.

10.) 635-042-0180

Revise 2021 Commercial Fishing Season in the Deep River Select Area

Adopted April 8, 2021: effective April 8, 2021 through July 2, 2021.

This amended rule provides one additional fishing period in the Deep River Select Area.

Modifications are consistent with action taken by the Departments of Fish & Wildlife for the States of Oregon and Washington at the April 7 Columbia River Compact.

11.) 635-005-0355

Close Tillamook Bay Commercial Cackle Dive Fishery

Adopted April 9, 2021: effective April 12, 2021 through October 8, 2021.

This amended rule closes the commercial Tillamook Bay cackle dive fishery on April 15. The annual harvest quota allowed under bay clam catch limits is 185,000 pounds, and the fishery is projected to reach that quota by April 14.

12.) 635-018-0090

Open Hatchery Chinook Fishery on the Hood River

Adopted April 9, 2021: effective May 1, 2021 through June 30, 2021.

This amended rule authorizes recreational retention of one hatchery Chinook and five hatchery jack salmon in portions of the Hood River from May 1 through June 30.

13.) 635-021-0090

Eliminate Size and Bag Limits for Trout in Chickahominy Reservoir Due to Low Water

Adopted April 9, 2021: effective April 12, 2021 through October 8, 2021.

This rule will temporarily lift all size limits (minimum and maximum), as well as daily limits for trout in Chickahominy Reservoir from April 14 through October 10.

14.) 635-043-0175, 635-066-0010, 635-067-0004

Animal parts check-in requirements for hunter harvested bear/cougar, and Roadkill Salvage Permit animals

Adopted: March 22, 2021 – Effective Dates: March 22, 2021 through September 17, 2021

Due to continued Department office closures in response to the COVID-19 Emergency and the expected increase of harvested animals with the 2021 hunting seasons, Temporary Rules are needed to continue compliance with CDC guidelines for social distancing and Governor Kate Brown’s Emergency Declaration and directives designed to reduce the spread of COVID-19 by reducing social contact.

15.) 635-042-0145

Revise 2021 Commercial Fishing Season in Youngs Bay Select Area

Adopted April 13, 2021: effective April 14, 2021 through July 29, 2021.

This amended rule adds one 4-hour fishing period (April 14) in the Youngs Bay Select Area.

16.) 635-042-0145

Close Angling for and Retention of Spring Chinook in the Umatilla River

Adopted April 15, 2021: effective April 15, 2021 through June 30, 2021.

These amended rules close recreational spring Chinook retention in the Umatilla River Basin from April 16 through June 30, 2021. The closure extends from the mouth of the Umatilla upstream to the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) reservation boundary, and from the upper border of the reservation to the Umatilla headwaters, including all tributaries.

Modifications are consistent with action taken by the CTUIR for the portion of the Umatilla River that is within the CTUIR reservation.

17.) 635-023-0134

Open Hatchery Chinook Salmon Fishery in the Snake River

Adopted April 15, 2021: effective April 24, 2021 through July 31, 2021.

This amended rule allows retention of hatchery spring Chinook salmon in the Snake River from Dun Bar boat ramp upstream to Hells Canyon Dam from April 24 through July 31.

18.) 635-418-0005, 635-418-0015, 635-418-0025

Establishes regional dry maintenance time periods for removal of sediment in dry, traditionally maintained channels

Adopted: April 19, 2021 – Effective Dates: April 22, 2021 through October 18, 2021

HB2437 (2019) directed the Department to establish regional dry maintenance time periods for removal of sediment in dry, traditionally maintained channels for agricultural drainage. The temporary rules define the dry regional maintenance time period for removal of sediment in watersheds across the state.

OTHER BUSINESS

COMMISSION UPDATES

EXHIBIT A: COMMISSION MINUTES

The Commission will be asked to approve draft Commission meeting minutes from March 19, 2021.

EXHIBIT B: 2021 PACIFIC HALIBUT FISHERIES REGULATIONS

The Commission will be asked to amend the 2021 regulations for recreational and commercial Pacific halibut fisheries.

Staff: Christian Heath, Groundfish & Halibut Assistant Project Leader

Public Testimony: 48 hour Advance [Registration](#) Required

Rulemaking

EXHIBIT C: 2021 OCEAN SALMON FISHERIES AND OCEAN TERMINAL FISHERIES RULEMAKING

The Commission will be asked to adopt the 2021 ocean salmon fishing seasons and terminal fisheries for Oregon state waters.

Staff: Christine Mallette, Ocean Salmon Technical Services Manager

Public Testimony: 48 hour Advance [Registration](#) Required

Rulemaking

EXHIBIT D: 2021-2022 OREGON GAME BIRD REGULATIONS

The Commission will be asked to adopt the game bird season and regulations for 2021-22

Staff: Brandon Reishus, Migratory Bird Coordinator; and

Mikal Cline, Upland Game Bird Coordinator

Public Testimony: 48 hour Advance [Registration](#) Required

Rulemaking

EXECUTIVE SESSION

This Executive Session is held pursuant to ORS 192.660 (2)(e), (2)(f) and (2)(h), which allows the Commission to meet in executive session to conduct deliberations with persons designated by the governing body to negotiate real property transactions, to consider information or records that are exempt by law from public inspection, and to consult with legal counsel with respect to litigation 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 or mailed to 4034 Fairview Industrial Drive SE Salem, OR 97302.

May – NO MEETING

**Written public comment period will open March 15, 2021*

No Meeting Scheduled

June 18, 2021 – Salem

**Written public comment period will open April 15, 2021*

- A&H Project Funding – Approval
- 2022 Big Game Auction and Raffle Tag Allocations – Approval
- Big Game Hunt Review: 2022 Archery Elk Seasons - Informational
- R&E Board's recommendations for project funding – Approval
- Fern Ridge Wildlife Area Property Acquisition, South Coyote – Approval
- Commercial Coastal Pelagic Species Fisheries Regulations – Rulemaking
- Oregon Coast Coho Conservation Plan 12-year Assessment
- 2021 Coastal Coho Fishery Regulations

July 9, 2021- Salem / Zoom

**Written public comment period will open May 15, 2021*

- Consideration of Reclassification for the Marbled Murrelet under the Oregon Endangered Species Act – Rulemaking

August 6, 2021 – Salem

**Written public comment period will open June 15, 2021*

- 2022 Sport Fish Regulations – Rulemaking
- 2021-23 Legislatively Approved Budget Update- Director's Report
- Employee Pride Award – Employee Recognition

September 17, 2021 – Salem

**Written public comment period will open July 15, 2021*

- Big Game Regulations – Rulemaking
- A&H Project Funding - Approval

October 15, 2021 – Salem

**Written public comment period will open August 15, 2021*

November 19, 2021 – HOLD

**Written public comment period will open September 15, 2021*

No Meeting Scheduled

December 17, 2021 – Salem

**Written public comment period will open October 15, 2021*

- A&H Project Funding – Approval
- Groundfish Fisheries and Nearshore Logbook Report – Rulemaking

- R&E Project Approval, Appointments, STEP Annual Report –Approval

PLEASE NOTE

AGENDA

The Commission meeting will begin at 8:00 a.m. April 23, 2021 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 or see the agency's website at <https://www.dfw.state.or.us/agency/commission/minutes/>.

The Commission will take a lunch recess as close to 12:00 p.m. as the agenda will accommodate.

PUBLIC TESTIMONY REGISTRATION

If you wish to give verbal testimony on any Exhibit item scheduled on the March 19 agenda, you **must register before 8:00AM Wednesday April 21, 2021; a minimum of 48 hour prior to the meeting.**

HOW TO REGISTER TO SPEAK AT THE COMMISSION MEETING

When registering to testify please provide *first and last name, topic, a valid email address, and phone number.*

Listed below are three way that you can register:

- 1) Click on the link provided on the agenda: fill out [the registration form](#); and click submit. ,
- 2) Send an email the ODFW.Commission@state.or.us ; in your email, the information listed above must be provided.
- 3) Call the Department at 503-947-6044 or 503-507-5546.

PUBLIC TESTIMONY

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) Limit testimony to three (3) minutes, recognizing that substance, not length, determines the value of testimony or written information;
- 2) Endorse rather than repeat testimony of other witnesses; and
- 3) 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, **you must register before 8:00AM Wednesday April 21, 2021; a minimum of 48 hour prior to the meeting.**

Please provide 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 will be distributed to the Commission prior of the meeting day; any correspondence or materials received less than 72 hours prior to the meeting will be provided to the Commissioners the day of the meeting. If you have questions regarding this Agenda, please contact Michelle Tate, Director's Office, Oregon Department of Fish and Wildlife, 4034 Fairview Industrial Drive SE, Salem, Oregon, 97302, or call 503- 947-6033.

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 connect to 503-947-6044.