



Memorandum of Agreement between ODFW and the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians

June 16, 2023

Brad Kneaper, CTCLUSI Tribal Council Chair

Rick Eichstaedt, CTCLUSI Counsel

Davia Palmeri, ODFW



Relevant Commission Authority

Authority over wildlife management - Implement the state's policies and programs for wildlife management consistent with the state wildlife policy.

- Specific authority to prescribe the time, place and manner in which wildlife may be harvested.
- Specific authority to prescribe the amounts of wildlife harvest, and to authorize the issuance of permits for the same.



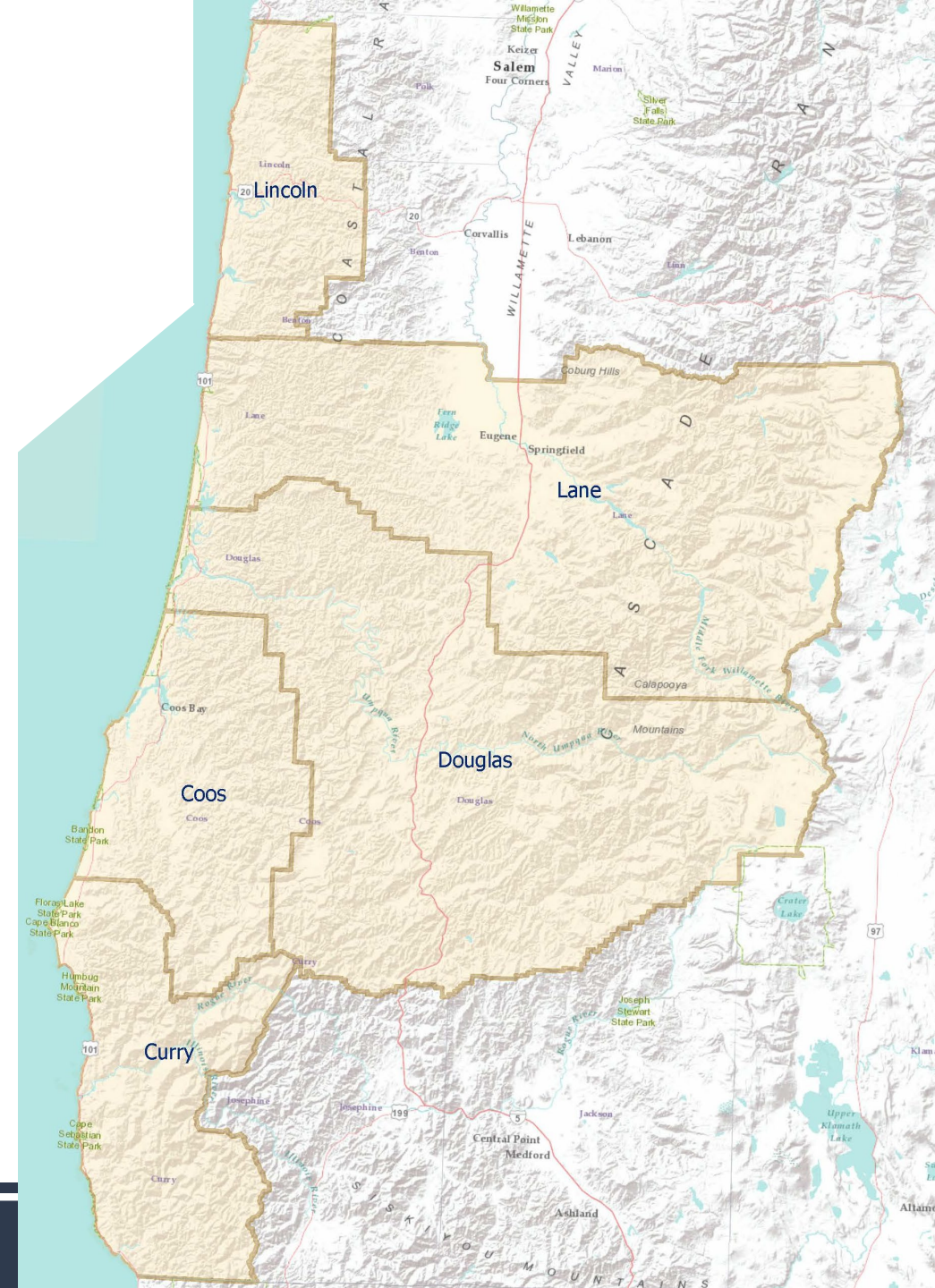
Relevant Commission Authority

Authority to enter agreements – Commission has authority to enter into agreements with any person, including tribal governments, for the development and encouragement of wildlife research and management programs and projects.

Geographic Scope (Section 5, page 9)

- Harvest on private lands only with land-owner permission
- Tribal regulations will reflect rules for ODFW owned or managed lands
 - Tribe may request exceptions on an annual basis

Non-exclusive: ODFW may enter similar agreements with other tribes in overlapping geography.



Cooperative Management

(Section 4, page 8)



Policy statement: The Parties will coordinate the use of their respective authorities, expertise, and influence as regulatory or voluntary opportunities are presented to protect, enhance, and restore fish and wildlife habitat in the geographic scope of this Agreement.

Implementation:

- Annual Meeting to identify issues and opportunities
- Coordination on pursuit of funding for fish and wildlife management
- Sharing data and information



Tribal Harvest (Section 3, page 5)

Intent: Increase opportunities for tribal members to harvest fish and wildlife resources consistent with tribal values

- Applies to all finfish, lamprey, shellfish, crustaceans, mammals, and birds managed by ODFW
- Applies only to ceremonial and subsistence harvest opportunities



Tribal Harvest – Limits and Areas (3b-h page 5)

- Tribe will provide ODFW with desired species, areas, and numbers annually
- Parties hold meeting to seek mutual consent on the above each year
 - CTCLUSI to coordinate with tribes in overlapping geography
 - Dispute resolution provisions
- ODFW will issue an annual implementing permit consistent with the negotiated outcome

Tribal Harvest – Tribal Regulation

(3c-g, page 6)



- Tribe will determine method and timing of ceremonial and subsistence opportunities for enrolled members
- Tribe will promulgate rules and issue permits/licenses/tags aligned with the above
 - Tribe will follow ORS
- ODFW and Tribe will annually share data on harvest
- Tribal members will carry ID and permits/licenses/tags, present to law enforcement



Other Provisions (Sections 6-14, page 10)

- Dispute resolution -> Mediation
- Prosecution Referral Agreement
- Equity in Cooperative Management Agreements
- Perpetual Term
 - Effective Date
 - Amendments/Termination
 - Available Funding and Continued Authority



Addendum 1

Modifies one recital to improve historical accuracy.



Implementation

- If approved, the MOA will become effective through signatures and creation of OAR 635-800-0200
- CTCLUSI, ODFW, and OSP to convene 'summit' to kick off implementation of the agreement if adopted today.
- CTCLUSI to adopt harvest regulations in tribal code
- Ongoing annual meetings to implement cooperative management.



Staff Recommendation

Adopt OAR 635-800-0050 (Attachment 4) to implement the Memorandum of Agreement between the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians and the state of Oregon, through the Oregon Department of Fish and Wildlife (Attachment 3, Addendum 1).



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