



## Oregon Fish and Wildlife Commission Agenda

Workshop:  
Thursday, December 14, 2023, 1:00 PM  
McMinnville Community Center, RM 201  
600 NE Evans St  
McMinnville, OR 97128

Meeting:  
Friday, December 15, 2023 - 8:00 AM  
McMinnville Community Center, RM 201  
600 NE Evans St  
McMinnville, OR 97128

### Friday, December 15, 2023

*The Fish and Wildlife Commission has moved to hybrid meetings, meaning that you have the option to attend in-person or virtually. Those who would like to provide **virtual testimony** on an Exhibit scheduled on this agenda must [REGISTER](#) no less than 48 hours in advance to receive a testimony link to the meeting. To provide testimony on an agenda item in-person, registration will be available at the meeting.*

*To be added to December 15 agenda to provide testimony **virtually or in-person** during Public Forum you must [contact](#) the Director's office no less than 48 hours advance of the meeting for approval.*

*This meeting will be live streamed to YouTube and can be viewed at <https://www.youtube.com/user/IEODFW/videos>*

### DIRECTOR'S REPORT

**FIELD REPORTS** – in written form only

#### EXPENDITURE REPORT

Shannon Hurn, Deputy Director of Administration

#### ADAPTING TO CLIMATE AND OCEAN CHANGE REPORT

Statewide Temperature Monitoring Plan and Cold-Water Refugia Identification

Kara Anlauf-Dunn, Assistant Project Leader

Spencer Sawaske, In-Stream Flow Specialist

#### ROGUE/SOUTH COAST PLAN UPDATE

Dan Van Dyke, District Fisheries Biologist

### ADOPT TEMPORARY RULES

Curt Melcher, Director

#### 1.) Amend Rules to Correct Dates for Archery Deer & Rabbit Hunting on Sauvie Island Wildlife Area

Adopted: September 20, 2023 – Effective Dates: September 20, 2023 through February 29, 2024  
OARs 635-065-0000 (1) and (2) state in part that areas, methods, and other restrictions for hunting game mammals are listed in the “2023 Oregon Big Game Regulations” and are adopted and incorporated into OAR by reference. This rule amendment seeks to correct an error in the archery hunting dates for black-tailed deer hunting and rabbit hunting at Sauvie Island Wildlife Area printed on page 86 of the 2023 Oregon Big Game Regulations.

#### 2.) 635-023-0130

##### Modify Lower Columbia River Recreational Chinook Salmon Fishery

Adopted 9/21/2023: effective 9/21/2023 through 12/31/2023.

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This amended rule adds retention days in the Columbia River recreational salmonid fishery from the west Puget Island line to the Warrior Rock/Bachelor Island line beginning September 22 through the end of the fall season. It also extends the Chinook and hatchery coho retention period from the Warrior Rock/Bachelor Island line to Bonneville Dam through the end of the fall season.

**3.) 635-041-0075**

**Set Treaty Commercial Fall Gillnet Fisheries**

Adopted 9/21/2023: effective 9/21/2023 through 12/31/2023.

These amended rules authorize the sales of fish caught in Zone 6 treaty gillnet fisheries to include periods from September 25 through September 29 and October 2 through October 6.

**4.) 635-042-0060**

**Authorize Mainstem Columbia River Non-Treaty Commercial Fisheries**

Adopted 9/21/2023: effective 9/24/2023 through 12/31/2023.

This rule authorizes two commercial non-treaty gillnet fishing periods in the mainstem Columbia River commercial Zones 4-5 for September 24 through September 25 and September 26 through September 27.

**5.) 635-042-0060**

**Authorize Mainstem Columbia River Non-Treaty Commercial Fisheries**

Adopted 9/27/2023: effective 9/28/2023 through 12/31/2023.

This rule authorizes seven commercial non-treaty gillnet fishing periods in the mainstem Columbia River commercial Zones 4-5 for September 28 through September 29 and Sundays and Wednesdays from October 1 through October 19.

**6.) 635-019-0090**

**Close Recreational Steelhead Retention in Portions of the John Day River**

Adopted 10/5/2023: effective 10/6/2023 through 12/31/2023.

This amended rule closes retention of steelhead in portions of the John Day River from October 6 through December 31.

**7.) 635-023-0130**

**Extend Columbia River Recreational Chinook Salmon Fishery**

Adopted 10/5/2023: effective 10/16/2023 through 12/31/2023.

This amended rule extends the Chinook retention period in the recreational fishery from Bonneville Dam upstream to the OR/WA border through the end of the fall season.

**8.) 635-014-0090**

**Increase Big Creek Salmon Bag Limit**

Adopted 10/6/2023: effective 10/7/2023 through 12/31/2023.

This amended rule will increase the adult salmon and steelhead aggregate bag limit from two hatchery fish to three hatchery fish. Of these three fish, up to three may be coho, no more than two may be Chinook and no more than two may be steelhead.

**9.) 635-004-0275**

**Federal Actions and Management Measures Implemented for Commercial Groundfish Fisheries**

Adopted 10/6/2023: effective 10/6/2023 through 12/31/2023.

This amended rule adopts in-season actions previously adopted by the federal government for 2023 Pacific Coast Limited Entry Fixed Gear and Open Access commercial groundfish fisheries, including, but not limited to, increases in sablefish and lingcod trip limits.

**10.) 635-016-0090**

**Lift Temporary Low Flow Angling Closure for the Sixes River**

Adopted 10/31/2023: effective 11/1/2023 through 12/31/2023.

This amended rule lifts a temporary closure that went into effect on October 1 on the Sixes River from the Hughes House Boat Ramp upstream to the mouth of Crystal Creek to protect fall Chinook that were vulnerable due to low water conditions. The closure will end on November 1.

**11.) 635-005-0465**

**Delay Commercial Dungeness Crab Season Opening**

Adopted 11/21/2023: effective 11/27/2023 through 3/31/2024.

This amended rule delays the opening date for the Oregon 2023-2024 ocean commercial Dungeness crab fishery.

**12.) 635-075-0026**

**Extend Outfitters and Guides Controlled Hunt Application Deadline**

Adopted: November 21, 2023 – Effective Dates: November 21, 2023 through January 15, 2024

OAR 635-075-0026(1) requires, in part, that participants in the Outfitter and Guide controlled hunt tag allocation process must purchase a valid Outfitter and Guide controlled hunt application and the completed application must be received by the Oregon Department of Fish and Wildlife (Department) by midnight December 1 of each year.

**13.) 635-005-0465**

**Commercial Dungeness Crab Season Partial Opening**

Adopted 12/11/2023: effective 12/12/2023 through 3/31/2024.

This amended rule sets the opening date for the Oregon 2023-2024 ocean commercial Dungeness crab fishery from the OR/CA border to Cape Foulweather and continues to delay the season from Cape Foulweather to the OR/WA border until further test fishing is conducted.

**COMMISSION UPDATES**

**OTHER BUSINESS**

**PUBLIC FORUM**

*Note: **This part of the agenda is for comments on topics not scheduled elsewhere on this agenda.***

*Please [contact](#) the Oregon Department of Fish and Wildlife Office of the Director before 8:00 AM, Wednesday, December 13, 2023 (at least **48** hours prior to the meeting to be included in the public forum).*

*Gearhart Elk*

Sharon Kloepfer, County Commissioner  
Lazonia Sargent  
Sara Vickerman  
Richard Gaudagin

*Marine Reserves Program*

Katy Bear Nalven, Cape Perpetua Collaborative, Program Manager  
Angela Whitlock, North Coast Land Conservancy, Program Coordinator  
Kent Doughty, Audubon Society if Lincoln City

*Rouge South Coast Plan*

James Fraser, Trout Unlimited, Oregon Policy Advisor

*Statewide Temperature Monitoring Plan and Cold-Water Refugia Identification*

Mark Sherwood, Native Fish Society, Executive Director

*Oregon Wolf Conservation and Management Plan*

Mike Totey, Oregon Hunters Association, Conservation Director

Amaroq Weiss, Center of Biological Diversity, Senior Wolf Advocate

Bethany Cotton, Cascadia Wildland, Conservation Director

**EXHIBIT A: COMMISSION MEETING MINUTES**

The Commission will be asked to approve draft Commission meeting minutes from September 15, 2023

**EXHIBIT B: OREGON SAGE-GROUSE CORE AND LOW-DENSITY HABITAT MAP UPDATE**

The Commission will be asked to approve the revised Sage-Grouse core and low-density habitat maps.

Skyler Vold, Sage-grouse Conservation Coordinator

Mikal Cline, Upland Game Bird Coordinator

Public Testimony: 48-hour Advance REGISTER required for virtual participation.

Rulemaking

**EXHIBIT C: 2024 GROUND FISH FISHERIES REGULATIONS AND TERRITORIAL SEA PLAN REVISIONS**

The Commission will be asked to adopt regulations for the 2024 recreational and commercial groundfish fisheries and to conform to Territorial Sea Plan Part Three revisions adopted by the Land Conservation and Development Commission. The Commission will also be asked to review the 2022 commercial nearshore logbook report.

Lynn Mattes, Marine Fisheries Section Lead

Public Testimony: 48-hour Advance REGISTER required for virtual participation.

Rulemaking

**EXHIBIT D: OREGON CONSERVATION AND RECREATION FUND RULE REVISION**

The Commission will be asked to adopt amendments to the Oregon Conservation and Recreation Fund (OCRF) rules.

Reva Gilman, OCRF Coordinator

Sarah Reif, Habitat Division Administrator

Public Testimony: 48-hour Advance REGISTER required for virtual participation.

Rulemaking

**EXHIBIT E: RECREATIONAL ABALONE FISHERY**

The Commission will be asked to adopt rules to suspend recreational red abalone fishery without a proposed sunset date.

Scott Groth, Resource Assessment and Management Section Lead

Steven Rumrill, Shellfish Program Leader

Kendall Smith, Shellfish Biologist

Public Testimony: 48-hour Advance REGISTER required for virtual participation.

Rulemaking

## **EXHIBIT F: RESTORATION AND ENHANCEMENT PROGRAM PROJECT APPROVAL**

The Commission will be asked to review and approve funding for two projects recommended by the Restoration and Enhancement Board for cycle 2 of 4 for the 2023-25 biennium, appoint a new representative to the R&E Board to represent Sport Fishing Interests, and appoint a new representative to the R&E Board to represent Commercial Fishing interests.

Martin Olson, R&E and STEP Programs Coordinator

Tom Stahl, Acting Fish Division Deputy Administrator

Public Testimony: 48-hour Advance REGISTER required for virtual participation.

Approval and Appointment

## **EXHIBIT G: ACCESS AND HABITAT PROGRAM FUNDING**

The Commission will be asked to approve the Access and Habitat Board recommendations for project funding.

Travis Schultz, Access & Habitat Program Coordinator

Brian Wolfer; Wildlife Division Deputy Administrator

Public Testimony: 48-hour Advance REGISTER required for virtual participation.

Approval

## **EXHIBIT H: PROPOSED REVOCATION OF 2023 COMMERCIAL FISHING LICENSES HELD BY LONGS SEAFOOD**

The Commission will be asked to authorize the department to revoke commercial fishing licenses held by Longs Seafood for the remainder of 2023, and for a period of one year.

Ken Loffink, ASD Administrator

Jeannine Smith, License Services Manager

Public Testimony: 48-hour Advance REGISTER required for virtual participation.

License Revocation

## **EXECUTIVE SESSION**

This Executive Session is held pursuant to ORS 192.660 (2)(f) to consider information or records that are exempt by law from public inspection, as well as to consult with legal counsel concerning legal rights and duties of a public body with regard to current litigation or litigation likely to be filed as authorized by ORS 192.660 (2)(h).

## **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@odfw.oregon.gov](mailto:ODFW.Commission@odfw.oregon.gov) or mailed to 4034 Fairview Industrial Drive SE Salem, OR 97302.

### **January 12, 2024 – Salem**

*\*Written public comment period will open November 15, 2023*

### **February 16, 2024 -Hillsboro**

*\*Written public comment period will open December 15, 2023*

Oregon Listing Determination for Southern Resident Orcas- *Rulemaking*

### **March 15, 2024 -TBD**

*\*Written public comment period will open January 15, 2024*

A&H Project Funding – *Approval*

Private Forest Accord Grant Program Project Funding - *Approval*

### **April 19, 2024 -TBD**

*\*Written public comment period will open February 15, 2024*

Oregon Game Bird Regulations -*Rulemaking*

2024 Columbia River Salmon Stock Status-*Informational*

Pacific Halibut Fisheries -*Rulemaking*

Ocean Salmon Fishery- *Rulemaking*

### **May 10, 2024 -*HOLD - No meeting scheduled.***

### **June 14, 2024 -TBD**

*\*Written public comment period will open April 15, 2024*

A&H Project Funding – *Approval*

OCRF Project Funding- *Approval*

R&E Project Funding - *Approval*

2024 Auction Raffle Tag Allocations – *Approval*

Furbearer Regulations -*Rulemaking*

Coastal Pelagic Species -*Rulemaking*

### **July 12, 2024 -*HOLD - No meeting scheduled.***

### **August 9, 2024 -Salem**

*\*Written public comment period will open June 15, 2024*

### **September 13, 2024 -The Dalles**

*\*Written public comment period will open July 15, 2024*

A&H Project Funding – *Approval*

Big Game Regulations- *Rulemaking*

### **October 11, 2024 -TBD**

*\*Written public comment period will open August 15, 2024*

### **November 15, 2024 - *HOLD - No meeting scheduled.***

**December 13, 2024 -Salem**

*\*Written public comment period will open October 15, 2024*

*A&H Project Funding – Approval*

*OCRF Project Funding- Approval*

*R&E Project Funding and Board Appointment - Approval*

*2024 Groundfish Fisheries Regulations- Rulemaking*

## PLEASE NOTE

### HOW TO REGISTER TO SPEAK AT THE COMMISSION MEETING

**Public Comment and Public Hearing Testimony:** Regular Commission meetings allow for in-person, virtual, or written public comment. When registering to testify please provide *first and last name, topic, a valid email address, and phone number*.

Comment and testimony are limited to three minutes. All parties interested in providing public comment or testifying as part of a public hearing shall participate using one of the following methods:

- In-Person Comment: Parties interested in providing in-person verbal public comment shall fill out a “Witness Registration” form available at the meeting.
- Video or Audio Conference Call: **If you wish to give virtual testimony on Exhibits scheduled on the Friday, December 15 agenda, YOU MUST REGISTER BEFORE 8:00 AM WEDNESDAY December 13, 2023; a minimum of 48 hour prior to the meeting.** Staff will collect contact your information and provide information on how to access the meeting to provide comment.
- Written Comment: Send to [ODFW.Commission@odfw.oregon.gov](mailto:ODFW.Commission@odfw.oregon.gov) or 4034 Fairview Industrial Drive SE, Salem, Oregon, 97302. 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.

**PUBLIC FORUM:** If you wish to give testimony virtually or in-person on any item **not scheduled elsewhere on the agenda**, please contact the Director’s Office, Oregon Department of Fish and Wildlife, 503.947.6044, or [ODFW.Commission@odfw.oregon.gov](mailto:ODFW.Commission@odfw.oregon.gov). **YOU MUST REGISTER BEFORE 8:00AM WEDNESDAY December 13, 2023; 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 act on items brought to their attention in this forum.

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

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. 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.