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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

DFW 111-2025

CHAPTER 635

DEPARTMENT OF FISH AND WILDLIFE

FILED

12/31/2025 10:01 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Modify Recreational Retention Fishery for Sturgeon in John Day Pool and Adjacent Tributaries

EFFECTIVE DATE: 01/01/2026 THROUGH 04/30/2026

AGENCY APPROVED DATE: 12/23/2025

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Filed By:
Linda Spansel
Rules Coordinator

NEED FOR THE RULE(S):

This rule is needed to implement the recreational white sturgeon retention fishery in the John Day Pool for 2026. The permanent rule has the retention fishery closed for the entire year by default. The harvest guideline for the John Day Pool is 105 legal-sized fish; preseason modeling indicates this guideline can be achieved with the temporary season structure enacted by this rule.

JUSTIFICATION OF TEMPORARY FILING:

There is not adequate time to go through normal rulemaking proceedings to modify these rules in a timely manner because the retention fishery is scheduled to be closed January 1, 2026, under permanent rule.

Fisheries are managed to provide opportunity for recreational, commercial, and treaty fisheries while meeting species or stock-specific allocations while remaining within harvest guidelines.

Failure to adopt this temporary rule could cause serious prejudice to the public interest because anglers would not be allowed to harvest their share of this valuable resource.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

1. Columbia River Fishery Notice, Oregon Department of Fish and Wildlife, Joint State Action, dated November 13, 2025.
2. OREGON AND WASHINGTON DEPARTMENTS OF FISH AND WILDLIFE JOINT STAFF REPORT - WINTER FACT SHEET NO. 1, Columbia River Compact/Joint State Hearing, dated November 13, 2025.

A copy of the rules and the other documents relied upon for this rulemaking [the above document(s)] are available from the Oregon Department of Fish and Wildlife, Fish Division, 4034 Fairview Industrial Drive SE, Salem, Oregon 97302-1142. Contact Linda Spansel at 503-947-6233 or linda.d.spansel@odfw.oregon.gov to view by appointment between the hours of 8:00 a.m. and 4:00 p.m., on normal working days, Monday through Friday.

AMEND: 635-023-0101

RULE SUMMARY: This amended rule modifies the recreational retention fishery regulations for white sturgeon in the John Day Pool (John Day Dam upstream to McNary Dam) of the mainstem Columbia River and all adjacent tributaries.

Retention will be allowed in the John Day Pool from January 1 through April 30, 2026.

Modifications are consistent with actions taken by the Departments of Fish & Wildlife for the States of Oregon and Washington at a Columbia River Joint State hearing on November 13, 2025.

CHANGES TO RULE:

635-023-0101

Sturgeon Season Above Bonneville Dam

The current annual Oregon Sport Fishing Regulations provide requirements for the Columbia River Zone. However, additional regulations may be adopted in this rule division from time to time, and, to the extent of any inconsistency, they supersede the current annual Oregon Sport Fishing Regulations. ¶

(1) Effective January 1 through April 30, 2026, retention of white sturgeon is allowed in the John Day Pool (John Day Dam upstream to McNary Dam) of the Columbia River and all adjacent tributaries. ¶

(2) When open for retention, the white sturgeon legal size is from 43 to 54 inches fork length. ¶

(3) All other permanent rules for the Columbia River Zone, as stated in the current annual Oregon Sport Fishing Regulations, remain in effect

Statutory/Other Authority: ORS 496.138, ORS 496.146

Statutes/Other Implemented: ORS 496.162