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MICHAEL KAPLAN  
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION  
STEPHANIE CLARK  
DIRECTOR  
  
800 SUMMER STREET NE  
SALEM, OR 97310  
503-373-0701

**TEMPORARY ADMINISTRATIVE ORDER**  
INCLUDING STATEMENT OF NEED & JUSTIFICATION

**DFW 19-2026**

CHAPTER 635

**DEPARTMENT OF FISH AND WILDLIFE**

**FILED**

03/09/2026 3:25 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Set 2025 Recreational Eulachon Smelt Season for the Sandy River

EFFECTIVE DATE: 03/11/2026 THROUGH 03/12/2026

AGENCY APPROVED DATE: 03/09/2026

CONTACT: Linda Spansel

503-947-6233

Linda.D.Spansel@odfw.oregon.gov

4034 Fairview Industrial Dr SE

Salem, OR 97302

Filed By:

John Seabourne

Rules Coordinator

**NEED FOR THE RULE(S):**

These rule modifications are needed to allow a recreational smelt season in the Sandy River. The assessment of in-season abundance indicators affirms there are sufficient fish to support a limited harvest opportunity.

**JUSTIFICATION OF TEMPORARY FILING:**

Smelt return to the Sandy River in harvestable numbers only in certain years. The ability to have a fishery is unpredictable and based on in-season monitoring. Monitoring this year indicates that there will be enough smelt to hold a short fishery. These fish are only present and available for a very short time. Therefore, there is not adequate time to go through normal rulemaking proceedings to modify these rules in a timely manner to allow the recreational harvest of smelt in the Sandy River.

Failure to adopt these rules could cause serious prejudice to the public interest by not providing an opportunity to harvest this valuable resource.

**DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:**

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: 635-017-0090

RULE SUMMARY: This amended rule will set a 2026 recreational fishing season for smelt in the Sandy River.

CHANGES TO RULE:

635-017-0090

Inclusions and Modifications ¶

(1) The current annual Oregon Sport Fishing Regulations provide requirements for the Willamette 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.¶

(2) Pacific Lamprey Harvest:¶

(a) Pursuant to OAR 635-044-0130(1)(b), authorization from the Oregon Fish and Wildlife Commission must be in possession by individuals collecting or possessing Pacific lamprey for personal use. Permits are available from ODFW, 17330 SE Evelyn Street, Clackamas, OR 97015;¶

(b) Open fishing period is June 1 through July 31 from 7:00 A.M. to 6:00 P.M.; personal use harvest is permitted Friday through Monday each week. All harvest is prohibited Tuesday through Thursday;¶

(c) Open fishing area is the Willamette River at Willamette Falls on the east side of the falls only, excluding Horseshoe Area at the peak of the falls;¶

(d) Gear is restricted to hand or hand-powered tools only;¶

(e) Catch must be recorded daily on a harvest record card prior to leaving the open fishing area. Harvest record cards will be provided by ODFW. All harvest record cards must be returned to the ODFW Clackamas office by August 31 to report catch. Permit holders who do not return the harvest record cards by August 31 will be ineligible to receive a permit in the following year.¶

(f) Harvesters must allow sampling or enumeration of catches by ODFW personnel.¶

(3) Effective March 11 from 12:00 p.m. to 7:00 p.m., smelt fishing is allowed as follows:¶

(a) In the Sandy River from the mouth upstream to the Stark Street bridge.¶

(b) Daily catch limit is the first 10 pounds per person.¶

(c) Gear authorized is dip net only. A separate container must be used for each angler.¶

(d) Bank angling only.¶

(e) A valid 2026 Oregon Angling License is required.

Statutory/Other Authority: ORS 496.138, ORS 496.146

Statutes/Other Implemented: ORS 496.162