



TEMPORARY ADMINISTRATIVE ORDER

INCLUDING STATEMENT OF NEED & JUSTIFICATION

DFW 38-2026

CHAPTER 635

DEPARTMENT OF FISH AND WILDLIFE

FILED: 05/11/2026 4:59 PM

ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: 2026 Pacific Halibut All-depth Seasons Federal References Corrections

EFFECTIVE DATE: 05/12/2026 THROUGH 10/31/2026

AGENCY APPROVED DATE: 05/11/2026

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Filed By:

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NEED FOR THE RULE(S):

This rule is needed to establish Oregon's 2026 recreational halibut seasons and quotas based upon most recent population estimates.

JUSTIFICATION OF TEMPORARY FILING:

There is not adequate time to go through normal rulemaking proceedings to modify this rule as the dates specified began on May 1, 2026.

Failure to adopt these rules could cause serious prejudice to the public interest in that recreational anglers would not be allowed opportunity to harvest this valuable resource, and inconsistency between state and federal regulations would exist that could result in enforcement issues and confusion.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

1. Code of Federal Regulations, Part 300, Subpart E (October 1, 2025 ed.), as amended.
2. Federal Register Vol. 91, No. 57, dated Wednesday, March 25, 2026 (91 FR 14464).
3. Federal Register Vol. 91, No. 84, dated Friday, May 1, 2026 (91 FR 23369).

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: 635-039-0085

RULE SUMMARY: The proposed rule amendment regulates the 2026 recreational Pacific halibut fishery by establishing seasons and quotas for Oregon state-water fisheries, ensuring and promoting consistency with federally adopted regulations, and incorporating housekeeping and technical updates. This amendment incorporates federal regulations that were not available at the time of the original filing and corrects a clerical error on a federal reference.

CHANGES TO RULE:

635-039-0085

Halibut Seasons ¶

(1) The Pacific halibut sport fishery in Oregon is regulated by the federal government and the International Pacific Halibut Commission (IPHC). OAR Chapter 635, Division 039 incorporates into Oregon Administrative Rules, by reference:¶

(a) ~~Title 50 of the Code of Federal Regulations, Part 300, Subpart E (January 22, 2026 ed.), as amended;~~ and¶

(b) Federal Register Vol. 91, No. 57, dated Wednesday, March 25, 2026 (91 FR 14464); and¶

(c) Federal Register Vol. 91, No. 84., dated Friday, May 1, 2026 (91 FR 23369).¶

(2) Therefore, persons must consult all publications referenced in this rule in addition to Division 039 to determine applicable halibut fishing seasons.

Statutory/Other Authority: ORS 496.138, ORS 496.162, ORS 506.119, ORS 506.129

Statutes/Other Implemented: ORS 506.109, ORS 496.012