

Secretary of State  
Certificate and Order for Filing  
**TEMPORARY ADMINISTRATIVE RULES**  
A Statement of Need and Justification accompanies this form.

I certify that the attached copies\* are true, full and correct copies of the TEMPORARY Rule(s) adopted on June 5, 2009 by the  
Date prior to or same as filing date

<u>Oregon Fish and Wildlife Commission</u>	<u>635</u>
Agency and Division	Administrative Rules Chapter Number
<u>Therese Kucera</u>	<u>(503) 947-6033</u>
Rules Coordinator	Telephone
<u>3406 Cherry Avenue NE Salem, OR 97303</u>	
Address	

to become effective August 1, 2009 through December 31, 2009.  
Date upon filing or later                      A maximum of 180 days including the effective date.

**RULE CAPTION**

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Oregon Ocean, Terminal Area, and Coastal Zone Sport Salmon Fisheries.

**RULEMAKING ACTION**

List each rule number separately, 000-000-0000.

Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

**ADOPT:**

**AMEND:**

635-013-0007, 635-013-0009, 635-014-0090 and 635-016-0090.

**SUSPEND:**

635-013-0009 (Temp.) effective 3-15-09 and 635-014-0090 (Temp.) effective 5-22-09.

Stat. Authority: ORS 496.138, 496.146 and 506.119

Other Authority: \_\_\_\_\_

Stats. Implemented: ORS 496.162 and 506.129

**RULE SUMMARY**

Amend rules to implement Ocean sport fisheries for mixed stock, terminal areas, and coastal streams within the Marine, Northwest and Southwest zones beginning August 1, 2009.

Authorized Signer	Marla Rae, Chair	June 5, 2009
	Printed Name	Date

\* With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.  
ARC 940-2005

**STATEMENT OF NEED AND JUSTIFICATION**

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Oregon Department of Fish and Wildlife

635

Agency and Division

Administrative Rules Chapter Number

In the Matter of: OAR Chapter 635, Divisions 013, 014, and 016 related to sport fisheries in the Oregon ocean, Terminal Areas and coastal zones.

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Oregon Ocean, Terminal Area, and Coastal Zone Sport Salmon Fisheries.

Statutory Authority: ORS 496.138, 496.146 and 506.119.

Other Authority:

Stats. Implemented: ORS 496.162 and 506.129.

Need for the Temporary Rule(s):

These rule modifications are needed to allow sport salmon seasons in the Oregon ocean, terminal areas, and the Marine, Northwest and Southwest zones consistent with guidelines established by the Oregon Fish and Wildlife Commission, the Pacific Fishery Management Council and enacted Federal Regulations.

Documents Relied Upon, and where they are available:

1. Pacific Fishery Management Council. 2009. *Preseason Report III: Analysis of Council Adopted Management Measures for 2009 Ocean Salmon Fisheries*.
2. 2009 Coastal Fall Chinook Salmon Regulations, June 5, 2009 meeting of the Oregon Fish and Wildlife Commission.

The above documents are available for public inspection in the Department of Fish and Wildlife, Fish Division, Third Floor, 3406 Cherry Avenue NE, Salem, Oregon, between 8:00 a.m. and 4:00 p.m., on normal working days, Monday through Friday.

Justification of Temporary Rule(s):

There is not adequate time to implement permanent rulemaking before this season must begin. Failure to adopt these rules would cause serious prejudice to the public interest in that sport salmon fishers would be prevented from angling in areas available for access to this Oregon salmon resource.

\_\_\_\_\_  
Authorized Signer

Marla Rae, Chair  
Printed name

June 5, 2009  
Date

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<u>Therese Kucera</u>	<u>3406 Cherry Avenue NE Salem, OR 97303</u>
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	<u>(503) 947-6033</u>
	Telephone

to become effective September 1, 2009 through December 31, 2009.  
Date upon filing or later                      A maximum of 180 days including the effective date.

**RULE CAPTION**

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Commercial Oregon Ocean Terminal Area Chinook Salmon Fisheries.

**RULEMAKING ACTION**

List each rule number separately, 000-000-0000.

Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

**ADOPT:**

**AMEND:**

635-003-0085.

**SUSPEND:**

Stat. Authority: ORS 496.138, 496.146 and 506.119

Other Authority: \_\_\_\_\_

Stats. Implemented: ORS 506.129

**RULE SUMMARY**

Amend rules to implement Commercial Oregon ocean terminal area Chinook salmon fisheries beginning September 1, 2009.

\_\_\_\_\_  
Authorized Signer

Marla Rae, Chair  
Printed Name

June 5, 2009  
Date

\* With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.  
ARC 940-2005

**STATEMENT OF NEED AND JUSTIFICATION**

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Oregon Department of Fish and Wildlife

635

Agency and Division

Administrative Rules Chapter Number

In the Matter of: OAR Chapter 635, Divisions 003, related to commercial Chinook salmon fisheries in Oregon ocean terminal areas.

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Commercial Oregon Ocean Terminal Area Chinook Salmon Fisheries.

Statutory Authority: ORS 496.138, 496.146 and 506.119.

Other Authority:

Stats. Implemented: ORS 506.129.

Need for the Temporary Rule(s):

These rule modifications are needed to allow commercial Chinook salmon seasons in the Oregon ocean terminal areas consistent with guidelines established by the Pacific Fishery Management Council and enacted by Federal Regulations.

Documents Relied Upon, and where they are available:

1. Pacific Fishery Management Council. 2009. *Preseason Report III: Analysis of Council Adopted Management Measures for 2009 Ocean Salmon Fisheries.*

The above documents are available for public inspection in the Department of Fish and Wildlife, Fish Division, Third Floor, 3406 Cherry Avenue NE, Salem, Oregon, between 8:00 a.m. and 4:00 p.m., on normal working days, Monday through Friday.

Justification of Temporary Rule(s):

There is insufficient time to initiate the permanent rulemaking process. Failure to adopt this rule would cause serious prejudice to the public interest in that commercial salmon fishermen would be unable to harvest the available Chinook salmon resource.

\_\_\_\_\_  
Authorized Signer

Curtis E. Melcher  
Printed name

June 5, 2009  
Date