

Big Game Regulation Proposal Overview October 2, 2009

This overview is primarily an abbreviated version of proposals presented to the Oregon Fish and Wildlife Commission on June 5, 2009.

This document focuses on:

- changes from 2009 regulations
- edits and changes to proposals made in June 2009 for 2010 regulations
- proposals which were not included in the June 2009 Commission packet

Many of the topics covered in this overview were covered in more detail in previous Commission packets. To reduce repetition this summary contains condensed discussions of those topics.

Proposed 2010 General Seasons

A one day shift in General Deer and Elk seasons is proposed for 2010 (Table 1). General bear remains unchanged for 2010. Cougar season is proposed to expand to year-round statewide.

Table 1. Proposed general season dates and bag limits for 2010.

Species/Season	Bag Limit	Proposed 2010 Dates
DEER		
Coast Buck	Buck, 2 point+	Oct 2-Nov 5
Cascade Buck	Buck, 2 point+	Oct 2-Oct 15 & Oct 23-Nov 5
BEAR (Cubs, sows with cubs protected)		
Western Oregon	1 Bear	Aug 1 - Dec 31
SW Additional Bear (Units 20 – 30)	1 Bear	Aug 1 – Dec 31
Eastern Oregon	1 Bear	Aug 1 - Nov 30
COUGAR (Spotted kittens, females with spotted kittens protected)		
Statewide Tag	1 Cougar	Jan 1 – Dec 31
Additional Statewide Tag	1 Cougar	Jan 1 – Dec 31
ELK (Note: Antler restrictions apply in certain units)		
Coast First	Any Bull ^a	Nov 13 – Nov 16
Coast Second	Any Bull or Spike ONLY ^a	Nov 20 – Nov 26
Cascade	Any Bull ^a	Oct 16 – Oct 22
Rocky Mt. First	Any Bull ^a	Oct 27 – Oct 31
Rocky Mt. Second	Any Bull or Spike ONLY ^a	Nov 6 – Nov 14
Columbia Basin - E Biggs	One Elk	Oct 27 – Dec.3
ARCHERY (Note: Antler restrictions apply in certain units)		
Western Deer	Buck, 2 point+ ^b	Aug 28 – Sept 26
Saddle Mt. Deer Late Season	Buck, 2 point+ ^b	Nov 27 – Dec 12
NW Deer Late Season	Buck, 2 point+ ^b	Nov 20 - Dec 12
SW Deer Late Season	Buck, 2 point+ ^b	Nov 13 – Dec 5
Eastern Deer	Buck, visible antler ^b	Aug 28 – Sept 26
Elk	Legal Bull, (varies by unit) ^b	Aug 28 – Sept 26
Western Elk Late Season	Antlerless	Nov 27 – Dec 12
WESTERN GRAY SQUIRREL		
West & S Central Oregon	5/day - 15 in possession	Aug 28 – Nov 10
Hood & White R. Units	3/day - 6 in possession	Sept 11 – Oct 19

^a Bag limit for archery hunters and hunters with disabilities permits may be changed to include antlerless elk. See page 7.

^b Bag limit for archery hunters and hunters with disabilities permits may be changed to include antlerless deer. See page 7.

Tag Sale Deadlines

The tag sale deadline for all tags, except bear and cougar, will be the day before the season opens (Table 2). General Bear, and the General Cougar Tag, must be purchased consistent with the General Deer tag sale deadline, which will be October 1 in 2010. The department is proposing to eliminate the tag sale deadline for the SW Additional Bear Tag, and the Additional Cougar Tag (modification of a proposal by OHA). However, hunters will be required to purchase their first general season bear and/or cougar tag by the tag sale deadline to be eligible to purchase a SW Additional Bear or an Additional Cougar Tag. It will continue to be illegal to hunt bear or cougar without a valid unused tag for the species being hunted (bear and/or cougar) in your possession and necessary to immediately tag any bear or cougar taken.

Table 2. General season tag sale deadlines in place for 2009 and proposed for 2010.

Species or Season	2009 Deadline	2010 Deadline
Bear	Oct 2	Oct 1
SW Additional Bear	Oct 2	No Tag Sale Deadline (Must purchase General Season Fall Bear Tag by Oct 1)
Cougar	Oct 2	Oct 1
Additional Cougar	Oct 2	No Tag Sale Deadline (Must purchase General Season Cougar Tag by Oct 1)
Deer & Elk Bow	Aug 28	Aug 27
Western Deer Rifle	Oct 2	Oct 1
Cascade Elk	Oct 16	Oct 15
General Coast 1 st Season	Nov 13	Nov 12
General Coast 2 nd Season	Nov 20	Nov 19
Rocky Mt. 1st Elk	Oct 27	Oct 26
Rocky Mt. 2nd Elk	Nov 6	Nov 5

2010 Hunt Proposals

Standard calendar shifts are proposed for most hunt dates, for example, the General Buck Deer Season which opens on October 2, 2009 is proposed to open October 1, 2010 to maintain the Saturday opening day. Significant exceptions will be noted in the species discussions.

Pronghorn Antelope

Two new archery hunts (Paulina and N Wagontire) and two new muzzleloader hunts (Paulina and N Wagontire) are proposed to take advantage of expanding populations in that area. One

archery hunt, 438R Grizzly Unit, will be deleted. Four Pronghorn hunts are proposed to shift one week later so the earliest will begin after August 1, (standard shift would have started the hunt on July 31).

The department is again proposing authorization of one special pronghorn auction tag and one special raffle tag. Funds generated from these tags are dedicated to pronghorn management and research. The department received four requests to auction the 2010 Pronghorn Auction Tag, Oregon Hunters Association (state), Mule deer Foundation Klamath Chapter, Oregon FNAWS, and Unlimited Pheasants. Although the tag could do well at any of the four organizations, the department proposes granting the Pronghorn Auction Tag to the Mule deer Foundation Klamath Chapter at their February 20, 2010 annual banquet. The first Pronghorn Auction Tag was auctioned by the OHA Klamath Chapter in 2004 for \$13,000; hopefully it will do well again in Klamath Falls.

For the raffle tag, the department proposes to draw the winning ticket and alternate winners during the OHA State convention on May 15, 2010 in Canyonville when all other raffles are drawn (A&H deer and elk hunts, bighorn sheep and Rocky Mtn. goat hunts). The bag limit for both of these special tags is one buck pronghorn. Each tag would be valid for a two-month season (August 1 – September 30, 2010) in any pronghorn hunt area with authorized tags including Hart Mountain National Antelope Refuge.

Bighorn Sheep

One of two Riverside hunts is proposed to be deleted for 2010. The department recommends maintaining the current auction and raffle tag program. Funds generated from these tags are dedicated to bighorn sheep management, trapping and transplanting, and research. The special auction tag would be sold at the annual Wild Sheep Foundation Convention during February 2010 in Reno, NV. The special raffle tag is proposed to be drawn during the annual Oregon Hunters Association state convention (May 15, 2010 in Canyonville). The season for both special tags will be Aug 14 – November 21, 2010 in any bighorn sheep hunt area with authorized tags.

Changes from June proposals:

- The department is proposing to combine the Poker Jim and Hart Mtn. bighorn sheep hunts into a single hunt area. During the 2009 hunts most of the bighorn sheep rams from Poker Jim Ridge moved south out of the hunt area. With only five total tags combining the two hunts should not cause crowding issues.
- The department is also proposing to drop the Wenaha-East Sled Springs hunt because of continued decline in sheep numbers. Washington State is dropping an adjacent hunt due to the same concerns.

Rocky Mountain Goat

Department proposals would maintain the current Rocky Mountain goat seasons and continuation of the special Rocky Mountain goat raffle tag for 2010. Funds generated from this tag are dedicated to Rocky Mountain goat management, trapping and transplanting, and research. The department proposes to draw the winning ticket and alternate winners during the OHA State convention (May 15, 2010 in Canyonville). Proposed bag limit for this special tag is one Rocky

Mountain goat. A pre-hunt orientation and post hunt check-in will continue to be required. The tag would be valid for a two-month season (September 1 – October 31, 2010) in any Rocky Mountain goat hunt area with authorized tags.

Change from June proposals: The department is proposing to eliminate the Cusick Mtn. #1 hunt because of an apparent decline in the population documented during surveys conducted summer 2009.

Bear

Mandatory Check

The department implemented a mandatory check-in of bear skulls beginning in 2008 as directed by the Bear Plan. Successful hunters are required to bring the skull of any bear they harvest, in an unfrozen condition, to a department office or a designated check-in site within 10 days of harvest. Biologists or trained volunteers collect a premolar tooth for aging and other information such as sex of the bear. This information is important for monitoring population structure, and when combined with information from statewide tetracycline marking, for estimating black bear populations. A total of 1,183 teeth were submitted by bear hunters in 2008 (Table 3). An additional 370 bears taken outside of hunting seasons were sampled during 2008. Age data for all sampled bears should be available by mid winter 2009-2010.

Table 3. Recent trend in bear tooth reporting compliance in Oregon, 1993–2008.

Year	Spring			Fall			Total		
	Harv.	Teeth	%	Harv.	Teeth	%	Harv.	Teeth	%
1993	167	78	47	1,179	418	35	1,346	496	37
1994	200	83	42	1,250	338	27	1,450	421	29
1995	62	20	32	624	165	26	686	185	27
1996	127	58	46	880	199	23	1,007	257	26
1997	163	56	34	649	124	19	812	180	22
1998	217	85	39	834	208	25	1,051	293	28
1999	181	57	31	856	353	41	1,037	410	40
2000	246	103	42	977	311	32	1,223	414	34
2001	263	123	47	621	239	38	884	362	41
2002	244	105	44	904	293	32	1,148	398	35
2003	300	105	35	829	192	23	1,129	312	26
2004	^a	96	^a	^a	211	^a	^a	337	^a
2005	371	126	34	716	195	27	1,087	318	29
2006	307	111	36	989	223	23	1,296	334	26
2007	477	111	23	748	227	30	1,225	338	27
2008	363	357	98	911	826	91	1,274	1,183	93

^a No harvest survey was conducted for bear seasons during 2004.

Spring Bear

Correction from June Packet: The department proposes the addition of two Controlled Spring Bear hunts in 2010, Saddle Mtn./Scappoose and White River. The department proposes 4,379 tags in 19 Controlled Spring Bear hunts for 2010; this represents a 13% increase in controlled spring bear tags from 2009.

The department is proposing to maintain the SW Oregon Spring Bear Hunt as a “Limited”, first-come first-served season with 4,000 tags authorized for sale, up from 3,750 in 2009. Hunters will be able to purchase tags without going through the controlled hunt application process. Tags will become available for purchase at the same time 2010 hunting licenses are available, and will be available until the authorized number of tags are sold or until the March 31, 2010 tag sale deadline. Hunters who purchase these tags before the application deadline for controlled spring bear hunts can not apply for spring bear preference points or tags for the 2010 season. However,

if a hunter applies for a controlled spring bear hunt and is unsuccessful in the drawing, they may purchase a SW Oregon Spring Bear tag if the authorized number of tags has not been sold.

General Bear

The department proposes no changes to Fall General Bear Seasons. However, the department is proposing to remove the tag sale deadline for the SW Additional Bear Tag. Fall General Bear Tags must be purchased prior to the deadline of October 1 in 2010 and hunters must purchase a Fall General Bear Tag by the tag sale deadline to be eligible to purchase a SW Additional Bear Tag. It will continue to be illegal to hunt bear without a valid unused bear tag in your possession.

Cougar

The department recommends expanding cougar season dates for 2010. Consistent with a recommendation from OHA, the proposed statewide general cougar season would run year-round (January 1, 2010 –December 31, 2010). The proposed season would apply to both tags (General Cougar and Additional Cougar). General Cougar Tags must be purchased prior to the deadline of October 1 in 2010 and hunters must purchase a General Cougar Tag by the tag sale deadline to be eligible to purchase an Additional Cougar Tag. It will continue to be illegal to hunt cougar without a valid unused cougar tag in your possession.

During the Cougar Plan Revision process, quota allocations were changed to include all human caused mortalities (e.g. hunting, damage, human safety). The department proposes no changes to the total statewide mortality quota for 2010 to allow time to update zone population models and evaluate results of target areas. The statewide quota of 777 has remained the same since 2006 the proposed quotas for each zone are: Zone A Coast/North Cascades 120; B Southwest Cascades 165; C Southeast Cascades 65; D Columbia Basin 62; E Blue Mountains 245; and Zone F Southeast Oregon 120.

Deer and Elk Highlights

Mule Deer Initiative

Five units (Heppner, Murderers Creek, Maury, Steens Mtn., and Warner) have been selected to participate in the initial phase of an initiative to improve mule deer populations. As part of the Mule Deer Initiative (MDI) local planning committees have recommended changes to hunting seasons for 2010. The Department is proposing the following regulations for 2010 associated with the MDI:

- Four new controlled archery hunts in the Maury, Steens Mtn., North Warner, and South Warner units. This was a result of the need to control harvest; it will also enable the collection of more precise and reliable archery hunter pressure and harvest information.
 - Archery elk hunting would be limited to hunters with a controlled archery deer tag for the unit.

- **Change from June Proposal:** Hunters successful in drawing one of these controlled hunt tags will receive one tag valid for both the general deer bowhunting season and a controlled bow hunt.

Antlerless Deer (600 Series) Controlled Hunts

For 2010, the following changes are proposed to controlled deer hunts. Overall, department proposals would delete two deer hunts and add nine new deer hunts. Proposed changes include:

- Delete the Round Mtn. antlerless hunt and add the Wallowa Valley #3 white-tailed deer hunt (centerfire rifles prohibited).
- Delete the Malheur-Baker youth hunt and add the four youth hunts, Melrose Unit, The Dalles Watershed (100 series), Baker Private, and Malheur County Youth.

REMINDER: Regarding the North Warner Youth Hunt (674T) and Interstate Unit (675T) youth hunts. Beginning in 2010 these youth hunts will be 100 series hunts (which are primarily buck hunts). The reason for the proposed change is to reduce the number of hunters who have the opportunity to harvest two mule deer bucks in one year. Hunters need to consider the preference point implications of applying for these hunts. Preference points accrued applying for these hunts in past years as 600 series hunts (which are primarily antlerless deer hunts) will remain 600 series preference points. Beginning in 2010 these hunts will accrue and use 100 series preference points.

Elk Hunts

Units with Expanded Bag Limits for Archery Hunters and Hunters with Oregon Disabilities Hunting and Fishing Permits:

For elk, the department is proposing to remove the west Fort Rock (portion west of Hwy. 97) and the North Sumpter Unit (area described for hunt 251A in the 2009 Big Game Regulations) from the area with an antlerless animal in the elk bag limit for archers and hunters with disabilities permits. The department will list the Units to have an expanded bag limit in the 2010 Big Game Regulations.

Controlled Elk: For 2010, the following changes are proposed to controlled elk hunts. Overall, department proposals would delete three hunts and create 49 new hunts (includes 46 new youth hunts). Proposed changes include:

- Add SW Alsea Private Lands hunt
- Delete the Yachats Mtn. hunt
- Add the Melrose antlerless hunt
- Delete the Lake Creek antlerless hunt and the Cavitt Creek youth hunt in the SW Region
- Add the Fossil - East Biggs Agriculture antlerless hunt
- Add 46 youth hunts with long seasons and low tag numbers to provide additional youth hunting opportunity in much of the state (Table 4).

Table 4. New Youth Antlerless Elk Hunts Proposed for 2010

Unit #	Hunt Name	Est. Tags	2010-11 Dates
10	Saddle Mtn	10	Aug 1 - Dec 31
11	Scappoose	10	Aug 1 - Dec 31
12	Wilson	10	Aug 1 - Dec 31
14	Trask	10	Aug 1 - Dec 31
16	Santiam	20	Aug 1 - Dec 31
17	Stott Mtn.	10	Aug 1 - Dec 31
18	Alsea	10	Aug 1 - Dec 31
19	McKenzie	10	Aug 1 - Dec 31
20	Siuslaw	10	Aug 1 - Dec 31
21	Indigo	10	Aug 1 - Dec 31
22	Dixon	10	Aug 1 - Dec 31
23	Melrose	10	Aug 1 - March 31
24	Tioga	10	Aug 1 - Dec 31
25	Sixes	10	Aug 1 - Dec 31
26	Powers	15	Aug 1 - Dec 31
27	Chetco	10	Aug 1 - Dec 31
28, 29	Applegate, Evans Creek	10	Aug 1 - Dec 31
30	Rogue	10	Aug 1 - Dec 31
31	Keno	10	Aug 1 - Dec 31
33	Sprague	10	Aug 1 - Dec 31
34, 39, W 77	East Cascade (Upper Deschutes, Metolius, Fort Rock West of Hwy 97)	20	Aug 1 - Dec 31
35	Paulina-East Fort Rock	10	Aug 1 - Dec 31
36	Maury	10	Aug 1 - Dec 31
37	Ochoco	10	Aug 1 - Dec 31
38	Grizzly	10	Aug 1 - Dec 31
40, 43	Maupin-West Biggs	10	Aug 1 - Dec 31
41, 42	White River-Hood	10	Aug 1 - Dec 31
44, 49, 54, 55	Umatilla (Columbia Basin, Ukiah, Mount Emily, Walla Walla)	30	Aug 1 - Dec 31
45	Fossil	10	Aug 1 - Dec 31
46, 47, 50	Grant (Murderers Creek, Northside, Desolation)	40	Aug 1 - Dec 31
48	Heppner	10	Aug 1 - Dec 31
51	Sumpter	10	Aug 1 - Dec 31
52	Starkey	10	Aug 1 - Dec 31
53	Catherine Ck	10	Aug 1 - Dec 31
57	Sled Springs	10	Aug 1 - Dec 31
58	Chesnimnus	10	Aug 1 - Dec 31
59	Snake River	10	Aug 1 - Dec 31
60	Minam Youth	15	Aug 1 - Dec 31
61	Imnaha Youth	15	Aug 1 - Dec 31
62, 63	Pine Creek-Keating	15	Aug 1 - Dec 31
64	Lookout Mtn.	20	Aug 1 - Dec 31
65	Beulah	10	Aug 1 - Dec 31
66 (N)	North Malheur River	10	Aug 1 - Dec 31
67, S66, 68, 69, 70, 71, 73	High Desert (South Malheur River, Owyhee, Whitehorse, Steens Mtn., Beatys Butte, Juniper, Wagontire)	10	Aug 1 - Dec 31
72	Silvies	10	Aug 1 - Dec 31
76	Silver Lake	10	Aug 1 - Dec 31

Proposed Boundary and Description Changes for 2010

The department is proposing to:

- Increase the Ukiah #1 and #2 antlerless deer hunts by 80 square miles to include additional private lands where damage is occurring.
- Increase the West Blue Mountains (Archery and Muzzleloader Only) one white-tailed deer hunt by 841 square miles by adding portions of the Heppner and Fossil units outside the National Forest. The proposed change will increase opportunity to hunt an expanding population of white-tailed deer on private lands.
- Move the hunt boundary of the SW Grizzly antlerless elk hunt to increase the hunt area by 23 square mile and incorporate an area of private land with damage into the hunt.
- The Melrose Plus antlerless elk hunt would expand by 40 square miles to include an area with elk damage.
- Drop the southern portion of the Snake River Unit and the north end of the Pine Creek Unit from the Snake River bighorn sheep hunts to protect sheep in an area with disease concerns. The hunt would be renamed North Snake River.
- Shift the boundary between the East Trout Creek Mountains and Upper Owyhee bighorn sheep hunts to Hwy. 95. The change would simplify the boundary.
- A minor boundary change is being proposed which would change approximately seven square miles from the northwest portion of the Keating WMU to the south end of the Catherine Creek WMU. The change is proposed because the forest road used as the boundary is overgrown and completely gone. The change would affect relatively few hunters. District personnel posted the area and asked for comment. The district received nine comments, only one in opposition to the change (five approved and three were neutral).

Mandatory Reporting of Hunter Harvest and Effort

The hunter reporting system has now been in use for the first full year and compliances (percent of tags reported on) was very low, ~17% overall.

Initially the department was considering a reporting deadline of 15 days after the specific hunt ended. After further discussions with department staff and with hunters the department is proposing to consolidate reporting deadlines so hunters will be able to call in one time and report for multiple tags, for example deer, most elk, pronghorn, fall bear and cougar tags could be reported on during a single call or online session. Proposed reporting deadlines are:

- January 31 - for cougar Tags and all hunts that start on or after August 1, and end on or before December 31, of the previous year (January 31, 2010 for 2009 hunts).
- April 15 - for hunts that end January 1-March 31.
- June 30 - for Spring Bear hunts and Spring Turkey season, all of which end May 31.

A variety of penalties and incentives have been considered to encourage hunters to report. The most extreme penalty would be that a hunter would not be able to purchase a tag or apply for hunts or a preference point saver for species for which they did not complete a survey for a tag they had the previous season. A penalty concept being considered for the future is for the department to implement a late reporting penalty (amount to be determined, possibly \$17.00,

same as purchasing a tag after the tag sale deadline) which would allow hunters to “buy back in” and purchase tags or applications if they failed to report by the deadline.

Incentives have been considered for hunters reporting on or before the reporting date. Options mentioned include entering hunters who report on time into a drawing for prizes such as gift certificates good at sporting goods retailers, hunting licenses, and special tags. Some of the incentives and penalties would require legislation, for example the department does not currently have the authority to give away free licenses or tags or implement a financial penalty.

At this time the department is proposing an incentive of entering hunters who report on time into drawings for special tags. The rules for the tags would be similar to those for Auction and Raffle tags (long season, statewide, etc). Because the department does not have the authority to give away tags, the hunter would be required to purchase the tag for full price, a bargain even if the winner was a nonresident. The department is proposing to award three tags, and allow the hunter to choose the species, deer, elk, or pronghorn.

Draft Implementation Schedule: (Note, 2008-09 hunts are all hunts in the 2008 Big Game Regulations etc.)

2008-09 Hunters provide information to help test the system, compare to phone surveys, and develop reports. (Reports need further development.)

2009-10 (Current year) Grace Year, encourage report within 15 days of season end date. Assist hunters to become familiar with the system, implement incentives.

2010-11 Grace Year, encourage reporting based on schedule above (by January 31 for most hunts), continue incentives.

2011-12 Cannot buy tag next year unless report is completed. Continue incentives, if compliance is low ask for legislative action to authorize a late reporting penalty.

2012-13 Full implementation, implement late reporting penalty if compliance is low.

Black-tailed Deer Management Plan

The Oregon Black-tailed Deer Management Plan was adopted by the Oregon Fish and Wildlife Commission in November 2008. The entire plan is available on the department Web site: <http://www.dfw.state.or.us/wildlife/> .

One of the objectives identified in the plan is to develop improved population estimates for black-tailed deer in western Oregon. Black-tailed deer are difficult to survey because of their secretive behavior and the dense cover they inhabit. To develop a reliable population estimate will require hunters to provide teeth from each deer harvested.

Hunters will be provided an envelope in which to submit teeth either through mailings or by making envelopes available at POS agents. The age of the deer taken (as determined by analyzing the teeth) and other population information collected by the department will be used to develop a population estimate.

New Regulations Proposed

Hunting after Filling a Tag: During many buck deer and elk seasons hunters are prohibited from hunting for other species with a centerfire or muzzle loading rifle without a valid, unused deer or elk tag for that species, time period and area on their person, OAR 635-065-0740 (1) is copied below.

It is unlawful:

- (1) To hunt with a centerfire or muzzleloading rifle during eastern Oregon controlled buck season (October 2 – October 13, 2010, Cascade bull elk season, Coast bull elk seasons, Rocky Mountain bull or either-sex elk seasons, or the standard Rocky Mountain unit’s antlerless elk seasons (Nov. 20 – Nov. 28, 2010) without a valid, unused tag for that species, time period and area on their person. **EXCEPTION:** Landowners, or their agent, hunting predators on lands they own or lease may use centerfire or muzzleloading rifles to hunt on such lands. **EXCEPTION:** Hunters may use .22 caliber or smaller centerfire rifles for hunting coyotes (*Canis latrans*) in the Juniper, Beatys Butte, East Beulah, Whitehorse and Owyhee units and in the Wagonfire Unit south of the Lake County Road 5-14 during Rocky Mountain bull or either-sex elk seasons, or the standard Rocky Mountain unit’s antlerless elk seasons (Nov. 20 – Nov. 28, 2010).

The current rule requires an unused tag; the department is proposing to modify OAR 635-065-0740 (1) to allow hunters who had a tag for that species, time period and area to continue to hunt bear and cougar after they have filled their deer or elk tag. The rule would be modified by adding the following; **EXCEPTION: Hunters who have a tag for one of the hunts listed in this paragraph may hunt bear and/or cougar within the time period and area for which their deer or elk tag is valid provided they have a valid unused bear and/or cougar tag.**

Fiber Optic Sights on Muzzleloaders: The department continues to support regulations that maintain muzzleloaders as relatively primitive short range weapons. However, recognizing fiber optic sights are now standard on most models of muzzleloading rifles and that as long as the fiber optic sight is a standard open site with a single aiming point and no lenses, they do not extend the effective range of the weapon; the department is proposing to allow the use of fiber optic open sights on muzzleloaders during all seasons for which muzzleloaders are legal weapons. The modified regulation would read:

■ Scopes (permanent or detachable), and sights that use batteries, artificial light or power, are not allowed during muzzleloader-only seasons or during 600 series hunts where there is a weapon restriction of “shotgun/muzzleloader only” or “archery/muzzleloader only”. However, this restriction does not apply to a visually impaired hunter who has a visual acuity of $\leq 20/200$ with lenses or visual field of ≤ 20 degrees, provided that the hunter holds an Oregon Disabilities Hunting and Fishing Permit. Open and peep sights made from alloys, plastic, or other materials that do not have the properties described above are legal. Open or iron sights that make use of fiber optics or fluorescent paint are also legal.

Landowner Preference: The department is proposing changes to two Landowner Preference (LOP) Oregon Administrative Rules (OARs).

1) In addition to landowners, the department is proposing to identify immediate family members as eligible to exchange a controlled hunt tag for a LOP antlerless deer or elk tag to address damage.

2) Currently corporations are defined as a “landowner”. As now written, the rules do not address the situation where an individual owns (through various business entities) more than one property that qualifies for LOP tags. Because the statute leaves this issue to the Commission's discretion, staff proposes that where an individual (through business entities) owns more than one property eligible for the LOP program, that individual may register each such property. Also, the department is proposing to add Limited Liability Companies (LLCs) to the definition of landowners for the LOP program.

Ceremonial Harvest Permits: A proclamation signed on August 2, 2007 by Governor Kulongoski, Commission Chair Rae, and Tribal Council Chairperson of the Confederated Tribes of the Grand Ronde Indian Reservation (“Grand Ronde”), Chris Mercier, recognized “the Tribe’s need for additional opportunities to use big game animals for important Tribal Ceremonial events”. The Proclamation directed department and Grand Ronde Tribal staffs to work together to complete government-to-government agreements to address this and other issues.

In the Spring of 2008, the Commission issued notice that it would take public comment on a proposed rule addressing ceremonial harvest of big game animals by the Confederated Tribes of the Grand Ronde Indian Reservation (“Grand Ronde”). That notice indicated that the Commission intended to take final action at the April 2008 Commission Meeting. The day before that meeting, The Confederated Tribes of Siletz Indians of Oregon (“Siletz”) sent the Commission a letter that included a request for additional time to allow the Siletz to “consult with the Grand Ronde”, in an effort to resolve issues among the Siletz and Grand Ronde over the ceremonial harvest rule. On April 18, 2008, the Commission took public testimony and adopted the ceremonial harvest rule as proposed by staff. At the Governor’s request, Chair Rae has facilitated discussions between the two tribes to try and resolve the Ceremonial Harvest issue. To date no resolution has been achieved.

At this time (October 2, 2009) the Commission is revisiting the ceremonial harvest rule and taking additional comment. This will ensure that all parties, including the Siletz Tribe, have had ample opportunity to provide additional data, views or argument to the Commission regarding this rule. It will also show respect, on a government-to-government basis, toward tribes. In response to the additional comment period requested by the Siletz tribe, and the new comment it receives, the Commission will have the opportunity to repeal, modify or ratify the Ceremonial Harvest Permit rules. Staff is proposing one modification:

Currently the Confederated Tribes of the Grand Ronde Community of Oregon is authorized to receive harvest permits to take animals for ceremonial purposes. The Tribe has asked for tribal members who are using the ceremonial tags to be able to use archery equipment for those hunts. The department is proposing to remove the word “rifle” from OAR 635-043-0120 (3) (h).

By removing the word “rifle”, when using Ceremonial Permits to harvest big game, tribal hunters would be allowed to use any legal weapon for most of the year, but would be confined to using archery equipment during archery deer/elk seasons and firearms during firearms deer and elk seasons.

Adult Hunters During youth Hunts: Currently, during controlled youth hunts youths must be accompanied by an adult at least 21 years of age who, except for during a few specific antlerless deer hunts, may not hunt. The department is proposing to change the regulation thereby allowing the adult to hunt species for which they have the proper license and tags. This would benefit families who hunt at times during which the adult has a tag and the youth has a “youth tag” for the same area. It would also allow the adult to hunt other species when accompanying a youth hunter.

Concurrent Cascade Elk/Deer: The department is continuing to evaluate allowing Cascade Elk Season hunters to hunt deer at the same time if they also possess a deer tag valid for the time and area, such as a western Oregon buck deer tag. The Cascade Elk Season area would remain closed for western Oregon deer hunters who do not also have a valid (used or unused) Cascade Elk Tag.

The department is not proposing to make the change at this time because of concerns about increasing illegal harvest of deer on the east slope of the Cascades by hunters with western Oregon tags, a problem which already occurs during the black-tailed deer season which begins two weeks before and extends two weeks after the Cascade Elk Season. Department staff and OSP will be collecting information to document the scope of the problem this fall and are planning to meet this fall/winter to discuss ways to address this poaching problem.

Hunter Safety Certificate Number: The department is in the process of adding each hunter’s Hunter Education Certificate Number to the licensing data base. The wording in the Big Game Regulations is proposed to be modified to require hunters aged 17 or under to have either a Hunter Education Certificate or a department document (hunting license, etc.) which includes their Hunter Education Certificate Number in their possession while hunting.