

**OREGON ADMINISTRATIVE RULES
OREGON DEPARTMENT OF FISH AND WILDLIFE**

DIVISION 050

FURBEARING AND UNPROTECTED MAMMAL REGULATIONS

635-050-0045

General Furbearer Regulations

The following general regulations apply to furbearer seasons:

(1) The appropriate furtaker's license or hunting license for furbearers must be in possession to hunt and/or trap furbearers.

~~(+)~~**(2)** Any person possessing a valid furtaker's license or hunting license for furbearers is required to fill out and return a completed harvest report form to the Department at 3406 Cherry Avenue NE, Salem, Oregon 97303. The form shall be postmarked by April 15, ~~[2009]~~**2011** for the ~~[2008]~~**2010**–~~[2009]~~**2011** seasons and April 15, ~~[2010]~~**2012** for the ~~[2009]~~**2011**–~~[2010]~~**2012** seasons. Failure to do so shall deny the license holder the opportunity to purchase a hunting license for furbearers or furtakers license for the following furbearer season.

~~[2]~~**(3)** Any person may sell or exchange the hide, carcass, or any part thereof, of any legally taken furbearing or unprotected mammal.

~~[3]~~**(4)** All traps and snares, whether set for furbearing or other unprotected mammals, shall be legibly marked or branded with the owner's license (brand) number that has been assigned by the Department; except that unmarked traps or snares may be set for nongame mammals unprotected by law or Department regulations by any person or member of his immediate family upon land of which he is the lawful owner. A landowner is required to register the location of such land with the Department and shall possess each year a free landowner's license before hunting or trapping furbearing mammals.

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[4]~~(5)~~ No branded trap or snare may be sold unless accompanied by a uniform bill of sale.

[5]~~(6)~~ Bobcat, raccoon and opossum may be hunted with the aid of an artificial light provided the light is not cast from or attached to a motor vehicle or boat.

(7) An artificial light may be used to provide light to aid in the dispatch of animals legally restrained in a trap or snare.

[6]~~(8)~~ Use of dogs is permitted to hunt or pursue bobcat, raccoon, fox, and unprotected mammals except in game bird nesting habitat during April, May, June or July, except as authorized by the Fish and Wildlife Commission.

[7]~~(9)~~ It is unlawful for any person to trap for furbearers, **predatory animals** or unprotected mammals using:

- (a) A steel [~~leghold~~]**foothold** trap with a jaw spread greater than 9 inches.
- (b) A No. 3 or larger [~~leghold~~]**foothold** trap or any foothold trap with an inside jaw spread at dog greater than 6” not having a jaw spacing of at least 3/16 of one inch when the trap is sprung (measurement excludes pads on padded jaw traps) and when the trap is placed in a manner that is not capable of drowning a trapped animal.
- (c) The flesh of any game bird, game fish, game mammal for trap bait.
- (d) Any instant-kill trap having a jaw spread of 9 inches or more in any land set.
- (e) Any toothed trap, or trap with a protuberance on the facing edge of the jaws that is intended to hold the animal (except pads on padded jaw traps).
- (f) Or possessing the branded traps or snares of another unless in possession of written permission from the person to whom the brand is registered.
- (g) Sight bait within 15 feet of any [~~leghold~~]**foothold** trap set for carnivores.

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[8]~~(10)~~ Except for persons authorized to enforce the wildlife laws, it is unlawful to disturb or remove the traps or snares of any licensed trapper while he is trapping on public lands or on land where he has permission to trap.

[9]~~(11)~~ All traps or snares set or used for the taking of furbearing or unprotected mammals shall be inspected at least every 48 hours and all trapped animals removed. This regulation does not apply to the taking of predatory animals.

[10]~~(12)~~ Any person setting a trap for predatory animals, as defined in ORS 610.002, must check the trap as follows:

- (a) For killing traps and snares, at least once every 30 days and remove all animals;
- (b) For restraining traps and snares, at least once every 76 hours and remove all animals. However, restraining traps and snares set by a person owning, leasing, occupying, possessing or having charge of or dominion over any land, place, building, structure, wharf, pier or dock or their agent, and set for predatory animals damaging land, livestock or agricultural or forest crops, shall be checked at least once every 7 days. Any person(s) acting as an agent for a landowner shall have in their possession written authority from the landowner or lawful occupant of the land. Such written authority shall contain at least all of the following:

- (A) The date of issuance of the authorization;
- (B) The name, address, telephone number and signature of the person granting the authorization;
- (C) The name, address and telephone number of the person to whom the authorization is granted; and
- (D) The expiration date of the authorization, which shall be not later than one year from the date of issuance of the authorization.

[11]~~(13)~~ A "killing trap" means a device used to kill a mammal as part of a killing trap system. A killing trap system is a system set with the intent to kill a mammal comprising a combination of: equipment (the

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trap and trigger configuration), and set (including site modifications, lures, baits, location and other relevant requirements).

[12](14) A "restraining trap" means a device used to capture and restrain (but not kill) a mammal as part of a restraining trap system. A restraining trap system is a system set with the intent to capture and restrain (but not kill) a mammal comprising a combination of: equipment (the trap and the trigger configuration), and set (including site modifications, lures, baits, location and other relevant requirements).

[13](15) These general furbearer regulations do not apply to the trapping of gophers, moles, ground squirrels and mountain beaver.

[14](16) When any furbearer or raw furbearer pelt is transferred to the possession of another person, a written record indicating the name and address of the person from whom the raw pelt was obtained shall accompany such transfer and remain with same so long as preserved in raw pelt form.

[15](17) It is unlawful for any person to damage or destroy any muskrat house at any time except where such muskrat house is an obstruction to a private or public ditch or watercourse.

635-050-0050

Definitions

(1) "Western Oregon" means all counties west of the summit of the Cascade range except Klamath and Hood River Counties.

(2) "Eastern Oregon" means all counties east of the summit of the Cascade range, including all of Klamath and Hood River Counties.

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(3) "Raw pelt" means any pelt that has not been processed or converted to any usable form beyond initial cleaning, stretching, and drying.

(4) "Resident" means any person who has resided in Oregon for a period of at least six months immediately prior to the date of making application for a license or tag. Members of the armed forces assigned to permanent duty status in Oregon, including spouses and dependent children, and alien students attending school in Oregon under a foreign student exchange program may purchase a resident license and tags. All other persons are nonresidents.

(5) "River" means that portion of a natural water body lying below the level of bankfull stage. Bankfull stage means the stage or elevation at which overflow of the natural banks of a stream or body of water begins to inundate the upland.

(6) "Sight bait" means exposed flesh bait, including whole animal carcasses, within 15 feet of any ~~leg~~**foot**hold trap set for carnivores.

(7) "Furbearers or furbearing mammals" means beaver, bobcat, fisher, marten, mink, muskrat, otter, raccoon, red fox, and gray fox.

(8) "Predatory animals" means coyotes, rabbits and rodents which are or may be destructive to agricultural crops, products and activities.

(9) "Unprotected mammals" means, for the purposes of OAR 635-050-0015 through 635-050-0210, badger, coyote, gophers (*Thomomys bottae*, *T. bulbivorus*, *T. mazama*, *T. talpoides* and *T. townsendii*), moles (*Scapanus townsendii*, *S. orarius* and *S. latimanus*), mountain beaver (*Apolodontia rufa*), yellowbellied marmots (*Marmonta flaviventris*), nutria, opossum, porcupine, spotted skunk, striped skunk, and weasel.

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Stat. Auth.: ORS 496.012, ORS 496.138, ORS 496.146 & ORS 496.162

Stats. Implemented: ORS 496.012, ORS 496.138, ORS 496.146 & ORS 496.162

Furbearer Harvest Seasons

635-050-0070

Beaver

Open Season: November 15, [~~2008~~]**2010** through March 15, [~~2009~~]**2011** and November 15, [~~2009~~]**2011** through March 15, [~~2010~~]**2012** in the following described areas:

- (1) Clackamas County. All open except waters within the exterior boundaries of Mt.Hood National Forest.
- (2) Crook County. All open except Prineville Reservoir below high water line and the Ochoco National Forest.
- (3) Curry County. All open except the Rogue River from the east county line to the mouth.
- (4) Grant County. All open except within the exterior boundaries of the Ochoco National Forest; Murderers Creek and Deer Creek, tributaries of the South Fork John Day River, within the exterior boundaries of the Malheur National Forest.
- (5) Jefferson County. All open except that portion of Willow Creek and its tributaries on the National Grasslands.
- (6) Josephine County. All open except Rogue River from the confluence of Grave Creek downstream to the county line.

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~~[(7) Umatilla County: All open except the Camas Creek drainage in its entirety and that portion of the North Fork of the Umatilla River and its tributaries that are within the exterior boundaries of the Umatilla National Forest.]~~

~~[8]~~(7) Union County. All open except:

- (a) Waters inside exterior boundaries of National Forests. However, private inholdings within the National Forest remain open.
- (b) Grande Ronde River above Beaver Creek.
- (c) All tributaries of the Grande Ronde River above the confluence of Five Points Creek. (Five Points Creek open to the National Forest boundary.)

~~[9]~~(8) Wallowa County. All open except:

- (a) Wallowa River and tributaries above Wallowa Lake.
- (b) Lostine River, Hurricane Creek, Bear Creek and their tributaries above the Wallowa-Whitman National Forest boundary.
- (c) Minam River and tributaries.
- (d) Peavine Creek, a tributary of Chesnimnus Creek.

~~[8]~~(9) Wheeler County. All open except within the exterior boundaries of the Ochoco National Forest and Bridge Creek at its tributaries within the exterior boundaries of Bureau of Land Management lands.

~~[9]~~(10) Other counties: All of the following counties in their entirety: Baker, Benton, Clatsop, Columbia, Coos, Deschutes, Douglas, Gilliam, Hood River, Harney, Jackson, Klamath, Lake, Lane, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Wasco, Washington and Yamhill.

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Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

635-050-0080

Bobcat

(1) The open harvest season for bobcat is December 1, [~~2008~~]**2010** through February 28, [~~2009~~]**2011** and December 1, [~~2009~~]**2011** through February [~~28~~]**29**, [~~2010~~]**2012**.

(2) The bag limit for bobcat in those counties east of the summit of the Cascade Range (including Hood River and Klamath counties) is five per season per licensed hunter or trapper.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

635-050-0090

Gray Fox

(1) Open Season: November 15, [~~2008~~]**2010** through February 28, [~~2009~~]**2011** and November 15, [~~2009~~]**2011** through February [~~28~~]**29**, [~~2010~~]**2012**.

(2) Open area: Entire state.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

635-050-0100

Red Fox

Open Seasons and areas are as follows:

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(1) Open season entire year in Baker, Gilliam, Harney, Malheur, Morrow, Umatilla, Union, Wallowa and Wheeler counties (Furtaker license is required).

(2) October 15, [~~2008~~]**2010** through January 15, [~~2009~~]**2011** and October 15, [~~2009~~]**2011** through January 15, [~~2010~~]**2012** in remainder of state.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

635-050-0110

Marten

(1) Open season: November 1, [~~2008~~]**2010** through January 31, [~~2009~~]**2011** and November 1, [~~2009~~]**2011** through January 31, [~~2010~~]**2012**.

(2) Open area: Entire state.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

635-050-0120

Mink

(1) Open season: November 15, [~~2008~~]**2010** through March 31, [~~2009~~]**2011** and November 15, [~~2009~~]**2011** through March 31, [~~2010~~]**2012**.

(2) Open area: Entire state.

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Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

635-050-0130

Muskrat

(1) Open season: November 15, [~~2008~~]**2010** through March 31, [~~2009~~] **2011** and November 15, [~~2009~~]
2011 through March 31, [~~2010~~]**2012**.

.(2) Open area: Entire state.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

635-050-0140

Raccoon

(1) Open season: November 15, [~~2008~~]**2010** through March 31, [~~2009~~] **2011** and November 15, [~~2009~~]
2011 through March 31, [~~2010~~]**2012**.

(2) Open area: Entire state.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

635-050-0150

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River Otter

(1) Open season: November 15, [~~2008~~]**2010** through March 15, [~~2009~~] **2011** and November 15, [~~2009~~] **2011** through March 15, [~~2010~~]**2012**.

in the entire state except for all areas closed to beaver trapping in OAR 635-050-0070.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

635-050-0170

Pursuit Seasons

(1) The following pursuit seasons are authorized:

(a) Bobcat: September 1, [~~2008~~]**2010** through February 28, [~~2009~~] **2011** and September 1, [~~2009~~] **2011** through February [~~28~~] **29**, [~~2010~~]**2012**.

(b) Fox: September 1, [~~2008~~]**2010** through February 28, [~~2009~~] **2011** and September 1, [~~2009~~] **2011** through February [~~28~~] **29**, [~~2010~~]**2012**.

(c) Raccoon: September 1, [~~2008~~]**2010** through March 15, [~~2009~~] **2011** and September 1, [~~2009~~] **2011** through March 15, [~~2010~~]**2012**.

(2) License Requirements: Furtaker's license or hunting license for furbearers shall be on one's person during pursuit.

(3) No animals shall be killed except during authorized open harvest season.

(4) A bobcat record card shall be on one's person while taking or attempting to take bobcat.

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Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

635-050-0183

Bobcat and River Otter Ownership Tags

- (1) The ownership tag shall be affixed by Department personnel at district and regional offices and shall remain so affixed while the pelt is in raw form.
- (2) Ownership tags may be used as foreign export tags.
- (3) Each ownership tag authorizes the holder to sell one bobcat or river otter.
- (4) Each person shall have an ownership tag affixed to his or her bobcat or river otter pelt at a Department district or regional office within five business days after the season ends.
- (5) It shall be *unlawful* to possess a [~~2008~~**2010** - [~~2009~~ **2011** or [~~2009~~ **2011** - [~~2010~~**2012** harvested bobcat or river otter after five business days following the season closure without an ownership tag.
- (6) It shall be *unlawful* to sell or remove from the state a [~~2008~~**2010** - [~~2009~~ **2011** or [~~2009~~ **2011** - [~~2010~~**2012** harvested bobcat or river otter pelt without the respective year's ownership tag.
- (7) A furtaker shall be responsible for **surrendering to the Oregon Department of Fish and Wildlife** the lower jawbone and information on sex, date of catch and county of harvest with each individual Oregon bobcat and river otter to qualify for ownership tags. A district office may, on a case-by-case basis, waive the lower jawbone requirement where the furtaker provides evidence that failure to provide the jawbone is due to unexpected circumstances beyond his or her control.
- (8) The record card with the required information including species, sex, date of possession and county shall be presented to obtain an ownership tag.

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Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

635-050-0189

Special Bobcat and River Otter Regulations

(1) Raw pelts taken prior to September 1, 1982 may not be sold unless they were metal-sealed by the Oregon State Police or the Department prior to that date.

(2) Those persons failing to comply with [2008]2010 - [2009] 2011 or [2009] 2011 -[2010]2012 Special Bobcat and River Otter Regulations shall not be issued a license for the following furbearer season and shall be subject to the penalties provided in ORS 496.992.

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162

DIVISION 200

SALE, PURCHASE OR EXCHANGE OF WILDLIFE PARTS

(Excluding Marine and Commercial Fish, Shellfish and Marine Invertebrates)

635-200-0030

Fur Dealer and Taxidermy

(1) Fur Dealer License shall cost \$50.00 (plus a \$2.00 license agent fee) and shall expire on December 31 of the year issued.

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(2) Whenever a fur dealer purchases, possesses, sells, or disposes of the pelt of any furbearing mammal, the dealer must record:

(a) The date, numbers and types of pelts;

(b) For furbearing mammals requiring tags, the tag number, the state issuing the tag, the species, and the year the tag was issued; and

(c) The name and address of those from whom the pelts were obtained, and to whom they were sold or otherwise transferred;

(d) This record must be maintained at the business address of the fur dealer for a period of three years.

(3) No fur dealer may purchase, sell, or possess any raw pelt requiring a tag or seal without having a proper tag or seal affixed to the pelt.

(4) Fur buyers who are agents for companies shall have a fur dealer's license and record the company whom they represent on the fur dealer's license application.

(5) Fur dealer records and pelts are subject to inspection at any time by any Oregon State Police officer or Department representative.

(6) Failure to comply with the record keeping criteria in OAR 635-200-0030 (1) or to permit inspection of such records may result in a two year license suspension.

(7) Taxidermy License shall cost \$50.00 (plus a \$2.00 license agent fee) and shall expire on December 31 of the year issued.

(8) Licensed taxidermists may sell a client's unclaimed, legally taken, mounted wildlife, except migratory birds protected by Federal Law 16 USC 703, provided that:

(a) Upon completion, at least two written notices of intent to sell are sent to the client;

(b) Two months have passed since completion of mount;

(c) The amount realized by the sale of a mount is not to exceed the original quoted price stated contemporaneously in writing, less any deposit received;

(d) Taxidermists may mount and sell legally taken furbearing animals with a fur dealer's license.

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(9) At the time of receiving wildlife for mounting, every licensed taxidermist shall:

(a) Record the date, number and kinds of wildlife received;

(b) Record the tag number and year of issuance of those furbearing mammals requiring tags;

(c) Record the date taken and county or hunting unit and state where taken and the name and address of the person who killed the wildlife;

(d) Record the name and address of the person from whom received and the quoted price for the taxidermy work;

(e) Maintain this record at the business address of the taxidermist for a three-year period;

(f) Maintain copies of the written notices, as described in 635-200-0030 (6), date of sale, amount of sale and name and address of the person purchasing the mount at the business address of the taxidermist for a three-year period.

(10) Taxidermy records **and all wildlife possessed by licensed taxidermists for the purpose of taxidermy** are subject to inspection at any time by any Oregon State Police officer or Department representative.

Statutory Authority: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

Stats Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042