

OFFICE OF THE SECRETARY OF STATE
DENNIS RICHARDSON
SECRETARY OF STATE

LESLIE CUMMINGS
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
MARY BETH HERKERT
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 635
DEPARTMENT OF FISH AND WILDLIFE

FILED
07/16/2018 12:49 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: 2019 Big Game Controlled Hunt Tag Numbers, Season Dates and Regulations

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 09/14/2018 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Roxann Borisch
513-947-6314
roxann.b.borisch@state.or.us

4034 Fairview Industrial Drive SE
Salem, OR 97300

Filed By:
Roxann Borisch
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 09/14/2018

TIME: 8:00 AM - 5:00 PM

OFFICER: ODFW Commission

ADDRESS: "The Barn" Bandon

Conference and Community Center

1200 11th St SW

Bandon, OR 97411

NEED FOR THE RULE(S):

This action is necessary to set 2019 hunting season regulations and controlled hunt tag numbers for game mammals.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Draft rules are available from the division's Rule Coordinator, located at 4034 Fairview Industrial Drive SE, Salem, OR, 97302. Rules are also available on the ODFW website at <http://www.dfw.state.or.us/OARs/index.asp>.

FISCAL AND ECONOMIC IMPACT:

Rule changes are being proposed to set hunting season regulations and controlled hunt tag numbers for 2019 for game mammals. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

The proposed rules will affect state agencies, units of local government, and the public, respectively, as discussed below:

- a. State agencies that could be affected by these rules are the Oregon Department of Fish and Wildlife (wildlife management costs) and the Oregon State Police (enforcement costs). No major changes from the current levels of these agencies' operations or expenditures are expected as a result of adoption of these particular rules.
- b. No units of local government are expected to be significantly affected by these rules. No significant changes from the current levels of any local agencies' operations or expenditures are expected as a result of the establishment of these hunting seasons and regulations.
- c. The public is affected by the rules relating to the hunting seasons.

Various sectors of the public economy (hunters, suppliers of hunters, and the general economy) will experience different impacts. The economic impact of changes in hunting rules depends primarily on the changes in hunting opportunities associated with the rule changes and related effects on direct expenditures by hunters. These effects are best measured by estimating the magnitude of changes in the number of hunter days and estimating the resulting changes in expenditures made by hunters, and the associated effects on personal income.

In general, no significant changes in hunter participation levels are anticipated in 2019 compared to 2018, assuming adverse weather and environmental conditions are not experienced between now and the 2019 seasons. Some controlled hunts have been removed or tag numbers reduced, while others controlled hunts have been added (or tag numbers increased) to manage animal populations and/or damage caused by wildlife.

The total (direct, indirect and induced) effects on personal income in the areas surrounding the associated hunting areas and statewide are the result of the direct expenditures on goods and services made by sport participants during their hunting trips. Through the "multiplier process", there is a resulting increase in economic activity and personal income in the general economy of the area and the entire state.

Survey data from 1989 - 1991 from Starkey Experimental Forest hunts in Eastern Oregon indicate average overall trip expenditure by elk and deer hunters of about \$285, with nearly \$150 of the total made in Eastern Oregon. This is equivalent to an average expenditure of \$52.36 per hunter day, of which an average of \$27.52 per hunter day was made in Eastern Oregon. In inflation adjusted 2017 dollars, the average expenditure per hunter day would amount to about \$93 per hunter day, of which an average of \$49 would be spent in Eastern Oregon.

The relationship between direct, indirect and induced personal income from the direct trip expenditures per hunter day can be estimated based on response coefficients developed from an economic input-output model. Using the 1989 -

1991 Starkey Experimental Forest data and information on the relationship between expenditures and the personal income associated with the spending, the state-level personal income impact per hunter day for Eastern Oregon deer and elk was about \$39; the personal income impact in Eastern Oregon was about \$13 per hunter activity day. Adjusting for inflation since 1991, the personal income impacts in 2017 dollars would be about \$70 per hunter day at the state level, and about \$41 per hunter day in Eastern Oregon.

A more recent survey conducted for ODFW and Travel Oregon by Dean Runyan Associates found that hunting-related direct expenditures were \$517.94 Million in 2008 for all of Oregon. This is equivalent to \$576.3 million in 2017 dollars. This spending includes trip costs, such as food, lodging/camping, gasoline, guide fees, and equipment expenditures. The equipment category represents the majority (about 62%) of those expenditures.

According to data from the 2006 National Survey of Fishing, Hunting and Wildlife-Associated Recreation (2008), total hunter expenditures in Oregon were about \$373.6 million in 2006. The impact on state level personal income was slightly over \$259 million, and the effect on gross output was \$827.4 million in 2006. In 2017 dollars, this would mean \$449 million in expenditures, \$290 million in personal income, and \$927 million in gross output.

The estimates above will be reasonably good measures of the impact on total personal income per hunter day to the extent that the dollars spent for the hunting trips would not have been spent on other activities or commodities in Oregon had there been no hunting seasons. The economic impacts of hunters' expenditures on durable equipment associated with hunting are not included in the estimates above. These equipment expenditures are not necessarily related to hunter use in a simple linear fashion, and hence, may not be significantly affected by marginal changes in seasons. However, there is probably a positive relationship between hunting opportunities and equipment expenditures, particularly in the long run.

The effect of changes in numbers of hunters and hunter activity on personal income in the regions and at the state level can be estimated using the personal income impact per day estimates. However, the aggregate impact depends on the magnitude of the changes in the number of hunters and hunter days. As indicated above, no major changes in the game mammal regulations are expected for 2019 compared to 2018. However, depending on the weather next winter and other environmental factors affecting survival, there may be changes in the numbers of controlled hunt tags available in 2019, especially for deer hunts. Obviously, the magnitude of these changes cannot be predicted, but should a hard winter occur, the effects on tag availability could possibly be greater than the effects of any changes in these proposed regulations.

The current restrictions in some of the hunting seasons for game mammals can be viewed as restricting opportunities and reducing positive economic impacts in the short run. However, conservation through adjustment of these and other game mammal hunting seasons is intended to perpetuate the resources at optimum levels over the long run. Failure to restrict harvests of game animals to allow escapement for reproduction would result in reduced hunting opportunities in the future. The proposed regulations strike a balance that will sustain game mammal population levels and maintain future benefits.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:

The types of business subject to the rule are primarily those that supply goods or services to hunters. These may include taxidermy services, hunting guides, private hunting preserve operators, food and beverage stores, gasoline stations, sporting goods stores, general merchandise stores, accommodation businesses, food services and drinking places. Big game hunting occurs in myriad locations throughout the state and thus the number of small businesses subject to the rule cannot be estimated.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

None expected.

c. Equipment, supplies, labor and increased administration required for compliance:

None expected.

References

Dean Runyan Associates, Fishing, Hunting, Wildlife Viewing, and Shellfishing in Oregon, 2008.
Prepared for the Oregon Department of Fish and Wildlife, May 2009.

Oregon Department of Fish and Wildlife. Unpublished Analysis of Hunter Expenditure Data Collected from Hunters on the Starkey Experimental Forest, 1989 - 1991.

U.S. Fish and Wildlife Service. 1996 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation - Oregon. 1998.

U.S. Fish and Wildlife Service and U.S. Census Bureau. 2006 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation - Oregon. 2008.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

During July of 2018, 19 public meetings are scheduled around the state to discuss 2019 controlled hunt tag numbers, hunting regulations, and seasons.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The draft administrative rules were developed without a committee of interested or affected persons. These rules are amended annually to administer an existing program. Interested and affected persons are generally aware of this rulemaking schedule. The Department provides information and Draft proposals to, and receives comments from interested and affected persons at a series of town hall meetings. At the Commission hearing, public correspondence and testimony is accepted into the record as part of the rulemaking process.

RULES PROPOSED:

635-008-0050, 635-008-0055, 635-008-0080, 635-008-0085, 635-008-0110, 635-008-0124, 635-008-0153, 635-008-0170, 635-043-0003, 635-043-0110, 635-045-0000, 635-045-0002, 635-046-0045, 635-046-0050, 635-046-0055, 635-060-0000, 635-060-0005, 635-060-0008, 635-060-0009, 635-060-0023, 635-060-0030, 635-060-0046, 635-060-0055, 635-065-0001, 635-065-0011, 635-065-0015, 635-065-0090, 635-065-0401, 635-065-0501, 635-065-0700, 635-065-0705, 635-065-0720, 635-065-0733, 635-065-0735, 635-065-0740, 635-065-0745, 635-065-0765, 635-066-0000, 635-066-0010, 635-066-0020, 635-067-0000, 635-067-0004, 635-067-0024, 635-067-0029, 635-067-0034, 635-067-0041, 635-068-0000, 635-069-0000, 635-070-0000, 635-071-0000, 635-071-0010, 635-072-0000, 635-073-0000, 635-073-0090, 635-074-0020, 635-075-0005, 635-075-0011, 635-075-0020, 635-075-0022, 635-075-0024, 635-090-0140

AMEND: 635-008-0050

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-008-0050

Fish and Wildlife Commission to Post and Enforce Rules ¶¶

In compliance with authority contained in ORS 496.146(9), and penalties prescribed in 496.992, the following rules are adopted to protect wildlife, fish, lands, and appurtenances or management activities and objectives on lands where title to, or control of, rests in the State of Oregon, acting by and through its Department of Fish and Wildlife ("department owned, managed, or controlled areas"). In addition to the requirements and restrictions contained in chapter 635, divisions 011, 021, 045, 046, 050, 051, 052, 053, 054, 060 and 065; the following rules shall apply to all Department owned, managed, or controlled areas referenced in chapter 635, division 008 except as modified by the rules for individual wildlife areas.¶¶

(1) In order to further the purposes of ORS 496.012 or to protect public safety, portions of Department owned, managed, or controlled areas may be posted and closed to all entry. Entering an area posted "closed to entry" is prohibited except by permit.¶¶

(2) Leaving garbage and litter on the area is prohibited.¶¶

(3) Posted Refuges and Safety Zones are closed to hunting and shooting.¶¶

(4) Motor vehicles are prohibited except on parking areas, open roads, areas posted as open to motor vehicles, or as provided for in the following rules. No cross country travel or off road motor vehicle use is allowed, except by ODFW issued permit or for administrative use.¶¶

- (5) A permit is required to remove firewood, cut trees, dig or remove minerals, sand, gravel, rock, or any other article, product or material found on the area except for fish and wildlife taken as permitted by law and edible fruiting bodies of plants for personal consumption.¶
- (6) An agreement is required to graze livestock except riding and pack animals in actual use for recreational purposes. Trespass livestock may be removed and/or impounded at the owner's expense in compliance with ORS Chapter 607.¶
- (7) No person shall display behavior which unreasonably deters, distracts or hinders others in the peaceable enjoyment of the area.¶
- (8) The Department may evict any person from an area for any violation of any Department rule or regulation, or when continued presence of that person could cause a threat to the rights and safety of others or property.¶
- (9) No person, commercial vendor or company shall dispense or sell material, goods or items on the area, except by permit.¶
- (10) Drones/UAV's may not be flown within the boundary of any ~~Wildlife~~ ODFW owned, managed, or controlled area except for administrative use or by permit issued by ODFW.¶
- (11) The Department may manage, control or humanely remove any non-native or invasive species from Department owned, managed, or controlled areas for the purpose of protecting native wildlife and their habitats.¶
- (12) All dogs must be kept on a leash, except:¶
 - (a) While accompanied by a licensed hunter when being used to hunt game birds, including while going to or coming from hunting locations;¶
 - (b) In a posted dog training area;¶
 - (c) While the dog is under direct control in a posted parking area, designated campground or on a road currently open to public motor vehicle traffic; or¶
 - (d) As otherwise specified in 635-008-0112, 0147, 0190, 0211. ¶
- (13) it is unlawful to dig and disturb any artifact or archaeological specimen on any public land per ORS Chapter 358 and federal law under the Archaeological Resources Protection Act of 1979.¶
- (14) Possession and use of fireworks, explosives, or similar materials is prohibited.¶
- (15) The Department may issue access permits allowing exceptions to these rules for uses or activities compatible with the purpose of each area, and consistent with the goals and objectives of the respective management plan where applicable.

Statutory/Other Authority: ORS 498

Statutes/Other Implemented: ORS 498

AMEND: 635-008-0055

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-008-0055

Bridge Creek Wildlife Area (Umatilla County) ¶¶

The Bridge Creek Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2009 Bridge Creek Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:¶¶

- (1) The area is open to entry during the period April 15 through November 30, except by access permit issued by ODFW.¶¶
- (2) Motorized vehicle travel is only allowed on open roads or parking areas and up to 300 feet off open roads for the purpose of moving to and from campsites.¶¶
- (3) Camping is allowed during the period April 15 through November 30, and ~~may~~shall not exceed ~~14 days per stay~~ a total of 14 days during any 30-day period.¶¶
- (4) Campfires or open burning is prohibited except at campsites. Open fires are prohibited during designated fire closures.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-008-0080

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-008-0080

Ken Denman Wildlife Area (Jackson County) ¶¶

The Ken Denman (Denman) Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the ~~2006~~17 Ken Denman Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:¶¶

- (1) Open to the discharge of firearms only while hunting big game and game birds during authorized seasons, or by access permit issued by ODFW.¶¶
- (2) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot or slugs.¶¶
- (3) Use of rifles and handguns is prohibited at all times.¶¶
- (4) Camping is prohibited except by access permit issued by ODFW.¶¶
- (5) Boats with gas propelled motors are prohibited.¶¶
- (6) The use of air guns, BB guns and paintball guns is prohibited.¶¶
- (7) Free daily hunting permits available at self-service check stations located at area access points are required, must be possessed at all times by users and must be completed and returned at the end of the day.¶¶
- (8) Trapping is prohibited except by access permit issued by ODFW.¶¶
- (9) ODFW Wildlife Area Parking Permit required.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-008-0085

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-008-0085

Elkhorn Wildlife Area (Baker/Union Counties) ¶¶

The Elkhorn Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the ~~2006~~¹⁷ Elkhorn Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:¶¶

- (1) The area is open to the public from April 11 through November 30.¶¶
- (2) Camping is allowed during the period April 11 through November 30, and shall not exceed a total of 14 days during any 30-day period.¶¶
- (3) Campfires or open burning is prohibited except at campsites. Open fires are prohibited during designated fire closures.¶¶
- (4) ATV and snowmobile use is prohibited on all area lands except for administrative use or by access permit issued by ODFW.¶¶
- (5) The Roth Tract is closed to all hunting. The Roth Tract is closed to public entry at all times of the year except by access permit issued by ODFW.¶¶
- (6) ODFW Wildlife Area Parking Permit required.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-008-0110

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-008-0110

Jewell Meadows Wildlife Area (Clatsop County) ¶¶

The Jewell Meadows Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the ~~2007~~18 Jewell Meadows Management Plan unless otherwise excluded or restricted by the following rules:¶¶

- (1) Open to the discharge of firearms only while hunting big game and game birds during authorized seasons, or by access permit issued by ODFW.¶¶
- (2) Posted Refuges and Safety Zones are closed to public access.¶¶
- (3) Camping is prohibited except in designated areas, and shall not exceed a total of 14 days during any 30-day period.¶¶
- (4) The Beneke Tract is open for hunting only during authorized game mammal and game bird seasons. Posted portions of the Beneke Tract are closed to entry during any open Saddle Mountain Unit elk season, except for black-tailed deer hunting only during the general western Oregon rifle season with a valid unused tag, or by access permit issued by ODFW.¶¶
- (5) The Humbug tract is open for hunting only during authorized game mammal and game bird seasons. Shooting firearms and bows from or across open fields is prohibited during any open Wilson Unit elk season.¶¶
- (6) Trapping is prohibited except by access permit issued by ODFW.¶¶
- (7) ODFW Wildlife Area Parking Permit required.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-008-0124

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-008-0124

Lostine Wildlife Area (Wallowa County) ¶

The Lostine Wildlife Area is open to wildlife-oriented public use unless otherwise excluded or restricted by the following rules:¶

(1) Camping is allowed, but ~~may~~shall ~~not~~ exceed a total of 14 days during any 30 day period.¶

(2) Domestic sheep and goats are prohibited.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-008-0153

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-008-0153

Phillip W. Schneider Wildlife Area (Grant County)

The Phillip W. Schneider Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the ~~2006~~18 Phillip W. Schneider Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules: ¶

(1) Motorized vehicle travel is only allowed on open roads or parking areas and up to 300 feet off open roads for the purpose of moving to and from campsites. Some roads are closed seasonally from December 1 through April 14. ¶

(2) Camping along the South Fork John Day road is open yearlong. On the remainder of the wildlife area camping is prohibited except during the period April 15 through November 30. Camping ~~may~~shall not exceed ~~14 days per stay~~ a total of 14 days during any 30-day period. ¶

(3) Campfires or open burning is prohibited except at campsites. Open fires are prohibited during designated fire closures. ¶

(4) The area is closed to entry during the period of February 1 through April 14, including BLM land within the exterior boundaries of the Wildlife Area, except by access permit issued by ODFW. ¶

(5) ODFW Wildlife Area Parking Permit required.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-008-0170

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-008-0170

Wenaha Wildlife Area (Wallowa County) ¶

The Wenaha Wildlife Area is open to wildlife-oriented public use compatible with goals and objectives contained in the ~~2007~~18 Wenaha Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:¶

- (1) The area is open to the public from April 1 through December 31, except by access permit issued by ODFW. Exceptions: Year-round public access is permitted at designated camping areas, (headquarters and Griz Flat), on department land along the Wenaha River, and between the Grande Ronde river road and the Grande Ronde River from the Redmond grade bridge below Troy to the mouth of Wildcat Cr.¶
- (2) Motorized vehicle travel is only allowed on open roads or parking areas and up to 300 feet off open roads for the purpose of moving to and from campsites.¶
- (3) Camping is prohibited except on areas designated for that use, or by access permit issued by ODFW, and ~~may~~ shall not exceed a total of 14 days during any 30-day period.¶
- (4) Campfires or open burning is prohibited except at campsites. Open fires are prohibited during designated fire closures.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162, 496.992

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162, 496.992

AMEND: 635-043-0003

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-043-0003

Fur Dealer and Taxidermy ¶

- (1) Fur Dealer License shall cost \$106.00 (plus a \$2.00 license agent fee) and shall expire on December 31 of the year issued.¶
- (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 635-043-0003(1) or to permit inspection of such records may result in a two year license suspension.¶
- (7) Taxidermy License shall cost \$106.00 (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.¶
- (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) For game mammals and game birds requiring tags record the confirmation number of electronic tags, record the date (month/day/year) and time (hour:minute) of issuance of paper tags.¶
 - (d) 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;¶
 - ~~(e)~~ Record the name and address of the person from whom received and the quoted price for the taxidermy work;¶
 - (f) Maintain this record at the business address of the taxidermist for a three-year period;¶
 - (g) Maintain copies of the written notices, as described in 635-043-0003(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/Other Authority: SB 247 (2015), ORS 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

Statutes/Other Implemented: 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

AMEND: 635-043-0110

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-043-0110

Form of Harassment Permit ¶

The Wildlife Harassing Permit shall include the name and address of the complainant suffering wildlife damage, the name and address of the person or persons designated by the landowner to act as his agent, the description of the property on which harassment will be permitted, the wildlife species to be harassed, the date of issue and date of expiration of the permit, and the signature of the Department ~~of~~ representative issuing ~~to~~ the permit.

Statutory/Other Authority: ORS 183, 496

Statutes/Other Implemented: ORS 183, 496

AMEND: 635-045-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-045-0000

Purpose ¶¶

(1) The purpose of these rules is to list definitions pursuant to hunting seasons for big game and game birds.¶¶

(2) The documents entitled "2018-19 Oregon Game Bird Regulations," and "2018~~9~~ Oregon Big Game Regulations", are incorporated by reference into these rules. These documents are available at hunting license vendors and regional, district and headquarters offices of the Oregon Department of Fish and Wildlife.¶¶

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-045-0002

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-045-0002

Definitions ¶¶

- (1) "Adult hunting license" is a resident or nonresident hunting license, resident combination angling and hunting license, disabled veteran's angling and hunting license, pioneer's angling and hunting license or senior citizen's angling and hunting license.¶¶
- (2) "Agricultural lands" are lands that are not less than ten acres in extent that have been cultivated and planted or irrigated to domestic crops that are currently in use. Isolated home gardens, abandoned farmsteads, logged lands, rangelands, and tree farms, are not included in this definition.¶¶
- (3) "Antler Point" is a point at least one inch in length measured from tip of point to nearest edge of beam. This definition applies only to the three-point elk and spike only elk bag limits.¶¶
- (4) "Antlerless deer" means doe or fawn deer.¶¶
- (5) "Antlerless elk" means cow or calf elk.¶¶
- (6) "Application" means the electronic form completed and purchased to apply for a hunt where the number or distribution of hunters is limited through a public drawing or other means. Mail order applications sent to the Department along with the proper remittance are used to generate the electronic form.¶¶
- (7) "Bait" for hunting game mammals means any substance placed to attract an animal by its sense of smell or taste, including but not limited to food items or minerals (such as salt). Applying a scent or attractant to one's body or clothing while worn, is not baiting.¶¶
- (8) "Baited Area" means an area where baiting has taken place.¶¶
- (9) "Baiting" means the placing, exposing, depositing, distributing, or scattering of corn, wheat, salt or other feed to constitute a lure or enticement to, on, or over an area where hunters are attempting to take game birds.¶¶
- (10) "Brace" is defined as an orthosis that is prescribed by a physician and fabricated by an orthotist certified by the American Board for Certification in Orthotics and Prosthetics, Inc.¶¶
- (11) "Brace Height" is the distance from the back of the bow's riser at the handgrip to the string when the bow is at rest.¶¶
- (12) "Buck Deer" means a male deer with at least one visible antler.¶¶
- (13) "Buck Pronghorn" means a male pronghorn antelope with visible horns and a dark cheek patch below the ear.¶¶
- (14) "Bull elk" for the purposes of a bag limit definition, means a male elk with at least one visible antler.¶¶
- (15) "Calendar year" means from January 1 through December 31.¶¶
- (16) "Carcass" is the skinned or unskinned body, with or without entrails, of a game bird or game mammal.¶¶
- (17) "Cascade elk" means any live elk occurring in the Dixon, Evans Creek, Indigo, Keno, McKenzie, Metolius, Rogue, Santiam and Upper Deschutes units and those parts of Fort Rock and Sprague units west of Highway 97, and that part of Grizzly Unit west of Hwy 97 and south of Hwy 26.¶¶
- (18) "Closed season" is any time and place when it is not authorized to take a specific species, sex or size of wildlife.¶¶
- (19) "Coast elk" means any live elk occurring in the Alsea, Applegate, Chetco, Melrose, Powers, Saddle Mountain, Scappoose, Siuslaw, Sixes, Stott Mountain, Tioga, Trask, Willamette, and Wilson units.¶¶
- (20) "Commission" means the Oregon Fish and Wildlife Commission.¶¶
- (21) "Controlled hunt" is a season where the number or distribution of hunters is limited through a public drawing or other means.¶¶
- (22) "Department" means the Oregon Department of Fish and Wildlife.¶¶

- (23) "Director" means the Oregon Fish and Wildlife Director.¶
- (24) "Doe or fawn pronghorn" means a female pronghorn antelope without a dark cheek patch below the ear or a pronghorn fawn (young of the year) of either sex.¶
- (25) "Domestic partner" means, as provided in section 3 of the Oregon Family Fairness Act of 2007 (ORS Chapter 106), "an individual who has, in person, joined into a civil contract with another individual of the same sex, provided that each individual is at least 18 years of age and is otherwise capable, and that at least one of the individuals is a resident of Oregon."¶
- (26) "Eastern Oregon" means all counties east of the summit of the Cascade Range including all of Klamath and Hood River counties.¶
- (27) "Eastern Oregon deer" means any live deer occurring east of the east boundaries of the Santiam, McKenzie, Dixon, Indigo and Rogue units.¶
- (28) "Eligible Hunter" means someone who will be 12 years of age by the time they hunt.¶
- (29) "Entry permit" means a permit issued by the Department to be in an area where entry is restricted by regulation.¶
- (30) "Established airport" is one that the Oregon Department of Aviation has licensed as a public-use airport, registered as a personal-use airport, or specifically exempted from either licensing or registration.¶
- (31) "Feral Swine" means animals of the genus *Sus* as defined by the Oregon Department of Agriculture in OAR 603-010-0055.¶
- (32) "Fiscal year" means from July 1 through June 30.¶
- (33) "Furbearers" are beaver, bobcat, fisher, marten, mink, muskrat, otter, raccoon, red fox, and gray fox.¶
- (34) "Game Birds" are any waterfowl, snipe, band-tailed pigeon, mourning dove, pheasant, quail, partridge, grouse, or wild turkey.¶
- (35) "Game mammals" are pronghorn antelope, black bear, cougar, deer, elk, moose, Rocky Mountain goat, bighorn sheep, and western gray squirrel.¶
- (36) "General season" is any season open to the holder of a valid hunting license and appropriate game mammal tag without restriction as to the number of participants.¶
- (37) "Hunter certification" means to have met educational, safety or other requirements designated by administrative rule for participation in a hunt.¶
- (38) "Hunt" means to take or attempt to take any wildlife by means involving the use of a weapon or with the assistance of any mammal or bird.¶
- (39) "Husbandry" means the care given animals directly by their owners and managers, including but not limited to:¶
- (a) Nutrition;¶
 - (b) Breeding program;¶
 - (c) Veterinary medical care;¶
 - (d) Environmental cleanliness; and¶
 - (e) Humane handling.¶
- (40) "Immediate family" for the purpose of Landowner Preference, means a landowner's spouse, children, sons-in-law, daughters-in-law, father, mother, brother, brothers-in-law, sister, sisters-in-law, stepchildren, and grandchildren.; for all other purposes, it means spouse, domestic partner, children, father, mother, brother, sister, stepchildren, and grandchildren.¶
- (41) "Inedible" means unfit for human consumption.¶
- (42) "Juvenile hunting license" is a resident, nonresident hunting license or resident combination angling and hunting license for persons 9 to 17 years of age to hunt wildlife.¶
- (43) "Landowner", as used in OAR chapter 635, division 075, means:¶
- (a) A person who holds title in trust or in fee simple to 40 or more contiguous acres of land; provided however that a recorded deed or contract of ownership shall be on file in the county in which the land is located; and/or¶
 - (b) A corporation or Limited Liability Company (LLC) holding title in fee simple to 40 or more contiguous acres of land; provided however that the corporation or LLC shall be registered with the State of Oregon; and/or¶

- (c) A partnership holding title in fee simple to 40 or more contiguous acres of land; and/or¶
- (d) Persons who hold title as part of a time share are not eligible for landowner preference.¶
- (44) "Low Income" means a person who is "economically disadvantaged" as defined in Section 4(8) of the Federal Job Training Partnership Act of 1982.¶
- (45) "Mounted Wildlife" means any hide, head or whole body of wildlife prepared by a licensed taxidermist for display.¶
- (46) "Muzzleloader" is any single-barreled (shotguns may be double barreled) long gun meant to be fired from the shoulder and loaded from the muzzle with an open ignition system and open or peep sights.¶
- (47) "On or within" means a straight line distance measured on a map.¶
- (48) "One deer" means a buck, doe, or fawn deer.¶
- (49) "One elk" means a bull, cow, or calf elk.¶
- (50) "~~Open Ignition~~ is an ignition system where the percussion cap, or frizzen, or futtiter and Guide Hunt" is an outdoor recreational activity in which the client is visible and exposed to the weather at all times and is not capable of being closed or covered by any ~~pphysically accompanied in the field by the registered Outfitter and Guide or the employee(s) of the registered Outfitter~~ manent piece of the weapon and Guide during the hunt.¶
- (51) "Partner" means a person in an association of two or more persons formed to carry on as co-owners for profit.¶
- (52) "~~Point of Sale~~" (POS) is a computerized licensing system available at locations that sell Oregon's hunting and angling licenses. Licenses and tags are generated and issued directly to customers from a POS machine at the time of sale.¶
- ~~(53)~~ "Possession" means to have physical possession or to otherwise exercise dominion or control over any wildlife or parts thereof, and any person who counsels, aids or assists another person holding such wildlife is deemed equally in possession.¶
- ~~(54)~~ "Postmark" means the date of mailing as stated in a mark applied by the U.S. Postal Service to a piece of mail. Office postal machine meter marks are not valid application deadline postmarks.¶
- ~~(55)~~ "Predatory animals" means coyotes, rabbits, rodents, and feral swine which are or may be destructive to agricultural crops, products and activities.¶
- ~~(56)~~ "Protected wildlife" means "game mammals" as defined in OAR 635-045-0002(35) "game birds" as defined in 635-045-0002(34), "furbearers" as defined in 635-045-0002(33), "threatened and endangered species" as defined in 635-100-0125, and "nongame wildlife protected" as defined in 635-044-0130.¶
- ~~(57)~~ "Pursue" means the act of trailing, tracking, or chasing wildlife in an attempt to locate, capture, catch, tree, or kill any game mammal, game bird, or furbearer.¶
- ~~(58)~~ "Raw pelt" means any pelt that has not been processed or converted to any usable form beyond initial cleaning, stretching, and drying.¶
- ~~(59)~~ "Resident" is any person who¶
- (a) Has resided in Oregon for a period of at least six consecutive months immediately prior to the date of making application for a license, tag, or permit.¶
- (b) Members of the uniformed services of the United States who:¶
- (i) ~~A~~ Are permanently assigned to active duty in this state, and their spouse and dependent children.¶
- (ii) ~~B~~ Reside in this state while assigned to duty at any base, station, shore establishment or other facility in this state.¶
- (iii) ~~C~~ Reside in this state while serving as members of the crew of a ship that has an Oregon port or shore establishment as its home port or permanent station.¶
- (iv) ~~D~~ Aliens attending school in Oregon under a foreign student exchange program.¶
- (v) ~~E~~ All other persons are nonresidents.¶
- ~~(60)~~ "River" is that portion of a natural water body lying below the level of bankfull stage. Bankfull stage is the stage or elevation at which overflow of the natural banks of a stream or body of water begins to inundate the upland.¶
- ~~(61)~~ "Rocky Mountain elk" is any live elk occurring east of the following described line: Beginning at the

California line on Highway 97; north on Highway 97 to State Highway 26 at Madras; northwest on Highway 26 to east boundary of Santiam Unit; north along east boundary of Santiam Unit to the Columbia River.¶

(621) "Sabot" A carrier, bushing or device in which a projectile of a smaller caliber is centered so as to permit firing the projectile within a larger caliber weapon. Cloth, paper or felt patches used with round balls are not considered a sabot.¶

(632) "Shotgun" is a smoothbore firearm, designed for firing birdshot, and intended to be fired from the shoulder, with a barrel length of 18 inches or more, and with an overall length of 26 inches or more. Exception: Shotguns equipped with rifled slug barrels are considered shotguns when used for hunting pronghorn antelope, black bear, cougar, deer, or elk when centerfire rifles or shotguns are legal weapons.¶

(643) "Sight bait" is exposed flesh bait within 15 feet of any foothold trap set for carnivores.¶

(654) "Spike deer" is a deer with spike (unbranched) antlers.¶

(665) "Spike-only bull elk" means a bull elk with at least one visible unbranched antler (a brow tine is not considered an antler branch under spike-only regulations).¶

(676) "Stockholder" is a person who owns stock within a corporation as defined in OAR 635-045-0002(42)(b).¶

(687) "Tag" is a document authorizing the taking of a designated kind of mammal at a specified time and place.¶

(698) "Take" means to kill or obtain possession or control of any wildlife.¶

(7069) "Three point plus elk" for the purposes of a bag limit definition, means a bull elk having 3 points or more on one antler including the brow tine.¶

(710) "Unbarbed broadhead" is a fixed position arrowhead where the rear edge of the blade(s) forms an angle with the arrow shaft to which it is attached of 90° or greater.¶

(721) "Uniformed Services" means Army, Navy, Air Force, Marine Corps and Coast Guard, or their reserve components; the National Guard or Oregon National Guard, commissioned corps of the National Oceanic and Atmospheric Administration, and the Public Health Service of the United States Department of health and Human Services detailed with the Army or Navy.¶

(732) "Unprotected Mammals and Birds" are European starling, house sparrow, Eurasian collared-dove and any mammal species for which there are no closed seasons or bag limits.¶

(743) "Valid certification permit" is a permit for the current season that has not become invalid after taking a season limit or illegal game bird.¶

(754) "Visible Antler" means a velvet or hardened antler that is visible above the hairline on the skullcap and is capable of being shed.¶

(765) "Wait period" means the length of time a successful controlled hunt applicant must wait before reapplying for the species for which he was successful in drawing.¶

(776) "Waste" means to allow any edible portion of any game mammal (except cougar) or game bird to be rendered unfit for human consumption, or to fail to retrieve edible portions, except internal organs, of such game mammals or game birds from the field. Entrails, including the heart and liver, are not considered edible. "Edible portion" means the meat of the front quarters as far down as the knees (the distal joint of the radius-ulna), meat of the hindquarters as far down as the hocks (the distal joint of the tibia-fibula), and the meat along the backbone including the loins (back-strap), and tenderloins. For elk, it also includes the meat of the neck.¶

(787) "Waterfowl" means ducks, geese, mergansers and coots.¶

(798) "Weapon" is any device used to take or attempt to take wildlife.¶

(8079) "Western Oregon" means all counties west of the summit of the Cascade Range except Klamath and Hood River counties.¶

(810) "Western Oregon deer" is any live deer except the Columbian white-tailed deer occurring west of the east boundaries of the Santiam, McKenzie, Dixon, Indigo, and Rogue units.¶

(821) "Wildlife" means fish, wild birds, amphibians, reptiles, wild mammals, and feral swine.¶

(832) "Wildlife" means for the purposes of harassment to relieve damage described in OAR 635-043-0096 through 635-043-0115, game mammals, game birds except migratory birds protected by Federal law, furbearing mammals and wildlife declared protected by the commission.¶

(843) "Wildlife" means for the purposes of scientific taking described in OAR 635-043-0023 through 635-043-

0045, wild birds, wild mammals, amphibians and reptiles, including nests, eggs, or young of same.¶¶

(854) "Wildlife" means, for the purposes of the Wildlife Diversity Plan described in OAR 635-100-0001 through 635-100-0194, fish, shellfish, amphibians, reptiles, feral swine, wild mammals, wild birds, and animals living intertidally on the bottom as defined by ORS 506.011.¶¶

(865) "Wildlife unit" is a geographic area described in OAR 635-080-0000 through 635-080-0077.¶¶

(876) "Youth" is any "Resident" of Oregon or Nonresident 12 through 17 years of age.¶¶

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-046-0045

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-046-0045

General Regulations ¶¶

(1) Releasing domestically-raised game birds or using wildlife during competitive hunting dog trials, and releasing domestically-raised game birds for hunting dog and raptor training, are only allowed under a permit from the Department.¶¶

(2) Wildlife that shows symptoms of sickness or injury, or that is dead from disease, must not be used in competitive hunting dog trials or the training of hunting dogs or raptors.¶¶

(3) Any person who takes or attempts to take wildlife, including domestically-raised game birds, during a competitive hunting dog trial or while training a hunting dog or raptor, must meet the hunting license and state bird validation (stamp) requirements contained in the Department's current Oregon Game Bird, Big Game, and Furbearer Hunting/Trapping Regulations.¶¶

(4) Recall pens may be used on private lands to capture domestically-raised upland game birds which were released for a competitive hunting dog trial or hunting dog or raptor training, provided that, upon discovery, any unmarked game bird(s) (except bobwhite and Coturnix quail) or other wildlife caught incidentally must be released immediately.¶¶

(5) For the purposes of these rules, domestically-raised game birds that have been used for competitive hunting dog trials or hunting dog and raptor training are considered inedible. All dead animal carcasses from the trial and training activities must be removed from the field (ORS 164.785 and 164.805).¶¶

~~(6) The 2011 Oregon Big Game Regulations, the 2010-2011 Oregon Game Bird Regulations, and the Oregon Furbearer Trapping and Hunting Regulations July 1, 2010 through June 30, 2012 are amended, specifically:¶¶~~

~~(a) The 2011 Oregon Big Game Regulations are amended to remove the regulation on page 28 that no person shall: "Permit dogs to run at large or train dogs in game bird nesting habitat during April, May, June or July, except as authorized by the Fish and Wildlife Commission";¶¶~~

~~(b) The 2010-2011 Oregon Game Bird Regulations are amended to remove the regulation on page 11 that no person shall: "Permit dogs to run at large or train dogs in game bird nesting habitat during the months of April-July, except as authorized by the Fish and Wildlife Commission"; and¶¶~~

~~(c) The Oregon Furbearer Trapping and Hunting Regulations July 1, 2010 through June 30, 2012 are amended to remove the regulation on page 4 that "No person shall permit dogs to run at large or train dogs in game bird nesting habitat during April, May, June or July, except as authorized by the Fish and Wildlife Commission."~~

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 498.006, 498.106

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 498.006, 498.106

AMEND: 635-046-0050

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-046-0050

Use of Wildlife for Hunting Dog and Raptor Training ¶

- (1) Upland game birds, except sage grouse, sharp-tailed grouse, and spruce grouse, may be pursued to train hunting dogs from September through January, or as permitted by these rules.¶
- (2) No person may release any domestically-raised game birds without first obtaining a "Game Bird Release Permit for Hunting Dog and Raptor Training" from the Department. With such a permit, the Department authorizes the permittee and his or her designees to release domestically-raised game birds for the sole purpose of training hunting dogs and raptors and to operate recall pens on private lands to recapture those same game birds.¶
 - (a) A designee(s) must possess a copy of the permittee's permit or written authorization from the permittee to release domestically-raised game birds on his or her behalf.¶
 - (b) The permit is immediately valid upon completion of the application when signed by the permittee. A copy of the completed permit must be submitted (~~via hand-delivery, U.S. Mail, electronic mail, or facsimile~~) to the Department as indicated on the permit.¶
 - (c) There is no cost for this permit and there will be no limit to the number of permits that will be available.¶
 - (d) Permits are valid from date of issue through December 31.¶
 - (e) On Department owned or managed lands, the release of domestically-raised game birds for hunting dog or raptor training is prohibited except in designated dog training areas where release is specifically allowed by wildlife area rule, and, if required by the wildlife area, the individual has a special permit specific to that wildlife area for activities allowed under these rules.¶
 - (f) The following species are permitted for release under this permit: common pheasant (all races of *Phasianus colchicus*, most commonly ring-necked); California (valley), bobwhite and Coturnix quail; Hungarian (gray), chukar, and red-legged partridge; or mallards, provided such birds were lawfully acquired and, except for bobwhite and Coturnix quail, are marked birds.¶
 - (g) If at any time one or more people are training hunting dogs or raptors with domestically-raised game birds released under a valid Game Bird Release Permit for Hunting Dog and Raptor Training, the following items must be in the possession of at least one of those persons:¶
 - (i) At least one valid Game Bird Release Permit for Hunting Dog and Raptor Training.¶
 - (ii) A sales receipt from the propagator or a written note of origin containing the name and address of the person from whom the birds were acquired, which specifies the number and species of game birds which have been or are going to be released.¶
 - (iii) One or more hunting dogs or raptors.¶
 - (h) A holder of a Game Bird Release Permit for Hunting Dog and Raptor Training must annually report to the Department the number and species of game birds released by county.¶
- (3) Domestically-raised game birds lawfully released under a valid Game Bird Release Permit for Hunting Dog and Raptor Training may be pursued or taken in any number by shooting or falconry for the sole purpose of training hunting dogs and raptors, provided that:¶
 - (a) At least one person participating in the training possesses a valid Game Bird Release Permit for Hunting Dog and Raptor Training.¶
 - (b) The birds are pursued or taken on the same day they are released. However, if the birds are pursued or taken

by the same individual(s) as part of a multi-day training session, the birds must be pursued or taken within three consecutive days after the day of release. Bobwhite and Coturnix quail are not subject to the time constraints of this subsection.¶¶

(c) On Department owned or managed lands, the pursuit and take of domestically-raised game birds for hunting dog or raptor training may occur only in designated dog training areas where pursuit and take is specifically allowed by wildlife area rule, and, if required by the wildlife area, the individual has a special permit specific to that wildlife area for activities allowed under these rules.¶¶

(4) Carcasses of domestically-raised game birds which were lawfully released under a valid Game Bird Release Permit for Hunting Dog and Raptor Training and subsequently taken for hunting dog and raptor training may be possessed in any number by any person, provided that the person holds a valid Game Bird Release Permit for Hunting Dog and Raptor training or a written note from the permittee describing when, where, and for what purpose the birds were taken.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 498.006, 498.106

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 498.006, 498.106

AMEND: 635-046-0055

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-046-0055

Use of Wildlife for Competitive Hunting Dog Trials ¶¶

(1) To hold a competitive hunting dog trial, a person must possess a "Competitive Hunting Dog Trial Permit" from the Department.¶¶

(a) If domestically-raised game birds are released.¶¶

(b) If wildlife is used outside the pursuit or hunting season for that species; or¶¶

(c) If the trial occurs between March 16 and August 14 (whether domestically-raised game birds are released or not).¶¶

(2) The applicant (sponsor of the competitive hunting dog trial) must apply for a Competitive Hunting Dog Trial Permit to the Department's wildlife district where the trial will take place.¶¶

(a) The fee for a Competitive Hunting Dog Trial Permit is \$27.00 (plus a \$2.00 license agent fee).¶¶

(b) The application ([available online](#)) must be received by the Department at least ten business days prior to the start of a competitive trial via hand-delivery, U.S. Mail, electronic mail, or facsimile.¶¶

(c) The District Wildlife Biologist or his or her designee will respond to permit applications within 10 business days from the received date.¶¶

(3) To issue a Competitive Hunting Dog Trial Permit, the Department must determine that the proposed trial will not:¶¶

(a) Conflict to a significant degree with other authorized activities, including but not limited to land management actions, other permitted trials, or lawful hunting.¶¶

(b) Result in significant adverse impact to wildlife or wildlife habitat, taking into consideration location, land ownership, designation of site, size, and date of the proposed trial.¶¶

(4) The Department may approve, approve with conditions, or deny a permit application.¶¶

(a) If the Department denies the issuance a permit, the Department will provide the applicant with a written explanation and an opportunity to request a hearing to appeal that action.¶¶

(b) The applicant may appeal the Department's decision by submitting a written request for a contested case hearing to the Department within 10 business days after mailing of the Department's decision.¶¶

(5) If after issuance of a Competitive Hunting Dog Trial Permit any unforeseen or emergency circumstances necessitate a change to the permit, the Department will, to the maximum extent practicable, work with permittee to exhaust other options to maintain the trial.¶¶

(6) The following species may be released under a Competitive Hunting Dog Trial Permit: common pheasant (all races of *Phasianus colchicus*, most commonly ring-necked); California (valley), bobwhite, and Coturnix quail; Hungarian (gray), chukar, and red-legged partridge; or mallards, provided all domestically-raised game birds were lawfully acquired and any mallard used must be a marked bird.¶¶

(7) Domestically-raised game birds released under a valid Competitive Hunting Dog Trial Permit may be pursued or taken during the course of the permitted trial.¶¶

(8) Use of recall pens to recapture domestically-raised upland game birds released under a valid Competitive Hunting Dog Trial Permit is allowed on private lands only if all released game birds were marked (except bobwhite and Coturnix quail, or if there is an exception granted as a condition of the permit) and provided that the person operating the recall pen has the original or a copy of the permit.¶¶

(9) The carcasses of domestically-raised game birds which were lawfully released under a valid Competitive Hunting Dog Trial Permit and subsequently taken during the trial may be possessed in any number by any person, provided that the person holds a copy of the Competitive Hunting Dog Trial Permit or a written note from the

permittee describing when, where, and for what purpose the birds were taken.

Statutory/Other Authority: SB 247 (2015), ORS 496.012, 496.138, 496.146, 498.006, 498.106

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 498.006, 498.106

AMEND: 635-060-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-060-0000

Purpose and General Information ¶¶

(1) The purpose of these rules is to describe the requirements and procedures for controlled hunts pursuant to ORS Chapter 496.162.¶¶

(2) The documents entitled "2018-19 Oregon Game Bird Regulations," and "2018~~9~~ Oregon Big Game Regulations," are incorporated by reference into these rules. These documents are available at hunting license agents and regional, district, and headquarters offices of the Oregon Department of Fish and Wildlife. Notwithstanding the information on page 12 of the 2018 Oregon Big Game Regulations, a hunter may purchase one 700 Series preference point from July 1 through November 30, 2018 if s/he did not go through the 2018 Spring Bear (700 Series) controlled hunt draw or purchase a 2018 tag for the SW Oregon Limited 700 Series Hunt.

¶¶

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-060-0005

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-060-0005

Application Eligibility and Procedures ¶

(1)(a) An applicant for game mammal controlled hunts shall have a current adult hunting license or juvenile hunting license. A current and complete hunting license number shall be entered on the application for the controlled hunt.¶

(b) Licenses are nonrefundable, whether or not an applicant is successful in the drawing.¶

(2)(a) A valid controlled hunt application ~~shall be purchased from a license agent authorized to sell~~ is required to participate in a controlled hunt ~~applications drawing~~. The purchase price of the application shall be a nonrefundable fee of \$6.00 per game mammal application, and a nonrefundable \$2.00 license agent processing fee.¶

(b) Department license agents authorized to sell applications for controlled hunts shall be connected to the Department's computerized licensing system.¶

(3) Each controlled hunt is assigned a hunt number. The hunt number shall be entered on the application indicating area of choice and shall match the type of application purchased. All hunt numbers listed on an application shall have the same first digit or letter, which indicates a species or group of hunts as listed below:¶

(a) 100 series for controlled buck deer.¶

(b) 200 series for controlled elk.¶

(c) 400 series for pronghorn antelope.¶

(d) 500 series for bighorn sheep.¶

(e) 600 series for controlled antlerless deer.¶

(f) 700 series for controlled black bear.¶

(g) 900 series for controlled Rocky Mountain goat.¶

(h) L series for Premium deer.¶

(i) M series for Premium elk.¶

(j) N series for Premium pronghorn antelope.¶

(4) If successful in the drawing, party members shall receive the same hunt choice as the party leader. If a party application exceeds the allowed party size, all applicants in the party shall be considered as individual applicants in the drawing. Party size limits are as follows:¶

(a) 100 series hunts ~~up to 18 pers, no limitations~~.¶

(b) 200 series hunts ~~up to 18 pers, no limitations~~.¶

(c) 400 series hunts ~~up to two pers, no limitations~~.¶

(d) 500 series hunts, no parties allowed.¶

(e) 600 series hunts ~~up to 18 pers, no limitations~~.¶

(f) 700 series hunts ~~up to six pers, no limitations~~.¶

(g) 900 series hunts no parties allowed.¶

(h) L series hunts no parties allowed.¶

(i) M series hunts no parties allowed.¶

(j) N series hunts no parties allowed.¶

(5) Controlled Hunt applications ~~may be submitted to the Department headquarters office via telephone fax machine, US Postal Service, or hand delivery (4034 Fairview Industrial Drive SE, Salem, OR 97302). Applications along with the proper fees must be submitted by telephone, fax machine, or hand-delivered received at the Department headquarters office (4034 Fairview Industrial Drive SE, Salem, OR 97302); Fax: (503) 947-6117~~

online, through the Department or its agents no later than midnight of the deadline date described in OAR 635-060-0008 (1) - (5). Applications along with proper fees submitted by U.S. Postal Service must be postmarked by the application deadline. Applications received after the specified deadline dates may be considered disqualified as described in OAR 635-060-0018(4).¶

(6) To apply for a controlled youth hunt for spring bear, pronghorn, deer or elk a youth must be 12-17 years old at the time they hunt.¶

(7) The purchase price of applications for controlled game bird hunts shall be a nonrefundable fee of \$2.00 per application, and a nonrefundable \$2.00 license agent processing fee. Game bird controlled hunt application procedures are listed in the current Oregon Game Bird Regulations.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-060-0008

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-060-0008

Application Deadline Dates ¶

- (1) The application deadline for spring black bear controlled hunts is February 10, each year.¶
- (2) The application deadline for pronghorn antelope, bighorn sheep, Rocky Mountain goat, deer and elk controlled hunts is May 15, each year.¶
- (3) Applications for the controlled hunts listed in OAR 635-060-0005(1)-(5) above that are hand-delivered by the specified deadline dates ~~or mailed through the U.S. Postal Service and postmarked by the specified deadline dates above~~ will be considered on time (see 635-060-0005(5)).¶
- (4) In the event that tags remain from undersubscribed controlled hunts after the game mammal controlled hunt drawing, the department may issue remaining tags on a first-come, first-serve basis at authorized license agents. Tags issued in this manner are additional tags and may be exchanged for a general season tag only as authorized by OAR 635-060-0046(6) and 635-065-0501(4) and (5). A person may only purchase one first-come, first-serve tag per hunt series. Such tag may be for the person or for someone other than the person.¶
- (5) A hunter who received a tag of his/her choice through the original game mammal controlled hunt drawing process may exchange that tag for a remaining tag in the first-come, first-serve process while tags remain available. Exchanges may be obtained only through the department's regional offices, designated district offices, or the Salem headquarters office of the department and must be made before the start of the seasons for which the tags are issued. The tag being exchanged shall not be reissued.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-060-0009

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-060-0009

Successful Applicants ¶¶

Successful controlled hunt applicants must purchase the controlled hunt tag or permit for the hunt in which they were successful ~~from a department license agent connected to the computerized licensing system~~ within the following dates:¶¶

- (1) Spring black bear controlled hunts tag sales begin February 20, each year and end at 11:59 pm, Pacific Time, the day before the season start date.¶¶
- (2) Pronghorn antelope, deer and elk controlled hunts tag sales begin June 20 each year and end at 11:59 pm, Pacific Time, the day before the season start date for which the tag is valid.¶¶
- ~~(3) B~~bighorn sheep and, Rocky Mountain goat, deer and elk controlled hunts tag sales begin June 20 each year and end at 11:59 pm, Pacific Time, the day before the season ~~end~~start date for which the tag is valid.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-060-0023

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-060-0023

Modified Preference Point System ¶¶

- (1) The Modified Preference Point System separates the tags for each controlled game mammal hunt into two groups:¶¶
 - (a) Seventy-five percent of the tags will be issued through the preference point system;¶¶
 - (b) The remaining 25 percent of the tags will be issued by the equal-probability computer drawing.¶¶
- (2) Applicants shall accrue no more than one preference point per hunt number series per year. Valid applicants who did not receive controlled hunt tags for their first choice hunt number in the 100, 200, 400, 600, or 700 series hunts during the controlled hunt drawing shall receive one preference point applicable to subsequent controlled hunt drawings for the respective hunt number series, except as excluded in OAR 635-060-0008(4).¶¶
- (3) A preference point will automatically accrue within each controlled hunt series when an applicant's first choice is as follows:¶¶
 - (a) Hunt number 199: controlled buck deer;¶¶
 - (b) Hunt number 299: controlled elk;¶¶
 - (c) Hunt number 499: controlled pronghorn antelope;¶¶
 - (d) Hunt number 699: controlled antlerless deer;¶¶
 - (e) Hunt number 799: controlled black bear.¶¶
- (4) Youth nine years of age or older are eligible to apply for automatic Preference Points as described in (3) provided they have a social security number, a ~~Hunter/Angler~~ ODFW ID number issued by ~~ODFW~~ the Department, and purchase the appropriate (resident or nonresident) juvenile or adult hunting license.¶¶
- (5) The Modified Preference Point System will group controlled hunt applicants by the number of preference points they have accrued for each hunt number series. Applicants with the highest number of preference points for each hunt number will be drawn first. Applicants having the next highest number of preference points per hunt number will be drawn next. This tag issuance process will continue through descending numbers of preference points until 75 percent of the tags authorized for the hunt have been issued, unless all qualified applicants with preference points have been issued tags prior to that point. Any tags remaining following the issuance of preference point tags will be issued through the equal-probability computer drawing. Applicants unsuccessful in the preference point tag issuance procedure and those applicants without preference points will be placed in the equal-probability computer drawing for the remaining tags.¶¶
- (6) Applicants, except for those with a Pioneer Angling/Hunting License, successful in drawing their first choice hunt except numbers ending in 99 within a hunt number series shall have zero preference points when they next apply for a tag in that hunt number series. Successful Applicants with a Pioneer Angling/Hunting License shall have one preference point when they apply for a tag in that hunt number series.¶¶
- (7) Beginning in 2008 applicants will not forfeit preference points accumulated for a hunt number series when they do not apply for that hunt number series for two consecutive years.¶¶
- (8) Applicants who have their hunting license suspended or revoked by legal action will forfeit all preference points.¶¶
- (9) Party applicant preference points shall be determined by totaling the preference points of all party members and then calculating the average of this total. Party preference points will be rounded up from x.51 (e.g. 3.51 to 4, 3.50 to 3) to the next whole number.¶¶
- (10) Department records are final to determine accrued preference points for controlled hunt applicants.¶¶
- (11) Each applicant's preference point accrual record will be linked to his or her permanent identification number.

Preference point applicants shall use the permanent identification number each time they apply for a controlled hunt tag. Failure to do so shall place the applicant in the equal-probability drawing for his or her hunt number series and preference points will not be accrued together.¶

(12) Applicants will receive no preference points when:¶

(a) Their application is not received by the appropriate application date; however, a hunter may purchase one preference point for the current year, for each series (100, 200, 400, ~~600~~, and ~~700~~) from July 1 through November 30 if they did not apply during the controlled hunt drawing for that series.¶

(b) They request their controlled hunt application be withdrawn prior to the controlled hunt drawing;¶

(c) The controlled hunt application has been falsified.¶

(13) The Modified Preference Point System shall apply to 100, 200, 400, 600, and 700 series hunts.¶

(14) In 2005, 800 series points were converted into 600 series points.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-060-0030

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-060-0030

Issuing Tags ¶

- (1) The Department may, except for bighorn sheep and Rocky Mountain goat, issue tags or permits in excess of the quantity authorized by the commission to resolve documented errors made by the Department. The quantity shall not exceed an amount consistent with the management goals of the hunt.¶
- (2) The number of controlled deer and controlled elk tags issued to nonresident applicants shall not exceed five percent of the tags authorized for each hunt. Exception: one nonresident tag may be issued for each hunt when the number of authorized tags is fewer than 35. This number does not affect the tags issued under the Landowner Preference Program (OAR chapter 635, division 075).¶
- (3) Tags will not be issued to a party (residents or nonresidents) when, during the drawing process, the party size exceeds the number of remaining tags.¶
- (4) Youths age 12-17 who are unsuccessful in the first controlled hunt drawing for 100, 200, or 600 series hunts may apply for one guaranteed "first time" tag per series, provided that:¶
 - (a) Youths are limited to only one "first time" tag per series in a lifetime.¶
 - (b) Within the 200 series, only hunts with antlerless only bag limits are available as "first time" tags.¶
 - (c) Hunts are only available as "first time" opportunities as follows: 100 series hunts must have had more than 200 tags available in the first drawing; 200 and 600 series hunts must have had more than 50 tags available in the first drawing.¶
- (d) Applicants shall use forms available in the Oregon Big Game Regulation online or through the Department or its agents beginning July 1 of each year.¶
- (e) Persons who were successful in any controlled hunt drawing for 100, 200, or 600 series hunts are never again eligible for "first time" tags in the respective hunt series.¶
- (f) Successful "first time" applicants shall purchase tags at ~~POS vendors~~ by the day before the assigned season begins.¶
- (g) Youths may not receive a "First Time" youth hunt tag in a hunt series if they applied for a point saver option in the primary big game drawing.¶
- (5) Incentive tags for compliance with Mandatory Harvest Reporting requirements. The Fish and Wildlife Commission authorizes the Department to issue hunting tags as incentives to encourage hunters to comply with requirements for harvest reporting. Any hunter who complies with harvest reporting requirements by the specified deadline will be automatically entered in a controlled hunt draw for one Mandatory Hunter Reporting Incentive Tag valid for the upcoming hunting season. Obtaining and using such tags is governed by OAR 635-065-0015(7).

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-060-0046

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-060-0046

Lost Tags and Tag Exchanges Preference Point Reinstatement

(1) A fee of \$23.50 (plus a \$2.00 license agent fee) is charged to replace a tag or permit. All licenses, tags and permits, issued to the same person, that are identified as being lost, destroyed or stolen may be listed on the same affidavit for a single fee (\$23.50 plus a \$2.00 license agent fee). A fee of \$5.00 (plus a \$2.00 license agent fee) is charged to exchange a tag or permit. However, a \$10.00 license agent fee will be charged for nonresident deer and elk tags. Duplicates and exchanges may be obtained only through the Salem headquarters, regional offices of the Department, and designated district offices. Exception: Replacement controlled hunt tags or permits will be issued at no charge only through the Salem headquarters or regional office of the Department if the Department determines that the person never received the original controlled tag or permit mailed from the Salem headquarters office.¶

(2) A Controlled Buck Deer Tag or Controlled Elk Tag may be exchanged for a general season tag before the opening date of the season for which either tag is valid.¶

(3) No controlled hunt tag shall be exchanged for another controlled hunt tag, except as described in 635-060-0008(5) and 635-075-0015(3).¶

(4) A Controlled Antlerless Deer Tag shall not be exchanged.¶

(5) In the event of the death of a successful controlled hunt applicant before the start of the season for which the tag or permit was issued, the tags of the deceased may be issued to a family member as defined by OAR 635-045-0002. Tag or permit transfer shall require a copy of the death certificate and the original controlled hunt tag or permit, and must be requested by the legal heir to the deceased which shall be presumed by possession of the tag or permit and death certificate.¶

(6) In the event that an immediate family member, as defined by OAR 635-045-0002, of a successful controlled hunt applicant is diagnosed as terminally ill before the start of the season for which the tag or permit was issued, the Director may authorize that the tags of the successful applicant be issued to the "qualified family member." Tag or permit transfers shall require documentation of the terminal condition diagnosed by a licensed physician and submission of the original controlled hunt tag or permit if already issued. For the purposes of this rule, "terminally ill" means that the family member has a medical prognosis that his or her life expectancy is 12 months or less if the illness runs its normal course.¶

(a) A qualified family member may be either resident or non-resident and must comply with all requirements for lawful hunting including but not limited to those concerning:¶

(A) Minimum hunting age (ORS 497.350);¶

(B) Hunter education (ORS 497.360);¶

(C) Hunting hours (OAR 635-065-0730);¶

(D) Holding a valid Oregon hunting license, and¶

(E) Using a legal weapon for hunting the species for which the tag is issued.¶

(b) There is no additional fee for tag exchanges under this subsection.¶

(7) A "leftover" controlled hunt tag may only be exchanged for a general season tag, but only if the person does not already possess a tag authorized by OAR 635-065-0015(4)(a), (b) or (c) or 635-0065-0015(5)(a), (b), (c), (d), (e), (f), or (g).¶

(8) The Commission shall accommodate Oregon residents who have lost preference points because of being called to active military service after June 1, 2002.¶

(a) The Commission shall accommodate the following individuals called to service at any location: Oregon National Guard.¶

(b) The Commission shall accommodate the following Oregon residents with military operational commitments: regular members of the United States Armed Forces (Army, Navy, Air Force, Marines, and Coast Guard), members of the United States military reserves, and members of the National Guard.¶

(c) The Commission authorizes the Director to make such accommodations by:¶

(A) Reinstating preference points existing for a series, plus an additional point for participating in the draw.¶

(B) Reinstating preference points lost after two consecutive years of not applying for a controlled hunt in that series.¶

(d) Individuals seeking accommodation pursuant to this rule (or immediate family members acting on their behalf) must make a request in writing or in person to the Salem headquarters office. Each request must include a letter from a supervising officer on official unit letterhead verifying operational commitments.¶

(92) (a) The Director may reinstate the preference points of a person who the Director determines did not or will not participate in a controlled hunt because of:¶

(A) Circumstances beyond the person's control; or¶

(B) Tragic personal circumstances.¶

(b) "Tragic personal circumstances" means:¶

(A) Death or life-threatening injury or illness in the person's immediate family; or¶

(B) The person's own serious injury or illness, which results in the person's hospitalization. The person need not be hospitalized during the hunt; this rule also applies if preparation for surgery or recovery after hospitalization renders the person incapable of participating in the hunt.¶

(c) To apply for reinstatement, the person must provide a sworn affidavit providing adequate details and must return the unused tag if it was purchased or a signed affidavit stating the tag was not used. When relying upon tragic personal circumstances, the person must also provide a sworn affidavit by a physician. When relying upon circumstances beyond the person's control, the person must also provide documentation of the circumstances (such as an accident report or affidavit from an employer).¶

(d) "Circumstances beyond the person's control" excludes complaints about the quality of a hunt (including, but not limited to, road closures, inclement weather and work being conducted in the hunt area).¶

(e) If the Director decides that the person does not qualify for reinstatement, the person may appeal that decision to the Oregon Fish and Wildlife Commission (Commission). The Commission must review the Director's decision within 60 days after receipt of appeal. The Commission will not take verbal testimony from the person, and the Commission's decision is final.¶

(f) If the Director or Commission reinstates a person's preference point under this subsection, the person will be awarded a new point as when classified as "unsuccessful" in the draw and is not entitled to a refund of license or tag fees.

Statutory/Other Authority: SB 247 (2015), ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-060-0055

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-060-0055

Documents Required in Field ¶¶

~~(1) A person hunting in any controlled game mammal hunt shall have on his or her person a valid hunting license, valid for the calendar year in which the person is hunting, Hunter Education Certificate or a Department document which includes their Hunter Education Certificate Number (for persons less than 18 years old), and a controlled hunt tag (if applicable) for the area and season being hunted. The hunting license number shall be the same as that indicated on the controlled hunt tag.¶¶~~

~~Exception: Controlled hunts continuing or occurring after December 31, 2018 may have a 2019 hunting license number on the controlled hunt tag.¶¶~~

~~(2) A tag or permit holder for a hunt after December 31, 2018 shall have on his or her person a valid 2019 hunting license.~~

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-065-0001

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0001

Purpose and General Information ¶¶

(1) The purpose of these rules is to establish license and tag requirements, limits, areas, methods and other restrictions for hunting game mammals pursuant to ORS Chapter 496.¶¶

(2) OAR Chapter 635, Division 065 incorporates, by reference, the requirements for hunting game mammals set out in the document entitled "2018~~9~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2018~~9~~ Oregon Big Game Regulations" in addition to OAR chapter 635, to determine all applicable requirements for game mammals. The annual Oregon Big Game Regulations are available at hunting license agents and regional, district, and headquarters offices, and website of the Oregon Department of Fish and Wildlife.¶¶

(3) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at www.odfw.com.¶¶

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-065-0011

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0011

Mandatory Reporting Penalty ¶¶

All big game tag holders, except for bighorn sheep and Rocky Mountain goat, and all turkey tag holders are required to report hunting effort and harvest.¶¶

(1) Reporting deadlines for ~~20189~~-~~201920~~ seasons are as follows:¶¶

(a) January 31, ~~201920~~: For hunts ending between April 1 and December 31, ~~20189~~.¶¶

(b) April 15, ~~201920~~: For hunts ending between January 1 and March 31, ~~201920~~.¶¶

(2) Any person with any deer or elk tag for hunts and seasons listed in the ~~20189~~ Oregon Big Game Regulations pamphlet, issued through the ~~Point of Sale (POS)~~ Electronic Licensing System, that fails to report by deadlines established in OAR 635-065-0011(1) will not be able to obtain a license to hunt game mammals or game birds in Oregon without paying a penalty.¶¶

(a) The penalty will be assessed beginning December 1, ~~201920~~ with purchase of a ~~20201~~ license.¶¶

(b) The penalty fee amount will be \$25.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-065-0015

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0015

General Tag Requirements and Limits ¶¶

- (1) Big Game Tags: Any person hunting game mammals for which a tag is required must have on their person a valid tag for the dates, area and species being hunted.¶¶
- (2) Any person 12 years of age or older may purchase game mammal tags if they possess an adult or juvenile hunting license.¶¶
- (3) A person may obtain and possess during an annual hunting season only:¶¶
 - (a) One valid general season black bear tag;¶¶
 - (b) One valid additional general black bear tag valid in management units 20-30;¶¶
 - (c) One valid controlled black bear tag in addition to general season bear tags issued under subsection (a) and (b) above;¶¶
 - (d) One valid 700 series "leftover" controlled bear tag;¶¶
 - (e) One valid cougar (mountain lion) tag;¶¶
 - (f) One valid additional general cougar (mountain lion) tag;¶¶
 - (g) One valid pronghorn antelope tag except as provided in OAR 635-073-0100.¶¶
- (4) Except as provided in OAR chapter 635, division 090, and except as provided in OAR 635-075-0010, and OAR 635-073-0100, a person may obtain and possess only one of the following tags during an annual hunting season:¶¶
 - (a) One valid deer bow tag;¶¶
 - (b) One valid western Oregon deer tag;¶¶
 - (c) One valid 100 series controlled buck hunt tag;¶¶
 - (d) One valid 600 series controlled antlerless deer tag in addition to one of (4)(a)-(4)(c)¶¶ and (4)(e);¶¶
 - (e) One valid 100 series "left over" controlled deer tag;¶¶
 - (f) One valid 600 series "left over" controlled deer tag;¶¶
 - (g) One valid "Take a Friend Hunting" Contest deer tag. Season dates, bag limit, and hunt area are as in OAR 635-090-0150 for deer and elk auction tags.¶¶
- (5) Except as provided in OAR chapter 635, division 090, and OAR 635-073-0100, a person may obtain and possess only one of the following tags during an annual hunting season:¶¶
 - (a) One valid Cascade elk tag;¶¶
 - (b) One valid Coast First Season elk tag;¶¶
 - (c) One valid Coast Second Season elk tag;¶¶
 - (d) One valid Rocky Mountain elk - first season tag;¶¶
 - (e) One valid Rocky Mountain elk - second season tag;¶¶
 - (f) One valid elk bow tag;¶¶
 - (g) One valid controlled elk hunt tag;¶¶
- (6) In addition to the tags described in OAR 635-065-0015(5), a person during an annual hunting season may obtain or possess only one valid 200 series "leftover" controlled elk tag.¶¶
- (7) In addition to the tags described in OAR 635-065-0015(3), (4), and (5), a person during an annual hunting season may obtain or possess only one valid "Mandatory Hunter Reporting Incentive Tag" per annual hunting season. If the Department awards a hunter such a tag through the controlled hunt draw authorized by OAR 635-060-0030(5), the following requirements will apply:¶¶
 - (a) On or before July 15, 2018~~9~~ the hunter must inform the Department which species the tag is to be issued for

- (pronghorn antelope, deer, or elk) and purchase the tag. Tags not purchased by July 15 will be offered to an alternate hunter with a tag sale deadline of July 31, 2018.¶
- (b) Hunting hours, hunt dates, bag limit and hunt area for Mandatory Hunter Reporting Incentive Tags will be the same as those listed in OAR 635-090-0150(3) for deer or (4) for elk , or 635-067-0028(2) for pronghorn.¶
- (c) Bag limit: one pronghorn antelope or one deer or one elk.¶
- (d) Oregon Department of Fish and Wildlife employees are not eligible for a Mandatory Hunter Reporting Incentive Tag.¶
- (8) Except as provided in OAR 635-067-0032 thru 635-067-0034, a person may obtain and possess only one bighorn sheep ram tag in a lifetime.¶
- (9) Except as provided in OAR 635-067-0041 a person may obtain and possess only one Rocky Mountain goat tag in a lifetime.¶
- (10) It is unlawful for any person to issue or to possess any game mammal tag which has been backdated.¶
- (11) Any game mammal tag having an issue date subsequent to the last day authorized for issue of such tag as listed in "Oregon Big Game Regulations" for the current season is a void tag. Exception:¶
- (a) Members of the uniformed services returning to the state after the deadline shall be permitted to purchase general season tags for themselves at the Salem headquarters and regional offices of the Department.¶
- (b) Notwithstanding the deadlines for tag purchases provided by rule and in the hunting regulation synopses, any person who qualifies to purchase a tag but fails to make the purchase by the deadline, may purchase the tag late if the person:¶
- (A) Submits a written affidavit certifying that the person has not yet hunted during the season for which the tag is sought to the Department's Licensing Services Office;¶
- (B) The request must be received by the Department before the end of the season for the particular tag; and¶
- (C) Pays the Department the fee for a ~~duplicate tag~~, tag issued after the tag sale deadline in addition to the usual tag fee.¶
- (D) A tag purchased for a season that has not begun may be canceled and replaced with a tag for an ongoing season using the process outlines in 635-065-0015(b)(A) and (B) provided the original tag is surrendered with the affidavit and the fee for a duplicate tag is paid to the Department.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.16

AMEND: 635-065-0090

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0090

Disabled Hunter Seasons and Bag Limits ¶

(1) ~~ORS 496.018 provides that in order to be considered a person with a disability under the wildlife laws, a person shall provide to the Fish and Wildlife Commission either written certification from a licensed physician, certified nurse practitioner, or licensed physician assistant of certain specified disabilities or written proof that the U.S. Department of Veterans Affairs or the Armed Forces shows the person to be at least 65 percent disabled. To implement that statute, this rule provides for the issuance of an "Oregon Disabilities Hunting and Fishing Permit" by the Department.¶~~

(2) ~~To obtain an "Oregon Disabilities Hunting and Fishing Permit," a person shall submit to the Department a completed form specified by the Department. If the completed form accurately provides all required information, the Department shall issue an "Oregon Disabilities Hunting and Fishing Permit". Permits are valid for five calendar years. To renew a permit, the holder must submit a new, updated application form.¶~~

(3) ~~The Department may revoke, suspend or decline to issue or renew an "Oregon Disabilities Hunting and Fishing Permit" for failure to submit accurate information. The holder or applicant may request a contested case hearing to appeal such an action.¶~~

(4) ~~A person who possesses an Oregon Disabilities Hunting and Fishing Permit issued by the Department is qualified for expanded bag limits as follows:¶~~

~~Season/Tag – Bag Limit¶~~

~~General or controlled buck deer – One deer¶~~

~~In the following units: Biggs, Columbia Basin (except: That portion of the Columbia Basin Unit described as follows shall be closed to all bowhunting: Beginning at Vinson at the intersection of Hwy 74 and Butter Creek Road, west on Hwy 74 to Sandhollow Rd, north on Sandhollow Rd to Baseline Rd, west 2 mile to Sandhollow Rd, north on Sandhollow Rd to Hwy 207, north and east on State Hwy 207 to Butter Creek Junction, south on Butter Creek Rd to Hwy 74 at Vinson), Hood, Indigo, Maupin, McKenzie, Melrose, Santiam, Willamette.¶~~

~~General or controlled bull elk – Legal bull or antlerless elk¶~~

~~In the following units: Applegate, Beatys Butte, Beulah, Biggs, Catherine Creek, Chesnimnus, Columbia Basin (except: That portion of the Columbia Basin Unit described as follows shall be closed to all bowhunting: Beginning at Vinson at the intersection of Hwy 74 and Butter Creek Road, west on Hwy 74 to Sandhollow Rd, north on Sandhollow Rd to Baseline Rd, west 2 mile to Sandhollow Rd, north on Sandhollow Rd to Hwy 207, north and east on State Hwy 207 to Butter Creek Junction, south on Butter Creek Rd to Hwy 74 at Vinson) A person who possesses an Oregon Disabilities Hunting and Fishing Permit issued by the Department is qualified for expanded bag limits as follows:¶~~

~~Season/Tag - Bag Limit¶~~

~~General or controlled buck deer - One deer¶~~

~~In the following units: Biggs, Columbia Basin (except: That portion of the Columbia Basin, Hood, Indigo, Maupin, McKenzie, Melrose, Santiam, Willamette.¶~~

~~General or controlled bull elk - Legal bull or antlerless elk¶~~

~~In the following units: Applegate, Beatys Butte, Beulah, Biggs, Catherine Creek, Chesnimnus, Columbia Basin (except: That portion of the Columbia Basin, Dixon (outside National Forest Lands within the unit), Evans Creek (outside National Forest Lands within the unit), East Fort Rock (that portion east of Hwy 97), Fossil, Grizzly, Hood, Imnaha, Indigo (outside National Forest Lands within the unit), Juniper, Keating, Lookout Mountain, Malheur River, Maupin, McKenzie (outside National Forest Lands within the unit), Melrose, Minam, Murderers Creek,~~

Northside, Ochoco, Owyhee, Paulina, Pine Creek, Ritter portion of the Heppner unit (that part of unit 48 south and east of the North Fork John Day River), Rogue (outside National Forest Lands within the unit), Santiam (outside National Forest Lands within the unit), Silvies, Siuslaw, Sixes, Sled Springs, Snake River, Steens Mountain, South Sumpter (that part of Unit 51 south of Burnt Rvr Canyon Rd from Durkee to junction State Hwy 245 and Hwy 245 from junction Burnt Rvr Canyon Rd to Unity), Wagontire, White River, Whitehorse, and Willamette. Controlled pronghorn antelope Buck only hunts - One pronghorn In the following units: Beatys Butte, Biggs, Columbia Basin, Fort Rock, Grizzly, Juniper, Keating, Lookout Mountain, Malheur River, Maupin, Maury, Murderers Creek, Northside, Ochoco, Paulina, Silver Lake, Silvies, Steens Mountain, Sumpter, Wagontire, Warner. For hunts with bag limits other than one buck or one bull, the bag limit remains as shown in the Oregon Big Game Regulations.¶

(52) The Oregon Disabilities Hunting and Fishing Permit is valid only with a general season or controlled bull elk, buck deer, or pronghorn antelope tag for the area and time period being hunted. The permit must be carried on the person while hunting.¶

(63) An able-bodied companion may accompany a person with an Oregon Disabilities Hunting and Fishing Permit and kill any animal wounded by the permit holder. The wounded animal must be killed using a legal weapon for the season and species designated on the tag. The companion must immediately validate and attach the permit holder's tag ore required information described in PAR 635-065-0765 if validated electronically to the carcass of the animal. The companion is not required to possess a hunting license or tag.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-065-0401

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0401

Deadline for Purchase of General Season Tags ¶¶

- (1) No western Oregon deer rifle tag shall be issued after 11:59 pm, Pacific Time, September 28~~7~~, 2018~~9~~.¶¶
- (2) No deer bow tag shall be issued after 11:59 pm, Pacific Time, August 24~~3~~, 2018~~9~~.¶¶
- (3) No General Season bear tag shall be issued after 11:59 pm, Pacific Time, September 28~~7~~, 2018~~9~~.¶¶
- (4) SW Additional Bear Tags may be purchased anytime during the bear hunting season, after a General Season Bear tag has been purchased. An unused bear tag must be in the hunter's poss~~ession~~ at the time they are hunting.¶¶
- (5) No General Season cougar tag shall be issued after 11:59 pm, Pacific Time, September 28~~7~~, 2018~~9~~.¶¶
- (6) Additional Cougar Tags may be purchased anytime during the cougar hunting season, after a General Season Cougar tag has been purchased. An unused cougar tag must be in the hunter's poss~~ession~~ at the time they are hunting.¶¶
- (7) No Rocky Mountain Elk Rifle First Season Tag shall be issued after 11:59 pm, Pacific Time, October 23~~2~~, 2018~~9~~.¶¶
- (8) No Rocky Mountain Elk Rifle Second Season Tag shall be issued after 11:59 pm, Pacific Time, November 2~~1~~, 2018~~9~~.¶¶
- (9) No Coast First Season Elk Tag shall be issued after 11:59 pm, Pacific Time, November 9~~8~~, 2018~~9~~.¶¶
- (10) No Coast Second Season Elk Tag shall be issued after 11:59 pm, Pacific Time, November 16~~5~~, 2018~~9~~.¶¶
- (11) No Cascade Elk Rifle Tag shall be issued after 11:59 pm, Pacific Time, October 12~~1~~, 2018~~9~~.¶¶
- (12) No elk bow tag shall be issued after 11:59 pm, Pacific Time, August 24~~3~~, 2018~~9~~.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

REPEAL: 635-065-0501

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

~~635-065-0501~~

~~Exchange of Deer and Elk Tags~~

~~(1) Tags may be exchanged only prior to the seasons for which both of the tags to be exchanged are valid. No tag may be exchanged after the start of the season for which it is valid.¶¶~~

~~(2) Exchanges of tags and duplicate tags may be obtained only through the Department's regional offices or Salem headquarters.¶¶~~

~~(3) A fee of \$23.50 (plus a \$2.00 license agent fee) is charged to replace a tag. All licenses, tags and permits, issued to the same person, that are identified as being lost, destroyed or stolen may be listed on the same affidavit for a single fee (\$23.50 plus a \$2.00 license agent fee.) A fee of \$5.00 (plus a \$2.00 license agent is charged to exchange a tag. However, a \$10.00 license agent fee will be charged for nonresident deer and elk tags.¶¶~~

~~(4) A "leftover" controlled hunt deer tag may only be exchanged for a general season deer tag, but only if the person does not already possess a deer tag authorized by OAR 635-065-0015(4)(a), (b), or (c).¶¶~~

~~(5) A "leftover" controlled hunt elk tag may only be exchanged for a general season elk tag but only if the person does not already possess an elk tag authorized by OAR 635-065-0015(5)(a), (b), (c), (d), (e), (f), (g) or (h).~~

~~Statutory/Other Authority: SB 247 (2015), ORS 496.012, 496.138, 496.146, 496.162~~

~~Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162~~

AMEND: 635-065-0700

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0700

Rifles—Requirements ¶

Hunters shall only use:¶

- (1) Any .24 caliber or larger centerfire rifle that is not fully automatic to hunt ~~bighorn sheep, Rocky Mountain goat,~~ or elk. Semiautomatics shall have a magazine capacity of no more than five cartridges.¶
- (2) Any centerfire rifle .22 caliber or larger that is not fully automatic to hunt pronghorn antelope, black bear, cougar (mountain lion), bighorn sheep, Rocky Mountain goat, or deer. Semiautomatics shall have a magazine capacity of no more than five cartridges.¶
- (3) Any rifle that is not fully automatic to hunt western gray squirrels.¶
- (4) For hunting seasons designated as rifle hunts, hunters shall use only firearms or bows and arrows legal for that species:¶
 - (a) A person hunting deer with either a western Oregon deer rifle tag or eastern Oregon deer rifle tag shall use a legal centerfire or muzzleloading rifle, or shotgun, or centerfire handgun, or bow.¶
 - (b) A person hunting elk with any elk rifle tag shall use a legal centerfire or muzzleloading rifle, or shotgun, or centerfire handgun, or bow.¶
- (5) Hunters shall not use ~~military tracer ammunition~~ or full metal-jacket bullets ~~in original or altered form~~.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-065-0705

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0705

~~Muzzleloading Rifles –Requirements~~

During controlled muzzleloader only seasons:¶¶

(1) Hunters shall use any long gun that:¶¶

(a) Is fired from the shoulder;¶¶

(b) Is loaded from the muzzle;¶¶

~~(c) Has an open ignition system;¶¶~~

~~(d) Is a single shot except for muzzleloading shotguns that may be double barreled;¶¶~~

~~(e) 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 d20/200 with lenses or visual field of d 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.¶¶~~

(2) During muzzleloader-only seasons and 600 series hunts where there is a weapon restriction of shotgun/muzzleloader only or archery/muzzleloader only, it is illegal to hunt with ~~jacketed bullet or posses, sabots, and saboted bullets, or bullets with plastic or synthetic tips or bases. Only the following projectile/bullet types are allowed:¶¶~~

~~(a) Round balls made of lead, lead alloy, or federally approved nontoxic shot material, used with cloth, paper or felt patches;¶¶~~

~~(b) Conical bullets made of lead, lead alloy, or federally approved nontoxic shot material, with a length that does not exceed twice the diameter;¶¶~~

~~(c) Lead free copper conical bullets with a length that does not exceed twice the diameter. parts. Cloth, paper or felt patches are allowed.¶¶~~

(3) Hunters shall use only flint or percussion caps as a source of ignition.¶¶

(4) Hunters shall use only ~~loose or granular~~ black powder or black powder substitutes as propellants.¶¶

(5) Any .40 calibers or larger muzzleloader as described in OAR 635-065-0705(1)-(4) to hunt pronghorn antelope, black bear, cougar (mountain lion), bighorn sheep, Rocky Mountain goat, or deer.¶¶

(6) Any .50 caliber or larger muzzleloader as described in OAR 635-065-0705(1)-(4) to hunt ~~bighorn sheep, Rocky Mountain goat, or elk.~~¶¶

(7) Hunters shall use only number 1 or larger buckshot or bullets as described in OAR 635-065-0705(2) for hunting deer, black bear or cougar (mountain lion).¶¶

(8) Hunters shall use only single projectiles as described in OAR 635-065-0705(2) for hunting pronghorn antelope, elk, bighorn sheep, or Rocky Mountain goat.¶¶

(9) Hunters may only use a legal muzzleloading firearm as described in OAR 635-065-0705. During centerfire firearms seasons where muzzleloaders are also a legal firearm, hunters may:¶¶

(a) Use any .40 caliber or larger muzzleloading firearm to hunt pronghorn antelope, black bear, cougar (mountain lion), or deer.¶¶

(b) Use any .50 caliber or larger muzzleloading firearm to hunt bighorn sheep, Rocky Mountain goat, or elk.¶¶

(c) Use any muzzleloader ignition type (excepting matchlock), any sight, any propellant, or any bullet type.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-065-0720

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0720

Bows and Arrows - Requirements ¶¶

Hunters shall use:¶¶

- (1) Any long, recurve, or compound bow with 40-pound or heavier pull rating to hunt pronghorn antelope, black bear, cougar (mountain lion), bighorn sheep, Rocky Mountain goat, or deer.¶¶
- (2) Any long, recurve, or compound bow to hunt western gray squirrels.¶¶
- (3) Any long, recurve, or compound bow with a 50-pound or heavier pull rating to hunt ~~bighorn sheep, Rocky Mountain goat, or elk~~.¶¶
- (4) Only unbarbed fixed position blade broadheads at least 7/8-inch wide to hunt game mammals other than western gray squirrel. Possession of broadheads or arrows with moveable blades(s) is prohibited when hunting game mammals, except western gray squirrels may be hunted with moveable blade broadheads.¶¶
- (5) A long, recurve, or compound bow and shall not possess any crossbow while hunting within an authorized bowhunting area or season.¶¶
- (6) Only a long, recurve, or compound bow during any authorized pronghorn antelope, deer or elk bowhunting season to hunt pronghorn antelope, deer, or elk.¶¶
- (7) For hunting seasons designated as bowhunting, hunters shall only use the bows legal for the species being hunted. Bows may be used during game mammal seasons in which centerfire firearms are legal.¶¶
- (8) Hunters shall not use any electronic device(s) attached to bow or arrow except lighted arrow nocks that have no function other than to increase visibility of the arrow and cameras that have no other function (such as range-finding) are allowed.¶¶
- (9) Hunters shall not use any device secured to or supported by the bow for the purpose of maintaining the bow at full draw (Persons unable to comply because of a disability may be eligible for a temporary permit from the Department).¶¶
- ~~(10) Hunters shall not use any device secured to or supported by a bow's riser which supports or guides an arrow from a point rearward of a bow's brace height (i.e. the position of the bows string when the bow is undrawn).~~

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

REPEAL: 635-065-0733

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

~~635-065-0733~~

~~Decoys~~

~~Except for purposes of law enforcement or wildlife management, the use of decoys with moving parts is prohibited. This prohibition includes, but is not limited to, decoys with parts that are powered by a motor, battery, human action (for example, cable or pull-string) or the wind. Flexible or adjustable parts that permit placement or adjustment of a decoy but do not otherwise move do not constitute "moving parts" for the purpose of this rule. This rule is intended to ban decoys that attract game mammals via movement.~~

~~Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162, 498.002~~

~~Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162~~

AMEND: 635-065-0735

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0735

Vehicles, Boats, Aircraft ¶¶

It is unlawful:¶¶

(1) To hunt any big game from a motor-propelled vehicle. Exception: A qualified disabled hunter may obtain an Oregon Disabilities Hunting and Fishing Permit to hunt from a motor vehicle except while the vehicle is in motion or on any public road or highway. For the purpose of this regulation, "motor vehicle" includes All Terrain Vehicles (ATVs).¶¶

(2) To shoot game mammals from or with the help of any motorboat or sailboat unless the motor has been shut off and/or sail furlled and movement caused by any motor or sail has stopped. Crippled game mammals may not be shot from such craft under power.¶¶

(3) To hunt within eight (8) hours of communicating with or receiving information on the location of game mammals from a manned aircraft.¶¶

~~(34)~~ To use drones for the following purposes related to the pursuit of wildlife:¶¶

(a) Angling;¶¶

(b) Hunting;¶¶

(c) Trapping;¶¶

(d) Aiding angling, hunting or trapping through the use of drones to harass, track, locate or scout wildlife; and¶¶

(e) Interfering in the acts of a person who is lawfully angling, hunting or trapping.¶¶

(f) EXCEPTIONS allowing the use of drones for the pursuit of wildlife:¶¶

(A) Subject to ORS 837.360 and 837.365, the State Department of Fish and Wildlife and the department's agents and contractors may use of drones in carrying out the duties of the department;¶¶

(B) The use of drones in a manner otherwise prohibited under this section if the purpose¶¶ of the use is to benefit wildlife management or habitat or for the protection of property.¶¶

(g) As used in this rule, "drone" means:¶¶

(A) An unmanned flying machine;¶¶

(B) An unmanned water-based vehicle; or¶¶

(C) Any other vehicle that is able to operate in the air, in or under the water or on land, either remotely or autonomously, and without a human occupant.¶¶

~~(4) To hunt within eight hours after having been transported by helicopter or fixed-wing aircraft to any point other than an established airport adequate for fixed-wing aircraft.¶¶~~

(5) To shoot at pronghorn antelope from a point within 50 yards of a motor-propelled vehicle including aircraft, except for qualified disabled hunters as shown in 635-065-735(1).

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-065-0740

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0740

Hunting Prohibited ¶

It is unlawful:¶

(1) To hunt with a centerfire or muzzleloading rifle during the standard eastern Oregon controlled deer buck season (October 3 – October 14, 2015) Cascade bull elk season, Coast bull elk seasons, or Rocky Mtn deer and elk seasons and dates (see current Oregon Big Game Huntain bull or either sex elk seasons, for the standard Rocky Mountain ug Regulations pamphlet), in the Wildlife Management Unit's antlerless elk seasons (November 21– November 29, 2015) without a valid, unused tag for that species, time period and area on their person.

EXCEPTIONS:¶

(a) Landowners, or their agent, hunting predators on lands they own or lease may use centerfire or muzzleloading rifles to hunt on such lands.¶

(b) 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 Wagon tire 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 (November 21 – November 29, 2015). (WMUs) listed by number below without a used or unused deer, elk, pronghorn, bighorn sheep, or mountain goat tag valid for the dates and area being hunted. ¶

(a) Eastern Oregon Controlled Buck Deer, WMUs 31-77¶

(b) Cascade Bull Elk, WMUs 16, 19, 21, 22, 29-31, 33, 34, 39¶

(c) Rocky Mtn. Bull Elk 1st Season, WMUs 32, 33, 35-38, 40-64, 66, 69, 72-77¶

(ed) Hunters who have a tag for one of the hunts listed in this paragraph, or a tag for another game mammal controlled hunt valid within the time period and area of the above hunts may hunt as authorized by that tag and may hunt bear and/or cougar within the time period and area for which their tag is valid (used or unused) provided they have a valid unused bear and/or cougar tag. Rocky Mtn. Bull Elk 2nd Season, WMUs 32, 33, 35-38, 40-64, 66, 69, 72-77¶

(e) Coast Bull Elk 1st Season, WMUs 10-15, 17-18, 20, 23-27¶

(df) Hunters are not required to have an elk tag to hunt bear or cougar in the Applegate WMU during elk seasons. Coast Bull Elk 2nd Season, WMUs 10-15, 17-18, 20, 23-27¶

(2) To hunt on any refuge closed by the state or federal government.¶

(3) To hunt within the corporate limits of any city or town, public park or cemetery, or on any campus or grounds of a public school, college, or university or from a public road, road right-of-way, or railroad right-of-way.¶

(4) Notwithstanding section (3) of this rule, controlled antlerless elk hunts are permitted within the south city limits of Seaside if the herd should become a serious problem.¶

(5) To hunt game mammals outside any area designated by a controlled hunt tag when such tag is required for that hunt season.¶

(6) To hunt in any Safety Zones created and posted by the Department.¶

(7) To hunt protected wildlife except:¶

(a) by a permit or during an authorized season established by the commission.¶

(b) That crow, blackbirds, cowbirds, and magpies may be taken under Federal regulations for reason of depredation or health hazards as described in the Code of Federal Regulations.¶

(8) To pursue or assist another to pursue a cougar (mountain lion) during an authorized cougar (mountain lion) season unless in possession of an unused cougar (mountain lion) tag or accompanied by the holder of an unused cougar (mountain lion) tag which is valid for that area and time period.¶

(98) To engage in computer-assisted hunting (Internet hunting) or provide or operate facilities for computer-assisted hunting in Oregon. As used in this act, "computer-assisted hunting" (Internet hunting) means the use of a computer or any other device, equipment, or software to remotely control the aiming and discharge of a firearm, bow, or any other weapon to hunt any game bird, wildlife, game mammal, or other mammal, and "facilities for computer-assisted remote hunting" means real property and improvements on the property associated with hunting, including hunting blinds, offices and rooms equipped to facilitate computer-assisted remote hunting. Nothing in subsection (9) of this section prohibits the use computer-assisted hunting by employees or agents of county, state or federal agencies while acting in their official capacities.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-065-0745

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0745

Prohibited Methods ¶¶

It is unlawful:¶¶

(1) To shoot from or across a public road, road right-of-way, or railroad right-of-way, except that persons legally hunting on closed roads within department Cooperative Travel Management Areas are not violating current prohibitions on shooting from or across a public road.¶¶

(2) To hunt for or kill any wildlife for another person except as provided in ORS 498.170 for visually impaired hunters, and OAR 635-065-0090 for hunters with permanent disability permits.¶¶

(3) To hunt any game mammal with dogs, except western gray squirrel.¶¶

(4) To use an artificial light for hunting any wildlife, except raccoon, bobcat, and opossum provided the light is not cast from or attached to a motor vehicle. This includes laser sights or any other sights which project a beam to the target, this includes scopes with electronic rangefinders. This does not include battery operated sights which only light the reticle.¶¶

(5) To hunt or locate or scout for the purpose of hunting any wildlife with infrared or any other "night vision" sight or equipment except trail cameras.¶¶

(6) To cast from or within 500 feet of a motor vehicle an artificial light on game mammals, predatory animals or livestock while having in possession or immediate physical presence a weapon with which the game mammals or livestock could be killed.¶¶

(7) To take any game mammals with trap or snare.¶¶

(8) To use any poisoning, immobilizing, or tranquilizing drug or chemical to hunt or kill any game mammal.

Statutory/Other Authority: ~~ORS 496.012~~, 496.138, 496.146, 496.162, ORS 496.012

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-065-0765

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0765

Tagging, Possession, Transportation and Evidence of Sex ¶

(1) When the owner of any game mammal tag kills a game mammal for which a tag is issued, the owner shall immediately ~~remove in its entirety only the month and day of kill and attach the tag~~validate paper tags as in (a) and attach the tag, or validate electronic tags as in (b) and attach the required information in plain sight securely to the game mammal. The tag or required information shall be kept attached to such carcass or remain with any parts thereof so long as the same are preserved.¶

(2) ~~It is unlawful to have in possession any game mammal tag from which all or part of any date has been removed or mutilated except when~~(a) Paper tags are validated by writing on the tag the date and time of harvest and the Wildlife Management Unit where harvest occurred.¶

(A) Tags are not valid until signed.¶

(B) It is unlawful to have in possession an unsigned tag and/or reproduction/photocopied tag(s).¶

(b) Electronic Tags are validated electronically by pressing the validate button on the image of the tag. At the time of validation a confirmation number will become visible. The required information which must be written on material of the tag owners choice and attached tag is legally validated and attached to a game mammal~~o the harvested animal is the tag owners name, ODFW ID number, date, and confirmation number.~~¶

(2) The required information attached to game mammals, and paper game mammal tags, must be maintained in legible condition at all times.¶

(3) It is unlawful to possess the meat or carcass of any deer, elk, pronghorn antelope, bighorn sheep, or Rocky Mountain goat without evidence of sex while in the field, forest, or in transit on any of the highways or premises open to the public in Oregon, except processed or cut and wrapped meat. ~~E~~Hunters must choose one of two options for providing evidence of sex for deer, elk, pronghorn antelope, bighorn sheep, or Rocky Mountain goat is :¶

(a) Option 1: The animal's scalp which head or skull include the attached eyes and ears, if animal is female; or ears, antlers or horns, and eyes if the animal is male, or;¶

(b) R~~p~~ from the eyes to the ears for females, and antlers or horns for males, or;¶

(b) Option 2: A reproductive organs (a testicles, scrotum, or penis if male; vulva or udder (mammary) if female) naturally attached to one quarter of the carcass or to another penis, udder or vulva) attached to a major portion of meat.¶

(i) For hunts with antler or horn restrictions, if the head is not attached to the carcass, in addition to leaving the testicles, scrotum, or penis naturally attae~~White-tailed Deer and Mule Deer Only Hunts, the~~ed to one quarter of the carcass or to another major portion of meat, the head or skull plate with both antlers or horns naturally attached shall accompany the carcass or major portions of meat.¶

(ii) For hunts where only white-tailed deer and for hunts where only mule deer are legal: in addition to evidence of sex, (testicles, scrotum, penis, vulva, udder, mammary), either the head or tail shall remain naturally attached to one quarter of the carcass or to another major portion of meat as evidence of the species taken~~tail must be retained for proof of species.~~¶

(c) Option 1, (3)(a), must be used for hunts with antler point restrictions.¶

(4) When any game mammal or part thereof is transferred to the possession of another person, a written record ~~describings~~shall accompany such transfer and include:¶

(a) a description of the game mammal or part being transferred indicating;¶

(b) the name and, address, and ODFW ID number of the person whose tag was originally attached to the carcass

~~and the number of that tag shall accompany such transfer and~~ required information if an electronic tag, was originally attached to the carcass;

~~(c) the issued date and time of a paper tag or the confirmation number of an electronic tag;~~

~~(d) and the date and time of harvest.~~

~~(e) The written record shall remain with such game mammal or part so long as the same is preserved or until replaced by a tag or seal of the Department.~~

(5) All game mammals in possession in the field or forest or in transit more than 48 hours after the close of the open season for such mammal must be tagged with a tag or metal seal by the Department or by the Oregon State Police.

~~(6) All game mammals or portions thereof shipped by commercial carrier shall be tagged with a tag or metal seal provided by the Department or by the Oregon State Police.~~

~~(7) It is unlawful to receive or have in possession any game mammal or part thereof which:~~

~~(a) Is not properly tagged;~~

~~(b) Was taken in violation of any wildlife laws or regulations; or~~

~~(c) Was taken by any person who is or may be exempt from the jurisdiction of such laws or regulations.~~

(8) No person shall possess any game mammal or part thereof which has been illegally killed, found or killed for humane reasons, except shed antlers, unless he has notified and received permission from the Department or personnel of the Oregon State Police prior to transporting.

(9) No person shall possess the horns of bighorn sheep or Rocky Mountain goat that were not taken legally during an authorized season. Any horns of bighorn sheep or Rocky Mountain goat obtained by the Department may be made available to scientific and educational institutions and for ceremonial purposes.

~~(10) Except for the following parts, importation of a cervid carcass or parts of a cervid carcass is prohibited if the cervid was killed in a state or province with a documented case of Chronic Wasting Disease from another state or province is prohibited:~~

~~(a) Meat that is cut and wrapped commercially or privately;~~

~~(b) Meat that has been boned out;~~

~~(c) Quarters or other portions of meat with no part of the spinal column or head attached;~~

~~(d) Hides and/or capes with no head attached;~~

~~(e) Skull plates with antlers attached that have been cleaned of all meat and brain tissue;~~

~~(f) Antlers with no tissue attached;~~

~~(g) Upper canine teeth (buglers, whistlers, ivories);~~

~~(h) Finished taxidermy heads.~~

~~(11) For the purposes of the parts and carcass import ban in subsection 10, the states or provinces with a documented case of Chronic Wasting Disease (CWD) are Alberta, Arkansas, Colorado, Illinois, Kansas, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Texas, Utah, Virginia, West Virginia, Wisconsin, Wyoming, and Saskatchewan. The Department shall add by temporary rule any additional states or provinces when any new cases of CWD arise.~~

~~(12) The parts and carcass import ban in subsection (11) does not apply to parts or carcasses shipped to the National Fish and Wildlife Forensics Laboratory (Ashland, Oregon) for the purpose of law enforcement investigations and also does not apply to parts or carcasses of reindeer/caribou.~~

~~(13) Cervid carcasses or parts of cervid carcasses found in Oregon in violation of the parts and carcass ban in subsection 10 shall be disposed of in a manner as follows:~~

~~(a) Brain tissue, spinal columns, and whole heads or heads minus the cleaned skull plate and attached antlers, shall be disposed of either by incineration at temperatures exceeding 800° F or at lined landfills registered by Oregon Department of Environmental Quality capable of accepting animal carcasses without environmental contamination; rendering is not an allowed means of disposal.~~

~~(b) The person(s) who imported parts in violation of the parts and carcass ban in subsection 10 shall pay for appropriate disposal of cervid carcasses or parts of cervid carcasses.~~

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-066-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-066-0000

Purpose and General Information ¶¶

(1) The purpose of these rules is to establish season dates, bag limits, areas, methods, and other restrictions for hunting black bear pursuant to ORS Chapter 496.¶¶

(2) OAR chapter 635, division 066 incorporates, by reference, the requirement and tag numbers for controlled and limited hunts for black bear hunting set out in the document entitled 2018~~9~~² "Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the 2018~~9~~² "Oregon Big Game Regulations" in addition to OAR chapter 635, to determine all applicable requirements for the hunting of black bear. The annual Oregon Big Game Regulations are available at authorized license agents and regional, district and headquarters offices and website of the Oregon Department of Fish and Wildlife ¶¶

(3) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at www.odfw.com.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-066-0010

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-066-0010

General Season Regulations ¶¶

(1) Open Area: The entire state is open, except that lands within one mile of the Rogue River between Grave Creek and Lobster Creek are closed to all black bear hunting.¶¶

(2) No person shall use dogs to hunt or pursue black bear.¶¶

(3) No person shall use bait to attract or hunt black bear.¶¶

(4) The skull of any bear taken must be presented to an ODFW office or designated collection site. The person who took the animal is responsible to have it presented, within 10 days of the kill, to be checked and marked. Skull must be unfrozen when presented for check-in. Check-in at ODFW offices must occur during normal business hours (8-5, Mon-Fri.). Hunters are required to check in the skull only, for the purpose of inspection, tagging and removal of a tooth for aging.¶¶

(5) When the bear skull is presented at check-in information that must be provided includes:¶¶

(a) Date of harvest and location of harvest including Wildlife Management Unit, and¶¶

(b) complete hunter information including ~~tag number as found on the bear~~ he issued date and time of a paper tag or the confirmation number of an electronic tag; a completed "Wildlife Transfer Record Form" as found in the current year's Oregon Big Game Regulations is an alternative for providing the required information.

Statutory/Other Authority: ORS 496.138, 496.146, 496.162, ORS 496.012

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-066-0020

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-066-0020

Controlled Seasons ¶¶

- (1) Controlled hunt tags shall be issued by a controlled hunt drawing following the procedures established in OAR chapter 635, division 060. Controlled hunt tag numbers for 2018~~9~~ are listed in the 2018~~9~~ "Oregon Big Game Regulations" and are adopted and incorporated into OAR chapter 635, division 066 by reference.¶¶
- (2) The number of tags issued to nonresidents will be limited to no more than three percent of the total tags authorized for each hunt. Persons receiving a controlled black bear tag may also purchase a general season black bear tag and one SW Oregon additional bear tag and one "leftover" controlled spring bear tag.¶¶
- (3) No person shall use dogs to hunt or pursue black bear.¶¶
- (4) No person shall use bait to attract or hunt black bear.¶¶
- (5) The skull of any bear taken must be presented to an ODFW office or designated collection site. The person who took the animal is responsible to have it presented, within 10 days of the kill, to be checked and marked. Skull must be unfrozen when presented for check-in. Check-in at ODFW offices must occur during normal business hours (8-5, Mon-Fri.). Hunters are required to check in the skull only for the purpose of inspection, tagging and removal of a tooth for aging.¶¶
- (6) When the bear skull is presented at check-in information that must be provided includes: 1) date of harvest and location of harvest including Wildlife Management Unit, and 2) complete hunter information including ~~tag number as found on the bear~~ the issued date and time of a paper tag or the confirmation number of an electronic tag; a completed "Wildlife Transfer Record Form" as found in the current year's Oregon Big Game Regulations is an alternative for providing the required information.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-067-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-067-0000

Purpose and General Information

(1) The purpose of these rules is to establish season dates, bag limits, areas, methods, and other restrictions for hunting pronghorn antelope, cougar, bighorn sheep, and Rocky Mountain goat pursuant to ORS Chapter 496.¶

(2) OAR chapter 635, division 067 incorporates, by reference, the requirements and tag numbers for controlled hunts for hunting pronghorn antelope, cougar, bighorn sheep, and Rocky Mountain goat set out in the document entitled "2018 Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2018 Oregon Big Game Regulations" in addition to OAR chapter 635, to determine all applicable requirements for hunting pronghorn antelope, cougar, bighorn sheep, and Rocky Mountain goat. The annual Oregon Big Game Regulations are available at authorized license agents and regional, district and headquarters offices and website of the Oregon Department of Fish and Wildlife.¶

(3) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at www.odfw.com.¶

(4) Controlled hunt tags shall be issued by a controlled hunt drawing following the procedures established in OAR chapter 635, division 060. Permitted weapons and ammunition are established in OAR chapter 635, division 065. Controlled hunt tag numbers for 2018 are listed in the "2018 Oregon Big Game Regulations" and are adopted and incorporated into OAR chapter 635, division 067 by reference.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-067-0004

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-067-0004

Cougar Hunting Regulations ¶¶

- (1) Tag Requirement: Any person hunting cougar shall have on his/her person a general season cougar tag or an additional cougar tag. General season cougar tags may be purchased online or through any authorized license agent;¶¶
- (2) Hunt Area: Hunt zones, and harvest quotas for each hunt zone, are established in OAR 635-067-0015;¶¶
- (a) Hunters may hunt within all hunt zones;¶¶
- (b) Hunt zones will be closed to hunting when individual zone harvest quotas are reached.¶¶
- (3)(a) The person who took the animal is responsible to have it presented for check-in, within ten days of harvest, the hide with skull and proof of sex attached of any cougar killed at a Department of Fish and Wildlife office. Check-in must occur during normal business hours (8 a.m. to 5 p.m., Monday through Friday.) Hide and skull must be unfrozen when presented for check-in.¶¶
- (b) Hunters are also required to submit the reproductive tract of any female cougar taken.¶¶
- (c) When the required parts in (3)(a) and (3)(b) are presented at check-in information that must be provided includes: 1) date of harvest and location of harvest including Wildlife Management Unit, and 2) complete hunter information including ~~tag number as found on the cougar~~ the issued date and time of a paper tag or the confirmation number of an electronic tag; a completed "Wildlife Transfer Record Form" as found in the current year's Oregon Big Game Regulations is an alternative for providing the required information.¶¶
- (4) No person shall hunt or assist another to hunt a cougar during an authorized cougar season unless in possession of an unused cougar tag or accompanied by the holder of a cougar tag which is valid for that area and time period.¶¶
- (5) No person shall use dogs to hunt or pursue cougar.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-067-0024

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-067-0024

Controlled Pronghorn Antelope Youth Rifle Hunt Application ¶

Hunters must be 12 to 17 years of age at the time they hunt. ~~An adult at least 21 years of age, who must~~ Youth 13 years of age and under must be accompanied by an adult 21 years of age or older while hunting on property other than land owned by their parent or legal guardian. The adult shall accompany not more than two juveniles.

Juveniles must have a hunter education certificate or a Department document which includes their Hunter Education Certificate Number, a valid hunting license, and a controlled hunt tag or permit valid for that area and time period in possession while hunting.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-067-0029

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-067-0029

Controlled Pronghorn Antelope Raffle Tag ¶¶

(1) One pronghorn antelope tag will be raffled annually to an individual selected at a public drawing. The Department may contract with a sportsmen's group or organization to conduct the raffle.¶¶

(2) The pronghorn antelope raffle tag shall be limited as follows:¶¶

(a) Bag Limit: One buck pronghorn antelope.¶¶

(b) Hunting Hours: One-half hour before sunrise to one-half hour after sunset.¶¶

(c) Open Season: The season shall begin on August 1 and shall end on November 30.¶¶

(d) Open Area: Any area where pronghorn antelope hunts and tags have been authorized for the current year.¶¶

(3) Raffle Requirements:¶¶

(a) There is no limit on the number of ~~tickets that~~chances in the drawing a person may purchase.¶¶

(A) One ~~ticket~~change package at a cost of \$9.50 (plus a \$2.00 license agent fee).¶¶

(B) Six ~~ticket~~chance package at a cost of \$49.50 (plus a \$2.00 license agent fee).¶¶

(C) Thirteen ~~ticket~~chance package at a cost of \$99.50 (plus a \$2.00 license agent fee).¶¶

(b) Raffle ~~ticket~~chances will be ~~made available to the public~~ during the dates specified in the current Big Game Regulations to the public through the authorized license agents in the state or ~~through licensing in the Salem headquarters office or may be purchased through the mail using Oregon Department of Fish and Wildlife accepted forms.~~ Ticket online. Chances may be sold by Department representatives at various gatherings of sportmen's groups.¶¶

(c) Residents and nonresidents shall be eligible to purchase ~~tickets~~.¶¶

~~(d) There shall be no refunds on any purchases of raffle ticket chances.~~¶¶

~~(ed) Tickets purchased through license agents and handled by mail shall be received in the Salem headquarters office of the Department by the date specified in the current Big Game Regulations. Hand-delivered tickets submitted for the drawing must be received by 5 p.m. at the Salem headquarters office no later than two days before the drawing event. Completed tickets delivered to the drawing event must be turned in by the time specified in the current Big Game Regulations. Additional tickets may be purchased at the actual raffle site prior to the drawing.~~¶¶

~~(f) All tickets submitted for the drawing must be complete with a name, address, and phone number~~ here shall be no refunds on any purchases of raffle chances.¶¶

~~(ge) One winner and two alternate winners will be drawn at a public drawing; time and location to be announced by the Department.~~¶¶

~~(hf) The Department will mail notification to the winner and two alternates. If the winner does not claim the tag by 5 p.m., July 1, the winner shall be disqualified and the Department will offer the tag to the first alternate. If the first alternate does not claim the tag within 10 business days of July 1, the second alternate will be contacted. If the tag is not claimed by 5 p.m., July 31, it will not be issued.~~¶¶

(ig) License and Tag Requirements: A valid pronghorn antelope tag will be provided to the winner of the raffle and a valid hunting license will be provided if the winner has not already purchased one, so long as the winner is eligible to purchase an adult Oregon hunting license or a juvenile Oregon hunting license.¶¶

(jh) The pronghorn antelope tag shall be issued in the name of the person ~~on~~who purchased the winning ticket chance provided that person meets all criteria outlined above. The tag may not be sold, assigned, or otherwise transferred.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146

AMEND: 635-067-0034

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-067-0034

Bighorn Sheep Raffle Tag ¶¶

(1) One bighorn sheep tag will be raffled during the current year to an individual selected at a public drawing. The Department may contract with a sportsmen's group or organization to conduct the raffle.¶¶

(2) The bighorn sheep raffle tag shall be limited as follows:¶¶

(a) Bag Limit: One bighorn sheep ram.¶¶

(b) Hunting Hours: One-half hour before sunrise to one-half hour after sunset.¶¶

(c) Open Season: The season shall begin on August 1 and shall end on November 30.¶¶

(d) Open Area: Any area where bighorn sheep hunts and tags have been authorized for the tube current year. The remainder of the state is closed to bighorn sheep hunting.¶¶

(3) Raffle Requirements:¶¶

(a) There is no limit on the number of ~~tickets that~~chances in the drawing a person may purchase. Raffle ~~ticket chances~~ shall be available for purchase in the following denominations:¶¶

(A) One ~~ticket~~chance package at a cost of \$9.50 (plus a \$2.00 license agent fee).¶¶

(B) Six ~~ticket~~chance package at a cost of \$49.50 (plus a \$2.00 license agent fee).¶¶

(C) Thirteen ~~ticket~~chance package at a cost of \$99.50 (plus a \$2.00 license agent fee).¶¶

(b) Raffle ~~ticket~~chances will be ~~made available to the public~~available to the public during the dates specified in the current Big Game Regulations ~~to the public through the authorized license agents in the state or through licensing in the Salem headquarters office or may be purchased through the mail using Oregon Department of Fish and Wildlife accepted forms. Ticket~~online. Chances may be sold by Department representatives at various gatherings of sportmen's groups.¶¶

(c) Residents and nonresidents shall be eligible to purchase ~~tickets~~.¶¶

(d) ~~There shall be no refunds on any purchases of raffle ticket~~chances.¶¶

(e) ~~Tickets purchased through license agents and handled by mail shall be received in the Salem headquarters office of the Department by the date specified in the current Big Game Regulations. Hand delivered tickets submitted for the drawing must be received by 5 p.m. at the Salem headquarters office no later than two days before the drawing event. Completed tickets delivered to the drawing event must be turned in by the time specified in the current Big Game Regulations. Additional tickets may be purchased at the actual raffle site prior to the drawing.~~¶¶

(f) ~~All tickets submitted for the drawing must be complete with a name, address, and phone number~~here shall be no refunds on any purchases of raffle chances.¶¶

(g) One winner and two alternate winners will be drawn at a public drawing; time and location to be announced by the Department.¶¶

(h) The Department will mail notification to the winner and two alternates. If the winner does not claim the tag by 5 p.m., July 1, the winner shall be disqualified and the Department will offer the tag to the first alternate. If the first alternate does not claim the tag within 10 business days of July 1, the second alternate will be contacted. If the tag is not claimed by 5 p.m., July 31, it will not be issued.¶¶

(i) License and Tag Requirements: A valid bighorn sheep tag will be provided to the winner of the raffle and a valid hunting license will be provided if the winner has not already purchased one, so long as the winner is eligible to purchase an adult Oregon hunting license or a juvenile Oregon hunting license.¶¶

(j) The bighorn sheep tag shall be issued in the name of the person ~~on~~who purchased the winning ~~ticket~~chance provided that person meets all criteria outlined above. The tag may not be sold, assigned, or otherwise

transferred.¶

(k) The winner of the bighorn sheep tag may be required to complete a bighorn sheep hunting orientation course prior to their hunt. The hunter shall inform the Department as to where and when the hunt will be conducted.¶

(l) If the holder of the raffle bighorn sheep tag is successful in taking a bighorn sheep ram, that person shall present the ram to the Department for permanent marking within five days of taking of the ram.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146

AMEND: 635-067-0041

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-067-0041

Rocky Mountain Goat Raffle ¶

(1) One Rocky Mountain goat tag will be raffled annually to an individual selected at a public drawing. The Department may contract with a sportsmen's group or organization to conduct the raffle.¶

(2) The Rocky Mountain goat raffle tag shall be limited as follows:¶

(a) Bag Limit: One Rocky Mountain goat.¶

(b) Hunting Hours: One-half hour before sunrise to one-half hour after sunset.¶

(c) Open Season: The season shall begin on August 1 and shall end on November 30.¶

(d) Open Area: Any area where Rocky Mountain goat hunts and tags have been authorized for the current year. The remainder of the state is closed to Rocky Mountain goat hunting.¶

(3) Raffle Requirements:¶

(a) There is no limit on the number of ~~tickets~~chances in the drawing that a person may purchase.¶

(A) One ~~ticket~~chance package at a cost of \$9.50 (plus a \$2.00 license agent fee).¶

(B) Six ~~ticket~~chance package at a cost of \$49.50 (plus a \$2.00 license agent fee).¶

(C) Thirteen ~~ticket~~chance package at a cost of \$99.50 (plus a \$2.00 license agent fee).¶

(b) Raffle ~~ticket~~chances will be ~~made available to the public~~made available to the public during the dates specified in the current Big Game regulations ~~to the public through the authorized license agents in the state or through licensing in the Salem headquarters office or may be purchased through the mail using Oregon Department of Fish and Wildlife accepted forms. Ticket~~online. Chances may be sold by Department representatives at various gatherings of sportmen's groups.¶

(c) Residents and nonresidents shall be eligible to purchase ~~tickets~~.¶

~~(d) There shall be no refunds on any purchases of raffle ticket~~chances.¶

~~(e) Tickets purchased through license agents and handled by mail shall be received in the Salem headquarters office of the Department by the date specified in the current Big Game Regulations. Hand delivered tickets submitted for the drawing must be received by 5 p.m. at the Salem headquarters office no later than two days before the drawing event. Completed tickets delivered to the drawing event must be turning in by the time specified in the current Big Game Regulations. Additional tickets may be purchased at the actual raffle site prior to the drawing.~~¶

~~(f) All tickets submitted for the drawing must be complete with a name, address, and phone number~~here shall be no refunds on any purchases of raffle chances.¶

~~(g) One winner and two alternate winners will be drawn at a public drawing; time and location to be announced by the Department.~~¶

~~(h) The Department will mail notification to the winner and two alternates. If the winner does not claim the tag by 5 p.m., July 1, the winner shall be disqualified and the Department will offer the tag to the first alternate. If the first alternate does not claim the tag within 10 business days of July 1, the second alternate will be contacted. If the tag is not claimed by 5 p.m., August 31, it will not be issued.~~¶

~~(i) License and Tag Requirements: A valid Rocky Mountain goat tag will be provided to the winner of the raffle and a valid hunting license will be provided if the winner has not already purchased one, so long as the winner is eligible to purchase an adult Oregon hunting license or a juvenile Oregon hunting license.~~¶

~~(j) The Rocky Mountain goat tag shall be issued in the name of the person~~who purchased the winning ticket chance provided that person meets all criteria outlined above. The tag may not be sold, assigned, or otherwise transferred.¶

(k) The winner of the Rocky Mountain goat tag will be required to complete a Rocky Mountain goat hunting orientation course prior to their hunt. The hunter shall inform the Department as to where and when the hunt will be conducted.¶

(l) If the holder of the Rocky Mountain goat raffle tag is successful in taking a Rocky Mountain goat, that person shall present the animal to the Department for permanent marking within five days of taking of the animal.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146

AMEND: 635-068-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-068-0000

Purpose and General Information ¶¶

(1) The purpose of these rules is to establish season dates, bag limits, areas, methods and other restrictions for hunting western Oregon deer pursuant to ORS Chapter 496.¶¶

(2) Controlled hunt tag numbers for 2018~~9~~ are listed in the "2018~~9~~ Oregon Big Game Regulations" and are adopted and incorporated into OAR chapter 635, division 068 by reference.¶¶

(3) OAR chapter 635, division 068 incorporates, by reference, the requirements for hunting western Oregon deer set out in the document entitled "2018~~9~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2018~~9~~ Oregon Big Game Regulations" in addition to OAR chapter 635, to determine all applicable requirements for hunting western Oregon deer. The annual Oregon Big Game Regulations are available at authorized license agents and regional, district, and headquarters offices of the Oregon Department of Fish and Wildlife.¶¶

(4) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at www.odfw.com.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-069-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-069-0000

Purpose and General Information

- (1) The purpose of these rules is to establish season dates, bag limits, areas, methods and other restrictions for hunting eastern Oregon deer pursuant to ORS Chapter 496.¶¶
- (2) Controlled hunt tag numbers for 2018~~9~~² are listed in the "2018~~9~~² Oregon Big Game Regulations" and are adopted and incorporated into OAR Chapter 635, Division 069 by reference.¶¶
- (3) OAR Chapter 635, Division 069 incorporates, by reference, the requirements for hunting eastern Oregon deer set out in the document entitled "2018~~9~~² Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2018~~9~~² Oregon Big Game Regulations" in addition to OAR Chapter 635, to determine all applicable requirements for hunting eastern Oregon deer. The annual Oregon Big Game Regulations are available at hunting license agents and regional, district and headquarters offices and website of the Oregon Department of Fish and Wildlife.¶¶
- (4) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at www.odfw.com.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-070-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-070-0000

Purpose and General Information ¶¶

(1) The purpose of these rules is to establish season dates, bag limits, areas, methods and other restrictions for hunting Cascade and Coast elk pursuant to ORS Chapter 496.¶¶

(2) Controlled hunt tag numbers for 2018~~9~~ are listed in the "2018~~9~~ Oregon Big Game Regulations" and are adopted and incorporated into OAR Chapter 635, Division 070 by reference.¶¶

(3) OAR chapter 635, division 070 incorporates, by reference, the requirements for hunting western Oregon elk set out in the document entitled "2018~~9~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2018~~9~~ Oregon Big Game Regulations" in addition to OAR Chapter 635, to determine all applicable requirements for hunting western Oregon elk. The annual Oregon Big Game Regulations are available at hunting license agents and regional, district and headquarters offices of the Oregon Department of Fish and Wildlife.¶¶

(4) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at www.odfw.com.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-071-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-071-0000

Purpose and General Information ¶¶

(1) The purpose of these rules is to establish season dates, bag limits, areas, methods and other restrictions for hunting Rocky Mountain elk pursuant to ORS Chapter 496.¶¶

(2) Controlled hunt tag numbers for 2018~~9~~ are listed in the "2018~~9~~ Oregon Big Game Regulations" and are adopted and incorporated in OAR Chapter 635, Division 071 by reference.¶¶

(3) OAR chapter 635, division 071 incorporates, by reference, the requirements for hunting Rocky Mountain elk set out in the document entitled "2018~~9~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2018~~9~~ Oregon Big Game Regulations" in addition to OAR Chapter 635, to determine all applicable requirements for hunting Rocky Mountain elk. The annual Oregon Big Game Regulations are available at hunting license agents and regional, district and headquarters offices of the Oregon Department of Fish and Wildlife.¶¶

(4) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at www.odfw.com.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-071-0010

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-071-0010

Controlled Rocky Mountain Antlerless Elk Rifle Hunts ¶¶

~~Notwithstanding the provisions of the 2017 Oregon Big Game Regulations: The season listed on page 73 for the Mt Harris No. 2 (253C2) Controlled Rocky Mountain Antlerless Elk Hunt is changed to December 18 – December 31, 2017.~~ [Rule Number Reserved]

Statutory/Other Authority: ORS 496.012, ORS 496.138, ORS 496.146, ORS 496.162

Statutes/Other Implemented: ORS 496.012, ORS 496.138, ORS 496.146, ORS 496.162

AMEND: 635-072-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-072-0000

Purpose and General Information ¶¶

(1) The purpose of these rules is to establish season dates, bag limits, areas, and other restrictions for hunting western gray squirrels pursuant to ORS Chapter 496.¶¶

(2) OAR chapter 635, division 072 incorporates, by reference, the requirements for hunting western gray squirrel set out in the document entitled "2018~~9~~² Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2018~~9~~² Oregon Big Game Regulations" in addition to OAR chapter 635, to determine all applicable requirements for hunting western gray squirrel. The annual Oregon Big Game Regulations are available at hunting license agents and regional, district and headquarters offices of the Oregon Department of Fish and Wildlife.¶¶

(3) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at www.odfw.com.¶¶

[Publications: Publications referenced are available from the agency.]

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-073-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-073-0000

Purpose and General Information

- (1) The purpose of these rules is to establish season dates, bag limits, areas and other restrictions for bow and muzzleloader hunting, Premium Hunts, and controlled deer and elk youth hunts; pursuant to ORS Chapter 496. ¶
- (2) Controlled hunt tag numbers for 2018~~9~~ for Premium Hunts, deer and elk bow and muzzleloader hunting and deer and elk youth hunts are listed in the "2018~~9~~ Oregon Big Game Regulations" and are adopted and incorporated into OAR chapter 635, division 073 by reference. ¶
- (3) OAR chapter 073 incorporates, by reference, the requirements for bow and muzzleloader hunting, Premium Hunts, and controlled deer and elk youth hunts set out in the document entitled "2018~~9~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2018~~9~~ Oregon Big Game Regulations," in addition to OAR chapter 635, to determine all applicable requirements for bow and muzzleloader hunting, Premium Hunts, and controlled deer and elk youth hunts. The annual Oregon Big Game Regulations are available at hunting license agents and regional, district and headquarters offices and website of the Oregon Department of Fish and Wildlife. ¶
- (4) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at www.odfw.com.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-073-0090

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-073-0090

Controlled Antlerless Deer and Elk Youth Hunting Regulations ¶

(1) General Regulations: Tags shall be issued by a controlled hunt drawing following the procedures established in OAR chapter 635, division 060. Hunters must be 12 to 17 years of age at the time they hunt. ~~Youths~~Any youth 13 years of age and under must be accompanied by an adult at least 21 years of age, while hunting on property other than land owned by their parent or legal guardian. The adult must accompany not more than two juveniles. Juveniles must have a hunter education certificate or a Department document which includes their Hunter Education Certificate Number, a valid hunting license, and a controlled hunt permit valid for that area and time period in possession while hunting. A hunter successful in drawing one of the controlled 600 series deer youth hunt tags may hunt in any general deer season or controlled buck deer hunt, and as provided in OAR chapter 635, division 090; if possessing the proper tag for the area and time period being hunted. A youth hunter obtaining a "left over" tag through the first-come, first-served process also may hunt during the season for which that tag was issued.¶

(2) A hunter successful in drawing a controlled antlerless elk youth hunt tag shall not hunt in any other elk season, except as provided in OAR chapter 635, division 090.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-074-0020

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-074-0020

Seasons and Bag Limits ¶¶

(1) Any wildlife harvested by the mentored youth hunter shall be counted towards the supervising hunter's bag limit.¶¶

~~(2) A youth is not eligible to participate in the mentored youth hunting program if the youth possesses their own tag(s) valid for the same hunt (same dates, area, and species being hunted).¶¶~~

~~(3)~~ The mentored youth hunting program is not applicable to designated youth only seasons and hunts.

Statutory/Other Authority: ORS: 497.360

Statutes/Other Implemented: ORS 497.360

AMEND: 635-075-0005

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-075-0005

Registration, Application and Tag Issuance Procedures and Limits for All Controlled Hunts ¶¶

(1) A landowner shall submit a landowner preference registration form to be eligible for a landowner preference tag. A one-time fee of \$33.50 is required at the time of registration for new program participants. A landowner can have only one registration form on file with the Department. However, an individual who owns (through business entities, in the individual's own name or a combination thereof) more than one property eligible for the landowner preference program may register each such property. The registration form is an affidavit certifying ownership, number of acres owned, the county and Wildlife Management Unit where the property is located. This registration form registers the individual and remains valid until the individual registered no longer qualifies as a landowner as defined under OAR 635-045-0002, writes to the Department requesting the registration form be deleted, or the Department notifies the landowner that a renewal is required.¶¶

(2) In addition to having a landowner preference registration form on file with the Department, a landowner or an authorized designee identified by the landowner in writing to the Department shall submit a tag distribution form annually. The tag distribution form shall list the names of the landowner, stockholder(s), partner(s), and their immediate family members to receive tags for pronghorn antelope, and the names of the landowner, stockholder(s), partner(s), their immediate family members, and those persons of the landowners' choosing to receive landowner preference tags for deer and elk.¶¶

(3) Landowners shall submit registration forms and landowners or their designee shall submit tag distribution forms prior to September 15 for all controlled 100 series buck deer and bull elk hunts, and through the day prior to the season openings for 600 series antlerless deer, antlerless elk, and either-sex or doe/fawn pronghorn antelope hunts. A Landowner Preference Tag Redistribution fee of \$16.50 will be charged per species for amendments made to the original tag distribution forms.¶¶

(4) Registration forms and tag distribution forms are available at no charge online and in any office of the Department.¶¶

(5) Registration forms, tag distribution forms, and applications shall be received at the Salem headquarters office of the Department prior to issuance of any landowner preference tag, except as provided for in OAR 635-075-0007. Landowners are not required to submit proof of ownership with their registration form. Landowners shall be required to submit proof of ownership at the request of the Department or the Oregon State Police acting on behalf of the Department.¶¶

(6) A landowner, stockholder(s), partner(s), and immediate family and those persons of the landowners' choosing wishing to also apply for controlled hunt tags shall apply by the May 15 controlled hunt deadline. Listing a hunt choice other than a landowner preference choice is not required.¶¶

(7) Everyone shall follow controlled hunt application procedures and regulations as described in OAR Division 060.¶¶

(8) The number of landowner preference tags issued is based upon a landowner's acreage. Landowner Preference tags shall be allocated by the following minimum acreage requirements: [Table not included. See ED. NOTE.]¶¶

(9) Landowner preference tags for the hunting of deer or elk may be issued to any person of the landowner's choosing, and shall be used for the taking of antlerless animals except as described in OAR 635-075-0005(10). Season dates of the transferred landowner preference tags shall be the same dates as the original tag.¶¶

(10) Landowner preference tags for the hunting of antlered deer or elk may be issued to a person of the landowner's choosing who is not a member of the landowner's, partner's, or stockholder's immediate family as follows:¶¶

(a) A landowner who is issued only one tag may not transfer that tag.¶

(b) A landowner who is issued two or more tags may transfer not more than 50 percent of the tags to a person who is not an immediate family member as defined in ORS 496.146 (4). If calculation of the number of tags eligible for transfer under the provisions of this paragraph results in a fraction, the Commission shall round up the number of tags to the next whole number.¶

(11) A landowner who is qualified to receive landowner hunting preference tags may request two additional tags for providing public access and/or two additional tags for wildlife habitat programs. This request shall be made to the Access and Habitat Board with supporting evidence that the access is significant and the habitat programs benefit wildlife. The board may recommend that the commission grant the request. These tags may not be applied to the options as defined in OAR 635-075-0005(8).¶

(12) No one shall receive both a controlled hunt tag and a landowner preference tag for the same type of hunt. Landowner hunting preference tags shall not be issued to any person successful in the controlled hunt drawing for the same type of hunt.¶

(13) Landowner preference tags, except as described in OAR 635-075-0007, 635-075-0010, and 635-075-0015 shall only be issued from the headquarters office of the Department following the controlled hunt drawings.¶
[ED. NOTE: Tables referenced are available from the agency.]

Statutory/Other Authority: SB 247 (2015), ORS 496.012, 496.138, 496.146, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-075-0011

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-075-0011

Oregon Landowner Damage Program ¶¶

(1) This rule implements HB 2027A, through which the 2013 Legislative Assembly directed the Department to implement an Oregon Landowner Damage Program to operate from January 1, 2014 until January 2, 2020. As directed by statute, the program addresses damage caused by elk on privately owned lands in Oregon by granting damage tags to qualifying landowners.¶¶

(2) A "qualifying landowner" is:¶¶

(a) An individual, partnership, corporation, unincorporated association or other nongovernmental entity which;¶¶

(b) Owns, leases or rents land in Oregon; and¶¶

(c) Whose land:¶¶

(A) Is (at the time of application) suffering damage from elk; or¶¶

(B) Has within the past five years suffered damage from elk and the Department has taken action to alleviate that damage; or¶¶

(C) Is in an area designated as an "elk de-emphasis zone" by the Department.¶¶

(3) "Damage" has the same definition as that in the "damage statute" (ORS 498.012): harm to land, livestock or agricultural or forest crops.¶¶

(4) This damage program operates in the same manner as the landowner preference tag program in OAR 635-075-0000 through 0030, except that:¶¶

(a) Damage program tags are limited to antlerless elk;¶¶

(b) Damage tags may be used to take elk only on property owned, leased or rented by the landowner or by a business entity that includes the landowner as a principal partner or shareholder;¶¶

(c) Qualifying landowners may exchange unused general season elk tags or controlled hunt tags for damage program tags;¶¶

(d) No more than five damage program tags may be valid at any one time on a particular property;¶¶

(e) Qualifying landowners may receive damage tags regardless of the size of their property. There is no minimum acreage requirement;¶¶

(f) Qualifying landowners may register for damage program tags at any time.¶¶

(g) The validity period (the time during which damage program tags may be used on a particular property) shall be negotiated between the Department's district biologist and the qualifying landowner;¶¶

(h) Each qualifying landowner receiving damage program tags must (within 10 days of a designated hunt period) report to the local Department district biologist the number of elk taken by the landowner with damage program tags;¶¶

(i) Damage program tags may be obtained from, and exchanged through, Department district biologists (rather than ~~point of sale vendor~~ Electronic Licensing System agents).¶¶

(j) Only persons who have not been successful in harvesting an elk in a general or controlled hunt season are eligible to receive one damage program elk tag in a fiscal year of July through June;¶¶

(k) The landowner and those receiving a transferred elk tag must surrender any original unfilled elk tag; or sign an affidavit stating the tag has been lost, stolen, or destroyed;¶¶

(l) Department personnel shall verify that the person(s) receiving tag(s) has a valid hunting license and has not been successful in harvesting an elk during current general or controlled seasons.

Statutory/Other Authority: ORS 496.012, 496.138, 497.112

Statutes/Other Implemented: ORS 496.012, 496.138, 497.112

AMEND: 635-075-0020

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-075-0020

Landowner Hunting Preference Tags in Special Seasons ¶¶

(1)(a) Landowner hunting preference tags are not available for Premium Hunts (series L, M, and N) or the long duration youth elk hunts (August 1-December 31) or the Melrose 223T (August 1-March 31, 2015) youth elk hunt.¶¶

(b) During controlled elk hunts with a bag limit of spike or better in units where the usual bag limit for bull elk is spike only, landowner hunting preference tags ~~shall~~may be limited to five tags or 10 percent of the total controlled hunt tags whichever is greater; the bag limit for these elk tags shall be spike or better.¶¶

(2) If landowner preference tags remain from the controlled hunts described in 635-075-0020(1)(b) after the game mammal controlled hunt drawing, the Department will issue remaining tags to qualified landowners as described in 635-075-0024.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.151, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.151, 496.162

AMEND: 635-075-0022

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-075-0022

Landowner Hunting Preference Tags for Mule Deer ¶¶

(1) This rule further implements HB 2027A whereby the 2013 Legislative Assembly directed the Department through the commission to specify a formula that bases the number of landowner preference tags available for mule deer on the management, research, and habitat needs set forth in the wildlife management plan for mule deer.¶¶

(2) For purposes of this rule, the population management objectives (MOs) for each wildlife management unit that were adopted by the commission in August 2016 are considered representative of the management, research, and habitat needs for mule deer.¶¶

(3) The formula to determine the number of landowner hunting preference tags available for buck deer in a unit is as follows:¶¶

(a) In those wildlife management units where the estimated mule deer population is less than 60% of the established population management objective, the number of landowner hunting preference tags available for buck deer in that unit may be limited to five tags or 10 percent of the total controlled buck tags authorized for the public for each hunt in that unit by the commission, whichever is greater.¶¶

(b) In those wildlife management units where the estimated mule deer population is equal to or more than 60% of the established population management objective, but less than 80% of the established population management objective, the number of landowner hunting preference tags available for buck deer in that unit may be limited to five tags or 15 percent of the total controlled buck tags authorized for the public for each hunt in that unit by the commission, whichever is greater.¶¶

(c) In the Biggs, Columbia Basin, and Mount Emily wildlife management units, and in the NE Owyhee 167A hunt area, and in those wildlife management units where the estimated mule deer population is equal to or more than 80% of the established population management objective, the number of landowner hunting preference tags available for buck deer in that unit may be issued based upon a landowner's acreage as set forth in 635-075-0005 (8).¶¶

(d) If conditions such as but not limited to disease or harsh winter weather occur, resulting in adoption of a Temporary OAR to reduce 100 Series mule deer tags by equal to or more than 25% from the number authorized by the Commission in areas listed or described in 635-075-0022 (3)(c), Limited Landowner Preference mule deer tags in those areas may be limited as described in 635-075-0022 (3)(b).¶¶

(4) If landowner preference tags remain from the controlled hunts described in 635-075-0022(3)(a) or (b) after the game mammal controlled hunt drawing, the Department will issue remaining tags to qualified landowners as described in 635-075-0024.¶¶

(5) Landowner Hunting Preference Tag numbers for mule deer in 2016 and 2017 are listed in Table 1 and are adopted and incorporated in OAR Chapter 635, Division 075 by reference.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.151, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.151, 496.162

RULE ATTACHMENTS DO NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.

635-075-0022

Landowner Hunting Preference Tags for Mule Deer

Table 1. Number of controlled mule deer buck LOP tags available in 2019.		
2019 Hunt #	2019 Hunt Name	2019 Tags
131	Keno Unit	Per Acreage Limitation
131R	Keno Unit Bow	Per Acreage Limitation
132	Klamath Falls Unit	139
132M	Klamath Falls Muzzleloader	5
133	Sprague Unit	66
134	Upper Deschutes Unit	236
135	Paulina Unit	143
135M	Paulina Unit Muzzleloader	5
135R	Paulina Unit Bow	5
136	Maury Unit	56
136R	Maury Unit Bow	18
137	Ochoco Unit	242
138	Grizzly Unit	Per Acreage Limitation
139	Metolius Unit	Per Acreage Limitation
139M1	Metolius No 1 Muzzleloader	Per Acreage Limitation
139M2	Metolius No 2 Muzzleloader	Per Acreage Limitation
139R1	Metolius No.1 Bow	Per Acreage Limitation
139R2	Metolius No.2 Bow	Per Acreage Limitation
140	Maupin Unit	Per Acreage Limitation
141A	Hood-White Rvr	No LOP Tags
141B	White Rvr Unit No 1	247
141C	White Rvr Unit No 2	5
141M	Hood-White River	5
141T	The Dalles Watershed	No LOP Tags
142A	Hood Unit No 1	9
142B	Hood Unit No 2	Check
143A	E Biggs	Check
143B	W Biggs	Per Acreage Limitation
144	Columbia Basin	Check
145	Fossil Unit	330
145M	Flatiron	No LOP Tags
146	Murderers Cr Unit	132
147	Northside Unit	110
148	Heppner Unit	511
148M	Ditch Cr Muzzleloader	No LOP Tags
149	Ukiah Unit	Per Acreage Limitation
150	Desolation Unit	99
151	Sumpter Unit	82

Table 1 continued. Number of controlled mule deer buck LOP tags available in 2019.

2019 Hunt #	2019 Hunt Name	2019 Tags
151M	Baker Muzzleloader	N/A White-tailed Deer
152A	Starkey	Per Acreage Limitation
152B	Starkey Experimental Forest	No LOP Tags
153	Catherine Cr Unit	27
153M	Union Co Muzzleloader	N/A White-tailed Deer
154A	E Mt Emily	Check
154B	W Mt Emily	Check
154C	Mt. Emily	5
154R	Mt Emily Unit Bow	66
155A	Walla Walla Unit	Per Acreage Limitation
155R	Walla Walla Unit Bow	Per Acreage Limitation
156	Wenaha Unit	74
156M	N Wenaha-E Sled Springs	N/A White-tailed Deer
156R1	Wenaha Bow	41
156R2	North Wenaha Unit Late Bow	N/A White-tailed Deer
157	Sled Springs Unit	192
157A	Lower Wallowa Valley	N/A White-tailed Deer
158	Chesnimnus Unit	82
159	Snake Rvr Unit	33
160	Minam Unit	66
161	Imnaha Unit	82
162	Pine Cr Unit	19
163	Keating Unit	27
164	Lookout Mt Unit	16
165	Beulah Unit	178
165A	SE Beulah	44
165R	W Beulah Bow	5
166	Malheur Rvr Unit	181
166M	N Malheur Muzzleloader	8
167	Owyhee Unit	36
167A	NE Owyhee	Per Acreage Limitation
168A	Trout Cr Mountains	5
168B	E Whitehorse	27
168M	Ne Whitehorse Muzzleloader	5
168R1	Trout Cr Mtn. Traditional Bow	Per Acreage Limitation
168R2	Se Whitehorse Bow	5
169A	Steens Mt	26
170A	Beatys Butte	24
170M	Hart Mt Muzzleloader	No LOP Tags
170R1	Hart Mt No 1 Bow	No LOP Tags
170R2	Hart Mtn No 2 Bow	No LOP Tags
170R3	Hart Mt No. 3 Bow	No LOP Tags
171A	N Juniper	11
171B	S Juniper	11
171M	Juniper Muzzleloader	5

Table 1 continued. Number of controlled mule deer buck LOP tags available in 2019		
2019 Hunt #	2019 Hunt Name	2019 Tags
172	Silvies Unit	113
172M	Silvies Unit Muzzleloader	7
173	Wagontire Unit	Per Acreage Limitation
174A	N Warner	7
174B	S Warner	37
174R1	N Warner Bow	7
174R2	S Warner Bow	12
174T	Warner Unit Youth	5
175	Interstate Unit	174
175M	Interstate Unit	5
175T	Interstate Youth	5
176	Silver Lake Unit	198
176M	Silver Lk E Ft Rock	5
177	Fort Rock Unit	275

AMEND: 635-075-0024

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-075-0024

Issuing Leftover Limited Landowner Hunting Preference Tags ¶¶

(1) If landowner preference tags remain from the controlled hunts described in 635-075-0020(1)(b) and 635-075-0022(3)(a) after the game mammal controlled hunt drawing, the Department will issue remaining tags to qualified landowners in the following manner:¶¶

(a) The tags shall be issued on a first-come, first-served basis.¶¶

(b) The Department will set the time, date, and any constraints (i.e., ~~via fax~~ online or through Electronic Licensing System agents only) for the sale of the tags.¶¶

(c) Only landowners who still have tags available for allocation on their property as set forth in 635-075-0005 (8) may apply for and receive tags remaining in the quota. Such a tag may be for the landowner or for someone other than the landowner listed on their tag distribution form.¶¶

(d) Limited landowner tags from the quota are not an additional hunting opportunity for the landowner or hunter.¶¶

(A) If the hunter has a general elk season or 200 Series controlled hunt tag, they are not eligible to receive a tag for a hunt described in 635-075-0020(1)(b) with limited landowner elk tags.¶¶

(B) If the hunter has a general deer season or 100 Series controlled hunt tag, they are not eligible to receive a tag for a hunt described in 635-075-0022(3)(a) with limited landowner deer tags.¶¶

(2) For the purposes of OAR 635-075-0020(2) and 635-075-0022(3), "qualified landowner" is a landowner who registered their land through the landowner preference program for the Wildlife Management Unit which includes the controlled hunt and who has a current tag distribution form filed with the Department.¶¶

(3) A hunter who received a tag of his or her choice through the original game mammal controlled hunt drawing process may exchange that tag for a remaining tag in the first-come, first-served process while tags remain available. Tag purchases and exchanges may be obtained only through ODFW Salem Headquarters and must be made before the start of the seasons for which the tags are issued. Tag exchange fees as provided in OAR 635-060-0046(1) apply. The tag being exchanged shall not be reissued.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.151, 496.162

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.151, 496.162

AMEND: 635-090-0140

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-090-0140

Deer and Elk Tag Auction and Raffle ¶¶

(1) Notwithstanding ORS 496.146(10), upon the recommendation of the Access and Habitat Board, the commission may issue each year up to ten elk and ten deer tags to hunt deer or elk. Recommendations from the board shall include:¶¶

(a) The land on which each tag shall be used;¶¶

(b) The percentage of funds (not to exceed 50 percent) received from the tags that may revert to the landowner if the tag is limited to private land; and¶¶

(c) A written agreement with the commission which provides public access and habitat improvements.¶¶

(2) The board may contract with a sportsman's group or other organization to conduct a raffle or an auction to issue the access and habitat deer and elk tags.¶¶

(3) The access and habitat raffle and/or auction deer and elk tags are in addition to all other tags and permits approved by the commission.¶¶

(a) In addition to the number of deer and elk tags legally available to an individual, an individual is allowed one additional elk and one additional deer tag annually, provided these tags are Access and Habitat auction or raffle tags.¶¶

(b) The board shall recommend season dates and open area specific to the tag.¶¶

(c) Bag limit: one deer or one elk.¶¶

(4) Access and habitat deer/elk tag raffle requirements:¶¶

(a) There is no limit on the number of ~~tickets~~ chances a person may purchase. Raffle ~~ticket~~ chances shall be available for purchase in the following denominations with the addition of a \$2.00 license agent fee:¶¶

(A) Deer Tags¶¶

(i) One ~~ticket~~ chance at a cost of \$2.50.¶¶

(ii) Six ~~ticket~~ chances at a cost of \$9.50.¶¶

(iii) Fifteen ~~ticket~~ chances at a cost of \$19.50.¶¶

(iv) Forty ~~ticket~~ chances at a cost of \$49.50.¶¶

(v) One hundred ~~ticket~~ chances at a cost of \$99.50.¶¶

(B) Elk tags¶¶

(i) One ~~ticket~~ chance at a cost of \$4.50.¶¶

(ii) Six ~~ticket~~ chances at a cost of \$19.50.¶¶

(iii) Fifteen ~~ticket~~ chances at a cost of \$39.50.¶¶

(iv) Forty ~~ticket~~ chances at a cost of \$99.50.¶¶

(C) Combination Elk and Deer Tags¶¶

(i) One ~~ticket~~ chance at a cost of \$9.50.¶¶

(ii) Six ~~ticket~~ chances at a cost of \$29.50.¶¶

(iii) Fifteen ~~ticket~~ chances at a cost of \$59.50.¶¶

(iv) Forty ~~ticket~~ chances at a cost of \$149.50.¶¶

(b) Raffle ~~tickets in denominations of 1, 6, and 15~~ chances will be available to the public online and through authorized POS license vendors or through the Department's Salem headquarters office during the dates specified in the current Big Game Regulations. ~~Tickets in denominations of forty and one hundred will be available only through the Department's Salem headquarters office. Tickets also~~ Electronic Licensing System agents during the dates specified in the current Big Game Regulations. Chances may be sold by Department representatives at

various public events or meetings of sportsmen and landowners.¶

(c) Residents and nonresidents shall be eligible to purchase ~~ticket~~chances.¶

(d) There shall be no refunds for any raffle ~~ticket purchases~~.¶

~~(e) Tickets purchased through license agents and submitted for the drawing by mail must be received at the Department's Salem headquarters office by the date specified in the current Big Game Regulations. Hand delivered tickets submitted for the drawing must be received by 5pm at the Salem headquarters office no later than two days before the drawing event. Completed tickets delivered to the drawing event must be turned in by the time specified in the current Big Game Regulations. Additional tickets may be purchased at the raffle site prior to the drawing.¶~~

~~(f) All tickets submitted for the drawing must be complete with a name, address, phone number, and hunt number (if applicable).¶~~

~~(g) chance purchases.¶~~

~~(e) One winner and a minimum of two alternate winners shall be drawn at a public drawing; time and location to be determined by the board and Department.¶~~

~~(hf) If a person is drawn as the winner of more than one hunt for the same species, the Department will issue the first Access and Habitat raffle deer/elk tag drawn by the person who meets all criteria specified herein.¶~~

~~(ig) The order in which the winner and alternate winners for the deer/elk raffle hunts shall be drawn at the public drawing is as follows:¶~~

~~(A) Statewide Combination Elk and Deer - #AH002.¶~~

~~(B) Statewide Deer Hunt - #AH001.¶~~

~~(C) Southeast Oregon Deer Hunt - #AH004.¶~~

~~(D) Central Oregon Deer Hunt - #AH005.¶~~

~~(E) Northeast Oregon Deer Hunt - #AH003.¶~~

~~(F) Statewide Elk Hunt - #AH009.¶~~

~~(G) Northeast Oregon Elk Hunt - #AH006.¶~~

~~(H) Central/Southeast Elk Hunt - #AH007.¶~~

~~(I) Western Oregon Elk Hunt - #AH008.¶~~

~~(jh) The Department will notify the winner and two alternates by mail. The winner must claim the tag during regular business hours within 30 days of the drawing or he/she shall be disqualified and the Department will offer the tag to the first alternate. The first alternate must claim the tag within 10 business days of notification or he/she shall be disqualified and the Department will notify the second alternate. The second alternate will be contacted in the same manner and with the same deadlines as the first alternate if the winner or first alternate have not claimed the tag as required. The tag will not be issued if not claimed during regular business hours within 90 days following the drawing.¶~~

~~(ki) The access and habitat raffle deer/elk tag winners must have a valid hunting license.¶~~

~~(lj) The Department will issue an access and habitat raffle deer/elk tag to the person whose name appears on purchased the winning ~~ticket~~chance and who meets all criteria specified herein. The tag is not transferable.¶~~

~~(5) Access and habitat deer/elk tag auction requirements:¶~~

~~(a) Residents and nonresidents shall be eligible to bid.¶~~

~~(b) The minimum acceptable bid for an access and habitat auction tag shall be \$2,000.00 for deer and \$5,000.00 for elk. The bid price includes the tag fee.¶~~

~~(c) Individuals, agents, corporations, or others that submit the highest bid shall provide the name, address, phone number, and affiliation of the individual to whom the access and habitat auction deer/elk tag shall be issued to a Department representative or a representative of the organization authorized to conduct the auction immediately upon the conclusion of the auction of such tag.¶~~

~~(d) Submittal of the winning bid shall be made to the Department by cashier's check or certified check within 20 working days of the date of the auction (whether conducted by the Department or by a sportsman's group or organization authorized to do so).¶~~

~~(e) If the full amount of the bid is not paid as required by OAR 635-090-140(5)(d), the Department may, at its~~

discretion, reject the bid and offer the access and habitat auction deer/elk tag to the next highest bidder. Such next highest bidder must make payment to the Department by cashier's check or certified check within five working days of notification.¶¶

(f) The access and habitat auction deer/elk tag winner must have a valid hunting license.¶¶

(g) The Department will issue an access and habitat auction deer/elk tag to the winner who meets all criteria specified herein. The tag is not transferable.¶¶

(h) The Department reserves the right to accept or reject any or all access and habitat auction deer/elk tag bids.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.232, 496.242

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.232, 496.242