

## Agenda Item Summary

### BACKGROUND

Oregon law requires the Oregon Fish and Wildlife Commission (Commission) to annually adopt sport fishing regulations. Oregon Department of Fish and Wildlife (ODFW) staff developed the following proposed changes to regulations in consultation with the Oregon Department of Justice (DOJ), Oregon State Police (OSP), and key constituent groups, as necessary. The majority of the 2020 proposed changes to regulations are housekeeping corrections, changes to simplify regulations, or to serve a critical conservation need.

Issue 1 of this summary addresses the adoption of modifications to the sport fishing regulations based upon 2019 regulations, while Issue 2 of this summary specifically addresses a proposal to incorporate a new rule into the existing sport fishing regulations.

### PUBLIC INVOLVEMENT

No formal public meetings were held.

### ISSUE 1

**RE-ADOPT FOR 2020 THE 2019 OREGON SPORT FISHING REGULATIONS WITH MODIFICATIONS TO APPLICABLE OREGON ADMINISTRATIVE RULES AND ADOPT PROPOSED STATEWIDE AND ZONE SPORT FISHING REGULATIONS.**

### ANALYSIS

Staff proposes that the Commission re-adopt the 2019 Oregon Sport Fishing Regulations in administrative rule for 2020. Staff will incorporate any pertinent information from the 2019 Oregon Sport Fishing Regulations into the 2020 Sport Fishing Regulations, and make date changes where applicable as described in Attachment 3.

The proposed rule changes for the 2020 Oregon Sport Fishing Regulations pamphlet are described in Attachment 4. Each proposal has been assigned a unique proposal number, describes the current and proposed regulation to be modified, the page number where current regulation can be located, type of regulation to be modified, the purpose of the change, and justification for the change.

For the 2020, Sport Fishing Regulations there are 24 proposed rule changes. The proposed changes are categorized as follows: housekeeping and simplification (16); new non-controversial angling opportunities (6); and critical conservation needs (2). District staff and OSP analyzed the current regulations and provided input to further simplify and clarify the regulations.

Summarized below are a subset of the proposed Oregon Sport Fishing regulation changes.

### **Statewide:**

There are two proposals that will modify the statewide regulations. The first will be to modify the current Oregon Disabilities Hunting and Fishing Permit to increase the distance between a permit holder and their assistant. The proposal will increase the distance to 100 yards or within the line of sight of the assistant. This will provide more opportunity and allow for more flexibility during the low tide series when clam digging. This was submitted by a member of the public and vetted with the coastal biologists and Oregon State Police.

Staff is also proposing to add redband to the trout definition to clarify that rainbow and redband trout are the same species.

### **Northwest Zone:**

There are 3 proposals for the Northwest zone. All of these proposals will clarify and simplify the seasons for steelhead and chinook salmon fisheries in the Nehalem River and Bay, and in the Klaskanine River.

### **Southwest:**

There is one proposal in the Southwest Zone in the Elk River. This proposal will modify the fishing season for Chinook salmon to be consistent with the Coastal Multi Species Plan and with neighboring basins.

### **Willamette Zone:**

There are seven proposals for the Willamette Zone. Of these, 5 are categorized as new non-controversial angling opportunities and two are housekeeping corrections. Staff is proposing to allow the use of the two-rod validation in the Willamette River, above and below Willamette Falls, and in the Sandy River. This will provide additional harvest opportunity in these areas. This regulation has been adopted for the last few seasons, as a temporary rule in the Willamette River, and adoption of this proposal will make that temporary rule become a permanent rule.

### **Central Zone:**

There are five proposals for the Central Zone. Of these, two are categorized as critical conservation need and three are simplification or housekeeping corrections. An illegal introduction of smallmouth bass has occurred in Suttle Lake, and staff is proposing to remove the size and bag limits on bass to limit the impact to native fish in the lake. Staff is also proposing to remove the limits on brook and brown trout in the upper Deschutes river to provide a conservation benefit to native redband trout as well as to make regulations consistent in the upper Deschutes River with most areas in the Central Zone.

### **Northeast Zone:**

There are two proposals for the Northeast zone. In the Grand Ronde River staff is proposing to remove the size and bag limits on bass to be consistent with the current Washington and Idaho regulations. In the Umatilla River, staff is proposing to remove the mini jack regulation to

simplify the regulations. This was the only water body in the state that has a mini jack designation and this change helps to simplify the regulations.

**Southeast Zone:**

There were no proposals submitted in the Southeast Zone.

**Snake River Zone:**

There were two proposals submitted in the Snake River Zone. One proposal is to clarify that there are no limits on the size or number of bass from the Oregon State Line to Hells Canyon Dam; this provides consistency with current Idaho regulations. The other proposal will allow the use of the two-rod validation in the areas of the Snake River above Brownlee Dam to the Idaho state line. This provides consistency with Idaho and simplifies enforcement.

**Columbia River Zone:**

There are two proposals submitted for the Columbia River Zone. Both of these proposals will provide consistency with Washington and will simplify enforcement. One will remove the requirement that anglers must use barbless hooks when fishing for trout, salmon, or steelhead in the Columbia Zone. Staff is also proposing to remove the regulation that salmon and steelhead angling will be allowed 24 hours a day during retention seasons from Bonneville dam to the Oregon/Washington border.

**Marine Zone:**

There were no proposals submitted in the Marine Zone.

In summary, staff proposes that the Commission allow staff to make necessary universal date changes for the 2020 Sport Fishing Regulations such as dates associated with the standard Free Fishing Weekend (first full weekend in June) and other applicable date changes.

Additionally, as staff continues to further synthesize the regulations into the new pamphlet layout with the publisher, staff may recommend changes to address clarity and consistency. Staff proposes that the Commission authorize staff to make such formatting changes, to correct spelling or grammar errors, address inadvertent inconsistencies to improve the overall readability, and to update information regarding the Electronic Licensing System, as needed.

**OPTIONS**

1. Accept the proposed regulation changes.
2. Modify the proposed regulation changes.
3. Reject the proposed regulation changes.

**STAFF  
RECOMMENDATION**

Accept the proposed regulation changes as recommended by staff.

DRAFT MOTION	I move to amend OAR Chapter 635 Divisions 011, 013, 014, 016, 017, 018, 019, 021, 023 and 039 as proposed by staff in Attachment 3, and I move to adopt modifications to regulations proposed by staff in Attachment 4, and I authorize staff to update necessary calendar dates and make formatting changes, to correct spelling or grammar errors, address inadvertent inconsistencies, and improve readability, and update information regarding the Electronic Licensing System as needed.
EFFECTIVE DATE	January 1, 2020

<b>ISSUE 2</b>	<b>MODIFICATION OF LICENSING REQUIREMENTS WHEN FISHING IN TEMPORARY STRUCTURES DURING PUBLIC FISHING EVENTS.</b>
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**ANALYSIS**

Events such as sportsmen’s shows, county fairs, and the Legislative sportsman caucus often have temporary fishing structures stocked with hatchery trout that allow the public to have a fishing experience – to catch and take fish home. This amended rule removes the requirement of having a valid angling license when fishing in a temporary structure during a public fishing event. This modification was adopted as a temporary rule on April 15, 2019.

- OPTIONS**
- 1. Accept the proposed regulation changes.
  - 2. Modify the proposed regulation changes.
  - 3. Reject the proposed regulation changes.

**STAFF RECOMMENDATION**

Accept the proposed regulation changes as recommended by staff.

DRAFT MOTION	I move to amend OAR 635-011-0104 as proposed by staff in Attachment 3.
EFFECTIVE DATE	Effective upon adoption.