

OFFICE OF THE SECRETARY OF STATE
BEV CLARNO
SECRETARY OF STATE

JEFF MORGAN
INTERIM DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
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
07/22/2020 3:36 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: 2021 Big Game Controlled Hunt Tag Numbers, Season Dates and Regulations

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 09/11/2020 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
503-947-6314
roxann.b.borisch@state.or.us

4034 Fairview Industrial Drive SE
Salem, OR 97302

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: 09/11/2020

TIME: 8:00 AM - 5:00 PM

OFFICER: Roxann Borisch

ADDRESS: Oregon Dept of Fish and
Wildlife

4034 Fairview Industrial Dr SE
Salem, OR 97302

SPECIAL INSTRUCTIONS:

Because of the rapidly changing
situation with COVID-19, all or
portions of this hearing may be
conducted electronically. Information
will be posted on our website at
[https://www.dfw.state.or.us/agency/c
ommission/minutes/](https://www.dfw.state.or.us/agency/commission/minutes/)

NEED FOR THE RULE(S):

This action is necessary to set 2021 hunting season regulations and controlled hunt tag numbers for game mammals.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

A copy of the rules and the other documents relied upon for this rulemaking are available from the Oregon Department of Fish and Wildlife, Wildlife Division, 4034 Fairview Industrial Drive SE, Salem, Oregon 97302-1142, between the hours of 8:00 a.m. and 4:00 p.m., on normal working days, Monday through Friday.

FISCAL AND ECONOMIC IMPACT:

These regulations are not expected to result in significant economic or fiscal impacts to local governments or the general public. Changes that will shift eastern Oregon archery elk hunts from general to controlled hunt tags may potentially result in changes to agency revenues.

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) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s).

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. The maximum potential reduction in ODFW license revenues can be estimated at \$304,200 per year. This number comes from an estimated impact of 450 fewer nonresident hunting licenses and nonresident elk tags sold for eastern Oregon archery elk hunts. While this reflects an increase in opportunity for resident hunters, it does present an opportunity for lost ODFW revenue, as nonresident hunting licenses and elk tags are \$676.00 more than that for a resident. While these are the maximum potential impacts to agency revenue, we expect the actual revenue impacts to ODFW from these rules to be less significant as nonresidents will likely still participate in alternative hunts.

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.

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 2021 compared to 2020, assuming adverse weather and environmental conditions are not experienced between now and the 2021 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 net change is approximately a 20% increase in controlled hunt tags across all hunts and species.

Most of the change is caused by the proposal to change deer and elk archery seasons in eastern Oregon from general

seasons with unlimited tag numbers to controlled hunts. This change would limit tag numbers including limiting nonresident tags to no more than 5% for each controlled hunt. The increase in controlled hunt tags will be compensated for to an unknown degree by reduced participation in general seasons with unlimited over-the-counter tags. While an exact impact to agency revenue would not be accurate, nonresident participation in eastern Oregon archery elk hunts is estimated to be reduced by approximately 450 hunters. It is unknown what these hunters will do as an alternative. Controlled hunt application sales are unlikely to be affected to a large degree, many archery hunters already apply for controlled hunt tags.

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. A summary of studies that review hunting expenditures is presented below to provide a background on the economic impact of hunting in Oregon.

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 2019 dollars, the average expenditure per hunter day would amount to about \$100 per hunter day, of which an average of \$52.36 would be spent in Eastern Oregon (base year 1991).

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 2019 dollars would be about \$74 per hunter day at the state level, and about \$25 per hunter day in Eastern Oregon.

A 2008 survey conducted for ODFW and Travel Oregon by Dean Runyan Associates found that hunting-related direct expenditures were \$517.94 million for all of Oregon. This is equivalent to \$628.39 million in 2019 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. A forthcoming study by Earth Economics will provide updated figures on hunting-related expenditures for 2018. The survey findings estimate Oregon's total hunter related expenditures to be \$225.9 million in 2019 dollars with a per-person, per-day breakdown of \$111.23.

Total hunter expenditures are not currently estimated annually at a statewide level for Oregon. However, there are some figures available that provide context on hunter expenditures. According to data from the 2011 National Survey of Fishing, Hunting and Wildlife-Associated Recreation, total hunter expenditures in Oregon were about \$238.7 million in 2011. In 2019 dollars, this would mean \$277.6 million in expenditures.

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, there are relatively minor changes expected to the number of hunters and net hunting days due to changes in game mammal regulations and controlled hunt tag numbers for 2021 compared to 2020. However, depending on the weather next winter and other environmental factors affecting survival, there may be changes in the amount of controlled hunt tags available in 2021, 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.

References

Earth Economics. Oregon Outdoor Recreation Impact Study, 2020, forthcoming.

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 and U.S. Census Bureau. 2011 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation, 2011.

(2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s);

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) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); None expected.

(c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s). None expected.

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

The Department has been conducting a Big Game Regulation Review Project in efforts to update the regulations to clarify regulatory language and provide fair and consistent opportunity while ensuring biological objectives at met. Feedback from stakeholders was collected to help inform these changes from an online public forum conducted earlier this year and the recent survey of over 4,000 randomly selected resident deer and elk hunters. Final reports of the Forum comments and Deer and Elk Hunter Survey are online at <https://myodfw.com/articles/big-game-review>

From June through August 2020, hunter input on proposed concepts for 2021 controlled hunt tag numbers, hunting regulations and seasons was collected through an online form and ODFW District wildlife staff.

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. In addition, affected persons have been guided to provide feedback to the Department through an online form. The Department District Biologists also conducted outreach efforts at local levels. At the Commission hearing, public correspondence and testimony is accepted into the record as part of the rulemaking process.

RULES PROPOSED:

635-008-0115, 635-008-0120, 635-008-0155, 635-045-0000, 635-045-0002, 635-060-0000, 635-060-0005, 635-060-0009, 635-060-0023, 635-060-0040, 635-065-0001, 635-065-0011, 635-065-0015, 635-065-0090, 635-065-

0401, 635-065-0723, 635-065-0740, 635-066-0000, 635-066-0020, 635-067-0000, 635-067-0028, 635-067-0036, 635-068-0000, 635-068-0022, 635-069-0000, 635-070-0000, 635-071-0000, 635-072-0000, 635-073-0000, 635-073-0001, 635-073-0090, 635-073-0100, 635-075-0010, 635-075-0020, 635-075-0022, 635-075-0024, 635-075-0025, 635-078-0011

AMEND: 635-008-0115

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-008-0115

Klamath Wildlife Area (Klamath County) ¶¶

The Klamath Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 (updated 2018) Klamath Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:¶¶

- (1) Discharging firearms is prohibited except as authorized during game bird seasons.¶¶
 - (2) Camping is prohibited.¶¶
 - (3) Personal property must be removed from the area at the end of each hunt day.¶¶
 - (4) No person shall possess or use any shot other than federally-approved nontoxic shot at any time.¶¶
 - (5) Miller Island Unit is closed to all deer hunting.¶¶
 - (6) A daily hunting permit is required for the Miller Island Unit, must be possessed at all times by users and must be completed and returned at the end of the day. Consult annual Game Bird regulations for check station locations, time and date restrictions, and hunting requirements.¶¶
 - (7) The wildlife area is closed to the public between 10 pm and 4 am.¶¶
 - (8) Trapping is prohibited.¶¶
 - (9) ODFW Wildlife Area Parking Permit required.¶¶
 - (10) The wildlife area is closed to all access from February 1 through April 30 ~~except~~ with the following exceptions:¶¶
 - (a) Public roads, parking areas, birding trail and dog training area;¶¶
 - (b) During the Veterans and Active Military Personnel Waterfowl hunt.
- 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,~~ ORS 496.012

AMEND: 635-008-0120

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-008-0120

Ladd Marsh Wildlife Area (Union County) ¶¶

The Ladd Marsh Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 (updated 2018) Ladd Marsh Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:¶¶

(1) All wildlife area lands, except those west of Foothill Road, are closed to public entry except Wed., Sat., Sun. and Federal holidays August 1 through January 31 with the following exceptions:¶¶

(a) The Nature Trail, adjacent to I-84, is open year-round;¶¶

(b) The Foothill Road Viewpoint is open year-round;¶¶

(c) The Peach Road Fishing Pond is open year-round;¶¶

(d) During the Veterans and Active Military Personnel Waterfowl hunt;¶¶

(e) The Tule Lake Public Access Area is open seven days a week March 1- July 31 and Wed., Sat., Sun. and Federal holidays August 1 through January 31.¶¶

(2) All wildlife area lands west of Foothill Road are closed to all entry Feb. 1 through March 31.¶¶

(3) A daily public access permit, is required, must be possessed at all times by users and must be completed and returned at the end of the day.¶¶

(4) The wildlife area is closed to the public between 10 pm and 4 am.¶¶

(5) Open to the discharge of firearms only while hunting during authorized game bird and big game hunting seasons. Discharge of all handgun and centerfire or rimfire rifles is prohibited east of Foothill Road. Discharge of air guns, BB guns, and paintball guns is prohibited at all times.¶¶

(6) Camping is prohibited.¶¶

(7) 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.¶¶

(8) Horses are prohibited east of Foothill Road.¶¶

(9) ATV and snowmobile use is prohibited on all area lands except for administrative use.¶¶

(10) Trapping is prohibited.¶¶

(11) 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: 635-008-0155

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-008-0155

Summer Lake Wildlife Area (Lake County) ¶¶

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

(1) ~~Posted Refuges are closed to all entry seven days prior to opening day through the end of the respective Zone 2 general waterfowl season during authorized game bird and game mammal hunting~~ during any waterfowl hunting season authorized at the Wildlife Area and during the seven days prior to opening day of the Zone 2 duck seasons, except to retrieve lawfully taken wildlife. Motor vehicle access along the Wildlife Viewing Loop, which goes through a posted refuge, is permitted ~~except during the youth waterfowl hunt and 7 any waterfowl season authorized at the wildlife area and during the seven days prior to and through the general waterfowl opening day of the Zone 2 duck season.~~ ¶¶

(2) Entering any portion of the Wildlife Area south of Thousand Springs Lane (Lake County Road 4-17), except the Foster Place unit and open roads and campgrounds, seven days prior to Zone 2 waterfowl season (see game bird regulations for specific dates) is prohibited. ¶¶

(3) Discharging firearms is prohibited except as authorized during game bird and game mammal hunting seasons, between September 1 and January 31: and during the Veterans and Active Military Personnel Waterfowl hunt. ¶¶

(4) Discharging firearms into and hunting in posted refuges, campgrounds and safety zones is prohibited. ¶¶

(5) Centerfire rifles and handguns are prohibited for game mammal hunting except on that portion of the wildlife area west of Hwy. 31. ¶¶

(6) No person shall hunt game mammals with a firearm east of Hwy. 31 during any game bird hunting seasons open on the wildlife area. ¶¶

(7) 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. ¶¶

(8) No person shall leave decoys set out overnight (8 pm to 4 am). ¶¶

(9) All hunters must obtain a daily hunt permit (available at Headquarters 1.3 miles south of the town of Summer Lake) which must be possessed at all times by users. Daily permits for 2 consecutive days are allowed. Check-out at the end of the day or following 2 consecutive days is required. ¶¶

(10) Trapping is prohibited. ¶¶

(11) Motorized vehicle travel is only allowed on open roads, campgrounds or parking areas. ¶¶

(12) Bullgate and Windbreak dikes and the Work Road are closed to motor vehicles from March 15 to August 15 ~~and one week prior to and through the end of Zone 2 general waterfowl and three,~~ during any waterfowl season authorized at the Wildlife Area, during the three days prior to any youth waterfowl hunting days and during the seven days prior to and during youth waterfowl hunting opening day of the Zone 2 duck seasons. ¶¶

(13) Operating boats with gas-powered motors is prohibited. ¶¶

(14) Camping or leaving vehicles unattended is prohibited except on areas designated for that use, and shall not exceed a total of 14 days during any 30-day period. ¶¶

(15) ODFW Wildlife Area Parking Permit required.

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: 635-045-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 "~~2019-2020~~2020 - 2021" Oregon Game Bird Regulations," and "~~2020~~2021 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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-045-0002

Definitions ¶¶

(1) "Active Military Personnel" means, for the purpose of participating in the Veterans and Active Military Personnel Waterfowl Hunting Day(s), members of the Armed Forces [Army, Navy, Air Force, Marine Corps, and Coast Guard] on active duty, including members of the National Guard and Reserves on active duty (other than for training).¶¶

(2) "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.¶¶

(23) "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.¶¶

(34) "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.¶¶

(45) "Antlerless deer" means doe or fawn deer.¶¶

(56) "Antlerless elk" means cow or calf elk.¶¶

(67) "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.¶¶

(78) "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.¶¶

(89) "Baited Area" means an area where baiting has taken place.¶¶

(910) "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.¶¶

(101) "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.¶¶

(112) "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.¶¶

(123) "Buck Deer" means a male deer with at least one visible antler.¶¶

(134) "Buck Pronghorn" means a male pronghorn antelope with visible horns and a dark cheek patch below the ear.¶¶

(145) "Bull elk" for the purposes of a bag limit definition, means a male elk with at least one visible antler.¶¶

(156) "Calendar year" means from January 1 through December 31.¶¶

(167) "Carcass" is the skinned or unskinned body, with or without entrails, of a game bird or game mammal.¶¶

(178) "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.¶¶

(189) "Closed season" is any time and place when it is not authorized to take a specific species, sex or size of wildlife.¶¶

(1920) "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.¶

(201) "Commercial cervid attractant" means a marketed product that contains or is derived from cervid urine and is designed for use in luring, attracting or enticing a cervid.¶

(212) "Commission" means the Oregon Fish and Wildlife Commission.¶

(223) "Controlled hunt" is a season where the number or distribution of hunters is limited through a public drawing or other means.¶

(234) "Department" means the Oregon Department of Fish and Wildlife.¶

(245) "Director" means the Oregon Fish and Wildlife Director.¶

(256) "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.¶

(267) "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." ¶

(278) "Eastern Oregon" means all counties east of the summit of the Cascade Range including all of Klamath and Hood River counties.¶

(289) "Eastern Oregon deer" means any live deer occurring east of the east boundaries of the Santiam, McKenzie, Dixon, Indigo and Rogue units.¶

(2930) "Eligible Hunter" means someone who will be 12 years of age by the time they hunt.¶

(301) "Entry permit" means a permit issued by the Department to be in an area where entry is restricted by regulation.¶

(312) "Feral Swine" means animals of the genus *Sus* as defined by the Oregon Department of Agriculture in OAR 603-010-0055.¶

(323) "Fiscal year" means from July 1 through June 30.¶

(334) "Furbearers" are beaver, bobcat, fisher, marten, mink, muskrat, otter, raccoon, red fox, and gray fox.¶

(345) "Game Birds" are any waterfowl, snipe, band-tailed pigeon, mourning dove, pheasant, quail, partridge, grouse, or wild turkey.¶

(356) "Game mammals" are pronghorn antelope, black bear, cougar, deer, elk, moose, Rocky Mountain goat, bighorn sheep, and western gray squirrel.¶

(367) "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.¶

(378) "Hunter certification" means to have met educational, safety or other requirements designated by administrative rule for participation in a hunt.¶

(389) "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)40) "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.¶

(401) "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.¶

(412) "Inedible" means unfit for human consumption.¶

(423) "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.¶

- (434) "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.¶
- (445) "Low Income" means a person who is "economically disadvantaged" as defined in Section 4(8) of the Federal Job Training Partnership Act of 1982.¶
- (456) "Mounted Wildlife" means any hide, head or whole body of wildlife prepared by a licensed taxidermist for display.¶
- (467) "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.¶
- (478) "On or within" means a straight line distance measured on a map.¶
- (489) "One deer" means a buck, doe, or fawn deer.¶
- (4950) "One elk" means a bull, cow, or calf elk.¶
- (501) "Open Ignition" is an ignition system where the percussion cap, or frizzen, or flint is visible and exposed to the weather at all times and is not capable of being closed or covered by any permanent piece of the weapon.¶
- (512) "Outfitter and Guide Hunt" is an outdoor recreational activity in which the client is physically accompanied in the field by the registered Outfitter and Guide or the employee(s) of the registered Outfitter and Guide during the hunt.¶
- (523) "Partner" means a person in an association of two or more persons formed to carry on as co-owners for profit.¶
- (534) "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.¶
- (545) "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.¶
- (556) "Predatory animals" means coyotes, rabbits, rodents, and feral swine which are or may be destructive to agricultural crops, products and activities.¶
- (567) "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.¶
- (578) "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.¶
- (589) "Raw pelt" means any pelt that has not been processed or converted to any usable form beyond initial cleaning, stretching, and drying.¶
- (5960) "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:¶
 - (iA) Are permanently assigned to active duty in this state, and their spouse and dependent children.¶
 - (iiB) Reside in this state while assigned to duty at any base, station, shore establishment or other facility in this state.¶
 - (iiiC) 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.¶
 - (ivD) Aliens attending school in Oregon under a foreign student exchange program.¶
 - (vE) All other persons are nonresidents.¶
- (601) "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.¶

(612) "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.¶

(623) "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.¶

(634) "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.¶

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

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

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

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

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

(6970) "Take" means to kill or obtain possession or control of any wildlife.¶

(701) "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.¶

(712) "Traditional Bow" is a long bow or recurve bow only, no compound bows are allowed during "traditional" bow/archery hunts.¶

(723) "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. Broadheads with moveable blades that fold/collapse when withdrawn are considered unbarbed.¶

(734) "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.¶

(745) "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.¶

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

(767) "Veteran" means, for the purpose of participating in the Veterans and Active Military Personnel Waterfowl Hunting Day(s), a person who served in the active military, naval, or air service, [Army, Navy, Air Force, Marine Corps, and Coast Guard] and who was discharged or released therefrom under conditions other than dishonorable. (section 101 of title 38, United States Code). ¶

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

(779) "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.¶

(780) "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" of game mammals (except cougar) 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. "Eedible portions" of game birds means, at a minimum, the meat of the breast associated

with the sternum.¶

(~~798~~1) "Waterfowl" means ducks, geese, mergansers and coots.¶

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

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

(824) "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.¶

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

(846) "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.¶

(857) "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.¶

(868) "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.¶

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

(~~88~~90) "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, 496.151

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

AMEND: 635-060-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 "~~2019~~20-20201" Oregon Game Bird Regulations," and "20201 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. ¶¶

[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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 is required to participate in a controlled hunt 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, no limitation.¶¶

(b) 200 series hunts, no limitation.¶¶

(c) 400 series hunts, no limitation.¶¶

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

(e) 600 series hunts, no limitation.¶¶

(f) 700 series hunts, no limitation.¶¶

(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, along with the proper fees, must be submitted online, through the Department or its agents no later than midnight of the deadline dates 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: 635-060-0009

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 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 for which the tag is valid.¶¶
- (2) Pronghorn antelope, bighorn sheep, Rocky Mountain goat, deer and elk controlled hunts tag sales will begin no later than June 20, ~~2020~~each year and end at 11:59 pm, Pacific Time, the day before the season 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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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~~selecting the preference point saver option.¶¶
- (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, an ODFW ID number issued by 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 Combination License or a Resident Disabled Veterans Combination License holder who ~~is~~are 65-years of age or older, successful in drawing their first choice hunt except ~~numbers ending in 99~~selecting the preference point saver option 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 Combination License or Resident Disabled Veterans Combination License holders who are 65-years of age or older, shall have one preference point when they next apply for a tag in that hunt number series. Qualifying for both licenses will result in only one-preference point when reset.¶¶
- (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, SB 593 (2019)

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162, SB 593 (2019)

AMEND: 635-060-0040

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-060-0040

Active Member of the Uniformed Services Controlled Hunt Tags ¶

(1) Each Oregon Department of Fish and Wildlife (Department) Wildlife District office is authorized to issue, for hunts at least partially within their Wildlife District, up to 20 controlled hunt tags for deer, 20 controlled hunt tags for elk, and 20 controlled hunt or limited spring bear tags to Oregon residents who are active members of the Armed Forces currently stationed outside of Oregon, but in Oregon on Temporary Leave.¶

(2) Active members of the uniformed services Controlled Hunt Tags or Limited Tags will be issued first come first served until the authorized number has been issued.¶

(3) To purchase the tag the active members of the uniformed services must provide the following information to the Department District office responsible for issuing the tag:¶

(a) A copy of an active duty military ID.¶

(b) A copy of current leave papers to document they are currently stationed outside of Oregon.¶

(c) A valid Oregon resident hunting license.¶

(4) Controlled or limited hunts for which active members of the uniformed services controlled hunt tags can be issued include:¶

(a) Controlled or limited spring bear hunts, controlled deer or elk hunts with a bag limit of "antlerless", or "spike only", ~~or "antlerless or spike"~~, that have a minimum of 20 tags authorized by the Commission.¶

(b) Controlled deer or elk hunts with a bag limit that allows buck deer or bull elk with two or more points on one antler, not counting the brow tine, to be harvested, that have a minimum of 60 tags authorized by the Commission; except Active Member of the Uniformed Services Controlled Hunt Tags shall not be issued for Mt Emily one bull elk hunts 254Y1 and 254R1. ¶

(c) Additional tags for active members of the uniformed services for each controlled hunt will not exceed 10% of the tag number authorized by the Commission.¶

(5) Active members of the uniformed services Controlled Hunt Tags cannot be authorized for¶

~~(a) controlled hunts occurring on the Starkey Experimental Forest, Hart Mountain NAR, or Umatilla NWR.~~¶

(6) All hunt specific regulations adopted by the Commission for hunts where tags are issued (dates, bag limits, boundaries, etc.) will apply.¶

(7) Tag recipients must pay the standard resident price for the tag. Any additional fee for purchasing a tag after the tag sale deadline will be waived.¶

(8) The hunter must provide harvest and effort information to the issuing office within five business days after the closing date of the hunt printed on the 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: 635-065-0001

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 "2020~~1~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2020~~1~~ 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, 496.118

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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 ~~2019~~20-~~2020~~21 seasons are as follows:¶¶

(a) January 31, ~~2020~~21: For hunts ending between April 1 and December 31, ~~2019~~20.¶¶

(b) April 15, ~~2020~~21: For hunts ending between January 1 and March 31, ~~2020~~21.¶¶

(2) Any person with any deer or elk tag for hunts and seasons listed in the ~~2019~~20 Oregon Big Game Regulations pamphlet, issued through the 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, ~~2020~~21 with purchase of a ~~2021~~2 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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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;¶¶
 - (c) One valid controlled black bear tag in addition to general season bear tags issued under subsections (a) and (b) above; or¶¶
 - (d) One valid 700 series "leftover" controlled bear tag;¶¶
 - (e) One valid cougar tag;¶¶
 - (f) One valid additional ~~general~~ cougar 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 in OAR 635-075-0010, and in 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; or¶¶
 - (b) One valid western Oregon deer tag; or¶¶
 - (c) One valid 100 series controlled buck hunt tag; or¶¶
 - (d) One valid 100 series "left over" controlled deer tag; and¶¶
 - (e) In addition to one of (4)(a), or (4)(b), or (4)(c), or (4)(d) one valid 600 series controlled antlerless deer tag; and¶¶
 - ~~(e) One valid 100 series "left over" controlled deer tag; and~~ or¶¶
 - (f) One valid 600 series "left over" controlled deer tag; and¶¶
 - (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 West Cascade elk tag; or¶¶
 - (b) One valid Coast First Season elk tag; or¶¶
 - (c) One valid Coast Second Season elk tag; or¶¶
 - (d) One valid Rocky Mountain elk - first season tag; or¶¶
 - (e) One valid Rocky Mountain elk - second season tag; or¶¶
 - (f) One valid elk bow tag; or¶¶
 - (g) One valid controlled elk hunt tag; or¶¶
 - (h) One valid General Season Antlerless Elk Damage 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; or¶¶~~
 - (i) One valid 200 series "leftover" controlled elk tag.¶¶
- ~~(7)~~ (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, 2020~~1~~ 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, 2020~~1~~.¶

(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.¶

(87) 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.¶

(98) Except as provided in OAR 635-067-0041 a person may obtain and possess only one Rocky Mountain goat tag in a lifetime.¶

(109) It is unlawful for any person to issue or to possess any game mammal tag which has been backdated.¶

(110) 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 as provided in OAR 635-010-0019 for a 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 outlined in 635-065-0015(b)(A) and (B) provided the original tag is surrendered with the affidavit and the fee for a ~~duplicate tag~~ tag issued after the tag sale deadline 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, 496.162

AMEND: 635-065-0090

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0090

Disabled Hunter Seasons and Bag Limits ¶

(1) 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 ¶

(a) General or controlled buck deer - One deer¶

~~(b) In the following units: Biggs, Columbia Basin, Hood, Indigo, Maupin, McKenzie, Melrose, Santiam, Willamette.~~ ¶

~~(b)~~ (e) General or controlled bull elk - Legal bull or antlerless elk¶

~~(d)~~ (e) In the following units: Applegate, Beatys Butte, Beulah, Biggs, Catherine Creek, Chesnimnus, 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.¶

(c) Controlled pronghorn antelope¶

~~(f) B, buck only hunts--~~ One pronghorn¶

~~(g) 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, Pine Creek, Silver Lake, Silvies, Steens Mountain, Sumpter, Wagontire, Warner.~~ ¶

~~(d)~~ (d) For hunts with bag limits other than one buck or one bull, the bag limit remains as shown in the Oregon Big Game Regulations. ¶

(2) 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. ¶

(3) 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 or required information described in OAR 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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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, October ~~21~~, 2020~~1~~.¶
- (2) No deer bow tag shall be issued after 11:59 pm, Pacific Time, August ~~28~~, 2020~~1~~.¶
- (3) No General Season bear tag shall be issued after 11:59 pm, Pacific Time, October ~~21~~, 2020~~1~~.¶
- (4) 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 possession at the time they are hunting.¶
- (5) No General Season cougar tag shall be issued after 11:59 pm, Pacific Time, October ~~21~~, 2020~~1~~.¶
- (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 possession 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 ~~27~~, 2020~~1~~.¶
- (8) No Rocky Mountain Elk Rifle Second Season Tag shall be issued after 11:59 pm, Pacific Time, November ~~6~~, 2020~~1~~.¶
- (9) No Coast First Season Elk Tag shall be issued after 11:59 pm, Pacific Time, November ~~13~~, 2020~~1~~.¶
- (10) No Coast Second Season Elk Tag shall be issued after 11:59 pm, Pacific Time, November ~~20~~, 2020~~1~~.¶
- (11) No West Cascade Elk Rifle Tag shall be issued after 11:59 pm, Pacific Time, ~~October~~ November ~~14~~, 2020~~1~~.¶
- (12) No elk bow tag shall be issued after 11:59 pm, Pacific Time, August ~~28~~, 2020~~1~~.¶
- (13) No General Season Antlerless Elk Damage Tag shall be issued after legal shooting hours end on March 31, 202~~1~~~~2~~.

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

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

ADOPT: 635-065-0723

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-065-0723

Crossbows

(1) Hunters may use a crossbow to hunt game mammals only during "Any Legal Weapon" seasons.

(2) When used for hunting game mammals:

(a) Crossbows must have a minimum peak draw weight of 125 pounds.

(b) Crossbows must have a stock which is no less than 18 inches in length.

(c) Crossbows must have a draw length of at least 14 inches from the front of the weapon to nocking point.

(d) Crossbows must have a functional mechanical safety.

(e) Crossbow bolts or arrows must be at least 16 inches long and have an attached point/broadhead.

(3) Hunters shall use only unbarbed broadheads at least 7/8-inch wide to hunt game mammals. Broadheads with moveable blades that fold/collapse when withdrawn are not considered barbed. Western gray squirrel may also be hunted with small game arrow points/heads.

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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 rifle during the deer and elk seasons and dates in the Wildlife Management Units listed in Table 1 below without a used or unused deer, elk, pronghorn, antelope, bighorn sheep, or Rocky Mountain goat tag valid for the dates and area being hunted. ¶

Table 1. Wildlife Management Units and dates requiring a valid deer, elk, pronghorn antelope, bighorn sheep, or Rocky Mountain goat tag to hunt with a centerfire rifle. (See attached table) ¶

(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 in any Safety Zones created and posted by the Department. ¶

(6) 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. ¶

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

(8) 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 (8) of this section prohibits the use of 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

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

635-065-0740

Table 1. Wildlife Management Units and dates requiring a valid deer, elk, pronghorn antelope, bighorn sheep, or Rocky Mountain goat tag to hunt with a centerfire rifle.

| Season (2021 Dates) | Wildlife Management Units |
|--|---|
| Eastern OR Controlled Buck Deer (Oct. 2–13) | 31-77 |
| West Cascade Bull Elk (Oct. 16–22) | 16, 19, 21, 22, 29-31, 34, 39, portions of 33 and 77 W of Hwy 97 |
| Rocky Mtn. Bull Elk 1 st Season (Oct. 27–Oct. 31) | 32, 35-38, 40-64, 66, 69, 72, 74-76, portions of 33 and 77 E of Hwy 97 |
| Rocky Mtn. Bull Elk 2 nd Season (Nov. 6–14) | 32, 35-38, 40-64, 66, 69, 72, 74-76, portions of 33 and 77 E of Hwy 97 |
| Coast Bull Elk 1 st Season (Nov. 13–16) | 10-15, 17, 18, 20, 23-27 |
| Coast Bull Elk 2 nd Season (Nov. 20–26) | 10-15, 17, 18, 20, 23-27 |

AMEND: 635-066-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 2020~~1~~ "Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the 2020~~1~~ "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: ~~496.138~~, ORS 496.012, ~~496.138~~, 496.146, 496.162

Statutes/Other Implemented: 496.138, 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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 2020~~1~~ are listed in the 2020~~1~~ "Oregon Big Game Regulations" and are adopted and incorporated into OAR chapter 635, division 066 by reference.¶
 - (2) Persons receiving a controlled black bear tag may also purchase a general season black bear tag and one 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 the issued date and time of a paper tag or the confirmation 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.¶
 - (7) All land within one mile of the Rogue River between Grave Creek and Lobster Creek is closed to bear 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: 635-067-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 "2020~~1~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2020~~1~~ 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 2020~~1~~ are listed in the "2020~~1~~ 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, 496.118

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162, 496.118

AMEND: 635-067-0028

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-067-0028

Pronghorn Antelope Auction Tag ¶¶

(1) One pronghorn antelope tag will be auctioned to the highest bidder annually in the manner and at such time as provided by the Department. The Department may contract with a sportsmen's group or organization to conduct the auction.¶¶

(2) The pronghorn antelope auction tag and auction 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.¶¶

(e) Auction Requirements:¶¶

(A) The minimum acceptable bid for a pronghorn antelope auction tag shall be \$~~2~~10,000.00. The bid price includes the hunting license and tag fee. A valid pronghorn antelope tag will be provided to the winning bidder and a valid hunting license will be provided if the winning bidder 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.¶¶

(B) Any person, resident or nonresident, is eligible to bid.¶¶

(C) If the highest bid is submitted by a person other than the person who is to receive the tag, the Department shall be notified within five business days of the name, address, and phone number of the individual who is to receive the license and tag and his or her position or affiliation with the corporation or organization.¶¶

(D) Acceptance of the highest bid shall be conditional until the full amount of the bid is paid. Payment shall be made to the Oregon Department of Fish and Wildlife by cashier's check or certified check within 60 days of the date of the auction, whether conducted by the Department or by a sportsman's group or organization authorized by the Department to conduct the auction.¶¶

(E) If the full amount is not paid as provided in OAR 635-067-0032(2)(d)(D), the Department may, at its discretion, reject the bid and offer the tag to the next highest bidder. If the Department offers the tag to the next highest bidder, such next highest bidder must make payment to the Oregon Department of Fish and Wildlife by cashier's check or certified check within 30 days of notification of his or her opportunity to obtain the tag.¶¶

(F) The Department shall reserve the right to accept or reject any or all bids.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146

AMEND: 635-067-0036

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-067-0036

Rocky Mountain Goat Auction Tag ¶¶

(1) One Rocky Mountain Goat tag will be auctioned to the highest bidder annually in the manner and at such time as provided by the Department. The Department may contract with a sportsmen's group or organization to conduct the auction.¶¶

(2) The Rocky Mountain Goat auction tag and auction 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.¶¶

(e) Auction Requirements:¶¶

(A) The minimum acceptable bid for a Rocky Mountain Goat auction tag shall be \$210,000.00. The bid price includes the hunting license and tag fee. A valid Rocky Mountain Goat tag will be provided to the winning bidder and a valid hunting license will be provided if the winning bidder 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.¶¶

(B) Any person, resident or nonresident, is eligible to bid.¶¶

(C) If the highest bid is submitted by a person other than the person who is to receive the tag, the Department shall be notified within five business days of the name, address, and phone number of the individual who is to receive the license and tag and his or her position or affiliation with the corporation or organization.¶¶

(D) Acceptance of the highest bid shall be conditional until the full amount of the bid is paid. Payment shall be made to the Oregon Department of Fish and Wildlife by cashier's check or certified check within 60 days of the date of the auction, whether conducted by the Department or by a sportsman's group or organization authorized by the Department to conduct the auction.¶¶

(E) If the full amount is not paid as provided in OAR 635-067-0032(2)(d)(D), the Department may, at its discretion, reject the bid and offer the tag to the next highest bidder. If the Department offers the tag to the next highest bidder, such next highest bidder must make payment to the Oregon Department of Fish and Wildlife by cashier's check or certified check within 30 days of notification of his or her opportunity to obtain the tag.¶¶

(F) The Department shall reserve the right to accept or reject any or all bids.

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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 2020~~1~~ are listed in the "2020~~1~~ 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 "2020~~1~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2020~~1~~ 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: 635-068-0022

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-068-0022

W. High Cascade Buck Deer Hunt~~or~~, Hood-White River Hunt and Western Oregon Controlled Deer Hunts ¶

(1) Tags shall be issued by a controlled hunt drawing following the procedures established in OAR chapter 635, division 060. Each successful applicant for a W. High Cascade or Hood-White River hunt tag shall receive one tag valid for both the W. High Cascade hunt or Hood-White River and the Western Oregon General deer rifle season. Each hunter may take only one buck deer.¶

(2) A hunter successful in drawing a 600 series tag may also hunt in any general deer season or any 100 series controlled buck deer hunt and as provided in OAR 635-065-0015; if possessing the proper tag(s) for the area and time period being hunted.¶

(3) A hunter drawing a 100 or 600 series deer tag or purchasing a general season western Oregon deer tag, also may possess tags as provided in OAR 635-065-0015.

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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 2020~~1~~ are listed in the "2020~~1~~ 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 "2020~~1~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2020~~1~~ 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: ~~496.138~~, ORS 496.012, ~~496.138~~, 496.146, 496.162, ~~496.118~~

Statutes/Other Implemented: ~~496.138~~, ORS 496.012, ~~496.138~~, 496.146, 496.162, ~~496.118~~

AMEND: 635-070-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 2020~~1~~ are listed in the "2020~~1~~ 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 "2020~~1~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2020~~1~~ 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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 2020~~1~~ are listed in the "2020~~1~~ 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 "2020~~1~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2020~~1~~ 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, 496.118

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162, 496.118

AMEND: 635-072-0000

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 "2020~~1~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2020~~1~~ 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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 2020~~1~~ for Premium Hunts, deer and elk bow and muzzleloader hunting and deer and elk youth hunts are listed in the "2020~~1~~ 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 "2020~~1~~ Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2020~~1~~ 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, 496.118

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162, 496.118

AMEND: 635-073-0001

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-073-0001

Bowhunting Seasons ¶¶

- (1) Portions of the bowhunting areas are open for other hunting during specified periods listed under extended and controlled seasons.¶¶
- (2) A bowhunter shall have on his person a hunting license and a valid tag while hunting in any of the bowhunting seasons listed in this section.¶¶
- (3) A bowhunter possessing an elk bow tag is restricted to authorized elk bowhunting areas and seasons, and shall not hunt during the West Cascade, Coast, or Rocky Mountain elk rifle~~rifle~~Any Legal Weapon seasons.¶¶
- (4) A bowhunter possessing a deer bow tag is restricted to authorized bowhunting areas and seasons and shall not hunt during any other general western Oregon deer or controlled buck seasons.¶¶
- (5) The elk bow tag is the only tag valid in any bowhunting season open to elk hunting. The deer bow tag is the only tag valid in any bowhunting season open to deer hunting. Hunters with deer and/or elk tags may also possess tag(s) as provided in OAR 635-065-0015.¶¶
- (6) White-tailed deer are protected in all units west of the eastern boundaries of the Santiam, McKenzie, Indigo, Dixon, and Rogue units except for the controlled hunts listed in the Oregon Big Game 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: 635-073-0090

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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. 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 may also hunt during the season for which that tag was issued.¶~~

(2) Except as provided in OAR 635-065-0015, a hunter successful in drawing a controlled antlerless elk youth hunt tag shall not hunt in any other elk season.

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: 635-073-0100

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-073-0100

Controlled Premium Hunt Regulations ¶¶

(1) Tags shall be issued by a controlled hunt drawing following the procedures established in OAR chapter 635, division 060.¶¶

(2) "L" series Premium Hunt deer tags, "M" series Premium Hunt elk tags, and "N" series Premium Hunt pronghorn antelope tags are in addition to all other tags and permits approved by the commission. In addition to the number of deer, elk, and pronghorn antelope tags legally available to an individual, an individual is allowed one additional deer tag, one additional elk tag, and one additional pronghorn antelope tag annually provided these tags are Premium Hunt series tags.¶¶

(3)(a) N40 Maupin/ Biggs, all of units 40 and 43;¶¶

(b) N70A E Beatys Butte, same hunt area as hunt 470A in the 2020~~1~~ Oregon Big Game Regulations;¶¶

(c) N70B W Beatys Butte, same hunt area as hunt 470B~~1~~ in the 2020~~1~~ Oregon Big Game Regulations and that part of Hart Mt National Antelope Refuge (NWR) within the Beatys Butte unit;¶¶

(d) L71 and N71 Juniper, unit 71 including that part of Hart Mt NWR within the Juniper unit, excluding that part of Malheur NWR north of Foster Flat Rd.

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: 635-075-0010

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-075-0010

Hunting Area Allowed With Landowner Hunting Preference Tags ¶¶

(1) A landowner preference tag authorizes the recipient to hunt only on those lands owned and registered in the Landowner Preference Program by the landowner, and meeting the minimum acreage requirements for that hunt, during the season dates for which the tag is valid, except as provided for in OAR 635-075-0010(4) and (5).¶¶

(2) Landowner hunting preference tags are valid on the landowner's registered property in other controlled hunt areas provided the species, bag limits, and season dates are the same, and the landowner's property in that area either:¶¶

(a) Meets the minimum acreage requirements for that hunt; or¶¶

(b) is contiguous to other property owned and registered by the landowner that, if added together, would meet the minimum acreage requirements for that hunt.¶¶

(3) A landowner receiving a landowner preference controlled buck deer hunt or controlled elk hunt tag may not hunt in any other controlled or general buck deer or elk season, except as provided in OAR division 090 and 635-073-0100 (Premium Hunts).¶¶

(4) When a landowner is qualified under landowner preference rules adopted by the Commission and the landowner or an immediate family member receives a deer or elk controlled hunt tag for that unit and has not harvested an animal, the landowner or immediate family member may use that tag to take an antlerless deer, except for white-tailed deer in Western Oregon, or elk before, during, or after the hunting season for which the tags are valid, when approved by the Department, to alleviate damage that is presently occurring to the landowner's property.¶¶

(5) Each unfilled landowner preference deer tag may be transferred and used to take two antlerless animals, except for white-tailed deer in Western Oregon, before, during or after the hunting season for which the tags are valid, when approved by the Department, to alleviate damage that is presently occurring to the landowner's property in accordance with the following criteria:¶¶

(a) Transfer must be done by an authorized representative of the Department for no charge;¶¶

(b) Tag(s) is/are to be transferred to someone of the landowner's choice;¶¶

(c) No more than one tag may be transferred to any one person;¶¶

(d) Each tag may only be transferred once;¶¶

(e) Tags shall be issued for a period of no more than 30 days from the date of issuance, and end no later than March 31. A Department representative may reauthorize an unfilled tag to the same person for an additional 30 days if damage is presently occurring;¶¶

(f) Persons who have been successful in harvesting a buck and/or antlerless deer in a general and/or controlled hunt season (excluding "leftover" tags) are also eligible to receive one damage landowner preference deer tag in a fiscal year of July through June;¶¶

(g) Department personnel shall collect the appropriate fee for the second tag at time of transfer;¶¶

(6) Landowner preference pronghorn antelope tags may only be used during the authorized hunt season.

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: 635-075-0020

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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) 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 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.¶
- (c) In the following hunts LOP tags will be limited to five tags or 10% of the total controlled hunt tags, whichever is greater: elk hunts; 252A1, 254R1, 254Y1, 255R1, 255Y1, 256R1 and 256Y1; buck deer hunts; 141C, 142B, ~~154C~~ 43C, 145A, 148A, 156R24C, 157A, 165R, ~~168R2~~, and 170R3. ¶
- (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 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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 2020~~1~~ will be adopted by Temporary Rule prior to the June 2020~~1~~ controlled hunt draw.

Statutory/Other Authority: ~~ORS 496.138, ORS 496.012, 496.146, 496.151~~62, 496.162~~18~~

Statutes/Other Implemented: ~~ORS 496.012~~138, 496.138~~012, 496.146, 496.151~~62, 496.162~~18~~

AMEND: 635-075-0024

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process 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., online or through License 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 635-0610-0046(4)19 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: 635-075-0025

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-075-0025

Outfitters and Guides Nonresident Tag Allocation ¶¶

- (1) Eligibility: Outfitters and Guides must be registered pursuant to ORS 704 prior to making application for big game tags described herein.¶¶
- (2) The Outfitters and Guides nonresident tags allocated shall be based on one half the nonresident tags drawn in the previous year from the standard first drawing determined by hunt number for series 100, 200, and 600 as described in OAR 635-060-005 and 635-068-0000 through 635-071-0000.¶¶
 - (a) Prior to November 1 of each year, the Department shall publish a list of tags available for allocation based on nonresident tags drawn in the annual June drawing.¶¶
 - (b) In the event of new hunts, no Outfitter and Guide tags will be allocated for that year for those hunts, except for unit wide hunts that are split will have tags reapportioned for the new hunts.¶¶
 - (c) All tags allocated shall be considered nonresident for the purposes of OAR 635-060-0030(2).¶¶
 - (d) The Commission may revoke or refuse to issue all or any portion of the permits based upon a commission finding of an emergency situation or for a biological need. In the event of a tag number reduction of 50% or more for the current hunt year, Outfitter and Guide tags will be reduced proportionately to the overall tag reduction. Tags will be reallocated based on the application draw number.¶¶
 - (e) For the purposes of these rules, "emergency situation or biological needs" is defined as a situation in which harvest mortality above a prescribed level would significantly jeopardize the department's ability to meet sex ratio or population management objectives for a wildlife management unit or subunit.

Statutory/Other Authority: ORS 496.012, 496.138, 497.112

Statutes/Other Implemented: ORS 496.012, 496.138, 497.112

AMEND: 635-078-0011

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2020 game mammal seasons including regulation changes to state wildlife areas and changes to the time, place and manner of take. These amendments include results from Big Game Hunt Review Process to incentivize hunting participation and improve enforcement efficiency.

CHANGES TO RULE:

635-078-0011

Determining Eligibility ¶

(1) The method of determining who shall be eligible to participate in the emergency hunts set forth in section (1) of this rule shall be as follows:¶

(a) Hunters who wish to be eligible for emergency hunts shall have their names placed on the emergency hunt list for the county in which they wish to hunt: the list is to be effective for one year. Each hunter must have a valid hunting license. Each hunter less than 18 years of age shall be accompanied by a responsible adult (21 years of age or older) when hunting. Applications will be accepted and kept on file at the headquarters office of the Department of Fish and Wildlife, 4034 Fairview Industrial Dr. SE, Salem, OR, 97302. Beginning July 1 of each year, the hunter's name will be placed on the eligible list. No fee is required for applicants to be placed on the emergency hunt list. Applications may be made on a form available at department offices and up to two hunters may apply on the form as a party. Each applicant shall list their name, address and telephone number where they can be contacted and the county for which they are applying.¶

(b) At such time as the ~~d~~Department determines that a need for such emergency hunt exists, those numbers of hunters for which permits are available shall be notified to obtain their permits from regional or district office of the ~~d~~Department. Hunt lists will be prioritized by a random sort of the applications received during July of each year. ~~Certified Master Hunters applying during July shall be randomized and moved to the top of the emergency hunt list.~~ Applications received after July 31 each year will be prioritized as received.¶

(2) It is unlawful to take game mammals or wild turkey in and during the emergency hunt set forth in section (1) of this rule without having an emergency hunt permit/tag authorized for the species, area, and season on one's person.¶

(3) Upon killing a game mammal or wild turkey pursuant to these rules, the hunter shall immediately notify the local ~~ODFW~~Department representative (or designee), and pay the appropriate fee for the tag required. Unfilled tags must be returned to the issuing office within five business days after the closing date of the hunt printed on the tag.¶

(4) Eligibility and fees for such tags shall be the same as the tag fees established by species in ORS 497.112.

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

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