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TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

DFW 3-2022

CHAPTER 635

DEPARTMENT OF FISH AND WILDLIFE

FILED

01/14/2022 8:28 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Revises Wild Spring Chinook Fishery in the Umpqua River

EFFECTIVE DATE: 02/01/2022 THROUGH 06/30/2022

AGENCY APPROVED DATE: 12/22/2021

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Filed By:

Lisa Kingsley

Rules Coordinator

NEED FOR THE RULE(S):

This rule is needed to implement the harvest sliding scale for Spring Chinook that was called for in the Coastal Multispecies Plan (CMP). In the South Umpqua, the average of the previous years spawner count and the 2022 forecast is less than 150 fish. Under the sliding scale, this triggers restriction of wild fish harvest in the mainstem Umpqua to further reduce fishery impacts on the South Umpqua Population. Although the South Umpqua Chinook population was considered to be non-viable in the 2014 status assessment for the Coastal Multi-Species Conservation and Management Plan, it was considered to be stable with a low extinction risk. Additionally, harvest was not identified as a limiting factor. However, there has been a concerning decline in abundance in recent years (29 in 2018, 64 in 2019, and 120 in 2020) thereby necessitating additional actions to reduce potential sources of direct mortality, including harvest, to the extent practicable. The harvest sliding scale also affects bag limits in the North Umpqua. Under the sliding scale, abundance in the North Umpqua population falls in the medium abundance category for the 2022 season, which corresponds to a sliding scale bag limit of 1 fish per day and 10 fish per year.

JUSTIFICATION OF TEMPORARY FILING:

There is not adequate time to go through normal rulemaking proceedings to make these fishery changes in a timely manner. These modifications are consistent with the provisions of ODFW's Coastal Multi-Species Conservation and Management Plan (CMP, OAR 635-500-6775).

Failure to adopt these regulations would cause serious prejudice to the public interest by depleting the South Umpqua River spring Chinook salmon population which would result in greater harvest restrictions for future fisheries.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

1. ODFW Coastal Multi-Species Conservation and Management Plan

A copy of the rules and the other documents relied upon for this rulemaking [the above document(s)] are available from the Oregon Department of Fish and Wildlife, Fish Division, 4034 Fairview Industrial Drive SE, Salem, Oregon 97302-1142. Contact Lisa Kingsley at 503-947-6233 or lisa.m.kingsley@odfw.oregon.gov to view by appointment between the

hours of 8:00 a.m. and 4:00 p.m., on normal working days, Monday through Friday.

AMEND: 635-016-0090

SUSPEND: Temporary 635-016-0090 from DFW 181-2021

RULE SUMMARY: This amended rule prohibits retention of all wild Chinook on the Mainstem Umpqua River and reduces the number retained daily on the North Umpqua River while allowing for retention of hatchery Chinook salmon from February 1 through June 30.

CHANGES TO RULE:

635-016-0090

Inclusions and Modifications ¶

The 2022 Oregon Sport Fishing Regulations provide requirements for the Southwest Zone. However, additional regulations may be adopted in this rule division from time to time and to the extent of any inconsistency, they supersede the 2022 Oregon Sport Fishing Regulations pamphlet.¶

(1) Effective February 1 through June 30 for Chinook Salmon, the following regulations apply: ¶

(a) In the Mainstem Umpqua River, retention of wild Chinook salmon (adult and jack) is prohibited; and¶

(b) In the North Umpqua River, retention of adult wild Chinook salmon is allowed with a daily bag limit of one, and an annual bag limit of 10 adult wild Chinook.¶

(2) All other permanent rules for the Southwest Zone, as stated in the 2022 Oregon Sport Fishing Regulations, remain in effect.

Statutory/Other Authority: ORS 496.146, ORS 496.138

Statutes/Other Implemented: ORS 496.162