



OREGON ADMINISTRATIVE RULES
OREGON DEPARTMENT OF FISH AND WILDLIFE

CHAPTER 635
DIVISION 050
FURBEARING AND UNPROTECTED MAMMAL REGULATIONS

635-050-0050

Definitions

(1) "Contest" means a manner of take involving a competition, tournament, derby, or other event that has the objective of killing unprotected mammals native to Oregon for cash, prizes, or other incentives offered for the amount, quality, size, weight or other physical characteristics of the unprotected mammals taken.

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

~~(23)~~ "Furbearers or furbearing mammals" means beaver, bobcat, fisher, marten, mink, muskrat, river otter, raccoon, red fox, and gray fox. For any person owning, leasing, occupying, possessing or having charge of or dominion over any land (or an agent of this person) who is taking or attempting to take beaver or muskrat on that property, these two species are considered to be predatory animals.

~~(34)~~ "Killing trap" means a device used to kill a mammal as part of a killing trap system. A killing trap system is a system set with the intent to kill a mammal comprising a combination of: equipment (the trap and trigger configuration), and set (including site modifications, lures, baits, location and other relevant requirements).

~~(45)~~ "Land set" is any set with a trap or snare other than a water set.

~~(56)~~ "Predatory animals" means coyotes, rabbits and rodents which are or may be destructive to agricultural crops, products and activities.

~~(67)~~ "Public trail" is any trail designated, maintained, mapped and marked by any state or federal land management agency on the most current official map of the agency; for the purposes of trapping, water way, water trails designated for floating craft and public roadways are not considered a "public trail".

~~(78)~~ "Raw pelt" means any pelt that has not been processed or converted to any usable form beyond initial cleaning, stretching, and drying.

~~(89)~~ "Resident" is any person who:

(a) Has physically resided in Oregon for not less than 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:

- 1 (A) Are permanently assigned to active duty in this state, and their spouse and dependent children.
- 2 (B) Reside in this state while assigned to duty at any base, station, shore establishment or other
3 facility in this state.
- 4 (C) Reside in this state while serving as members of the crew of a ship that has an Oregon port or
5 shore establishment as its home port or permanent station.
- 6 (D) Resides in another state or a foreign country and establishes Oregon residency by filing Oregon
7 state income taxes no later than 12 months before leaving active duty.
- 8 (E) A member of the uniformed services who is not a resident member of the uniformed services,
9 except for the purpose of purchasing controlled hunt tags issued by the commission.
- 10 (c) Aliens attending school in Oregon under a foreign student exchange program.
- 11 (d) Resident does not include a person:
- 12 (A) Who merely owns real property or pays property taxes in this state; or
- 13 (B) Who claims resident privileges in another state or country for any purpose.
- 14 ~~(910)~~ "Restraining trap" means a device used to capture and restrain (but not kill) a mammal as part
15 of a restraining trap system. A restraining trap system is a system set with the intent to capture and
16 restrain (but not kill) a mammal comprising a combination of: equipment (the trap and the trigger
17 configuration), and set (including site modifications, lures, baits, location and other relevant
18 requirements).
- 19 ~~(1011)~~ "River" means that portion of a natural water body lying below the level of bankfull stage.
20 Bankfull stage means the stage or elevation at which overflow of the natural banks of a stream or
21 body of water begins to inundate the upland.
- 22 ~~(1112)~~ "Sight bait" means exposed flesh bait, including whole animal carcasses, within 15 feet of
23 any foothold trap set for carnivores.
- 24 ~~(1213)~~ "Trailhead", for the purposes of trapping, is the area beginning at the sign marking the origin
25 of a public trail or segment of trail which is designated, maintained, mapped, and marked by at least
26 one visible sign and includes any adjacent improved graveled or paved vehicle parking lot. The
27 standard shoulder of the road is not considered part of the trailhead. Trailheads are marked by at
28 least one visible sign posted by the responsible state or federal land management agency and
29 identified on the most current official map of the agency. A trailhead does not include junctions
30 between trails (posted or not) where there is no motorized vehicle access, or intersections where a
31 trail crosses a road, or locations where users have developed an access point, but no improvements
32 have been provided beyond minimal signage for public safety.
- 33 ~~(1314)~~ "Unprotected mammals" means, for the purposes of OAR 635-050-0015 through 635-050-
34 ~~[0210]~~ **0300**, badger, coyote, gophers (*Thomomys bottae*, *T. bulbivorus*, *T. mazama*, *T. talpoides*

1 and *T. townsendii*), moles (*Scapanus townsendii*, *S. orarius* and *S. latimanus*), mountain beaver
2 (*Apolodontia rufa*), yellowbellied marmots (*Marmonta flaviventris*), nutria, opossum, porcupine,
3 spotted skunk, striped skunk, and weasel. For any person owning, leasing, occupying, possessing or
4 having charge of or dominion over any land (or an agent of this person) who is taking or attempting
5 to take coyote, gopher, mountain beaver (boomer), marmot, nutria, or porcupine on that property,
6 these six species are considered to be predatory animals.

7 ~~(415)~~ "Water set" is any trap or snare originally set within a permanent water source or a seasonal
8 water source when water is present, such that at least a portion of the trap jaws or snare loop is
9 submerged. If water levels fluctuate, then at each required trap-check any killing trap with a jaw
10 spread of 7.5 inches or more originally set in a water set must be removed or adjusted such that at
11 least a portion of the trap jaws or snare loop is submerged except in tidally influenced areas when set
12 below the mean high water mark.

13 ~~(4516)~~ "Western Oregon" means all counties west of the summit of the Cascade Range except
14 Klamath and Hood River Counties.

15 **Statutory/Other Authority:** ORS 496.012, 496.138, 496.146 & 496.162

16 **Statutes/Other Implemented:** ORS 496.012, 496.138, 496.146, 496.162, 497.002 & 497.006

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18 **635-050-0060**

19 **Times, Places, Bag Limits, Species, Sex, and Manner of Taking**

20 Each species of furbearing or unprotected mammal may be hunted or trapped only during the times
21 and in the places, quantities, and manner specifically provided for in OAR 635-050-0015 through
22 635-050-~~[0210]~~ **0300**.

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24 **Statutory/Other Authority:** ORS 496.012, 496.138, 496.146 & 496.162

25 **Statutes/Other Implemented:** ORS 496.012, 496.138, 496.146 & 496.162

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27 **635-050-0300**

28 **Contest Prohibition**

29 **(1) It is unlawful to organize, sponsor, conduct or participate in a contest that has the objective**
30 **of killing unprotected mammals native to Oregon.**

31 **(2) This rule shall not apply to deny the right of any person to control predatory animals as**
32 **provided in ORS 610.105.**

33 **Statutory/Other Authority:** ORS 496.012, 496.138, 496.146 & 496.162

34 **Statutes/Other Implemented:** ORS 496.012, 496.138, 496.146 & 496.162