

OFFICE OF THE SECRETARY OF STATE

LAVONNE GRIFFIN-VALADE
SECRETARY OF STATE

CHERYL MYERS
DEPUTY SECRETARY OF STATE
AND TRIBAL LIAISON



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
04/22/2024 10:56 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Furbearer Trapping and Hunting Regulations for the 2024-2025 and 2025-2026 Seasons

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 06/14/2024 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@odfw.oregon.gov

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: 06/14/2024

TIME: 8:00 AM - 5:00 PM

OFFICER: ODFW Commission

IN-PERSON HEARING DETAILS

ADDRESS: goos oLgi gowa, 35601 Choke Cherry Way, Chiloquin, OR 97624

SPECIAL INSTRUCTIONS:

This hearing will be conducted as a hybrid meeting, providing an opportunity to give testimony either in person or virtually. Additional information regarding participation will be posted on our website at www.dfw.state.or.us/agency/commission/minutes/. The meeting can be viewed at www.youtube.com/user/IEODFW. Any changes to the meeting format (to virtual only if emergency arises) will be posted to our website as soon as possible.

NEED FOR THE RULE(S)

This action is necessary to establish harvest and pursuit seasons for furbearers to maintain their numbers at optimum levels and provide optimum recreation and aesthetic benefits for citizens of this state.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

- 1. Staff report prepared for the Oregon Fish and Wildlife Commission hearing on 6/14/2024.

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, Wildlife Division, 4034 Fairview Industrial Drive SE, Salem, Oregon 97302-1142. Contact Roxie Borisch at 503-947-6314 or roxann.b.borisch@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.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The Department has solicited input from representatives of underrepresented communities likely to be affected on whether the proposed rule will have a fiscal impact on the community, the extent of the fiscal impact, and whether the rules will have significant impact on underrepresented communities. <https://www.dfw.state.or.us/OARs/index.asp>

FISCAL AND ECONOMIC IMPACT:

There are no expected major direct fiscal or economic effects resulting from the proposed rule changes for the proposed seasons and bag limits for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons.

The Department recognizes that furbearers also provide nonmarket values such as, indirect use values (through expanded ecological functional benefits) and nonuse values (existence value). While these values are not analyzed in this fiscal impact statement and are beyond the scope of required assessment of small business cost of compliance under ORS 183.336, the Department understands that these values contribute to the total economic value of the resource.

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).

A. State agencies which could be affected by rules relating to furbearer seasons are the Department (wildlife management costs) and the Oregon State Police (enforcement costs). However, no significant changes from the current levels of these agencies' operations or expenditures are expected as a result of these rules.

B. No units of local government are expected to be 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 adoption of these rules.

C. The public is affected by rules relating to furbearer seasons. Various sectors of the public economy (trappers and their suppliers, purchasers of furs, livestock producers, and the general economy) may experience different impacts. The economic impact of possible changes in furbearer harvest rules depends primarily on the effects on (a) furbearer harvesters through changes in harvest levels, (b) livestock producers through changes in the level of predator control and (c) other parties through changes in predator control. An Oregon State University economic report by Gum and O'Connor (1987) contained a discussion of these effects that is still useful as background information. We expect no significant changes in the level of predator harvest that could affect livestock producers.

Table 1 contains a summary of license sales, transactions, and revenues for the 2021, 2022, and 2023 License Years. Furtaker licenses are required to trap and hunt furbearing mammals in Oregon. These include bobcat, muskrat, river otter, beaver, and raccoon, among others. Record cards are required to take western bobcat, statewide bobcat, and river otter (record cards also serve as an important data source for Department's furbearer program). Ages associated with the Youth Furtaker License here is 12-17 years old. Late reporting fees, which are \$50 each and typically make up approximately \$10,000 in revenue each year, are not included in the figures below. Generally, in recent years Oregon furtaker licenses have been on the decline. Oregon furtaker licenses sold ranged from 1,463 to 1,571, while record cards (bobcat & river otter) ranged from 1,522 to 1,658. Fur Dealer Permits ranged from 56 to 60. Overall furbearer program revenues average around \$155,307 annually over the last three years. (SEE TABLE 1-Attached)

Revenues from the furbearer program pay for the administration of the program which is self-sustaining and costs approximately \$45,000 per biennium (including 8%, 2 months, of the annual salary for the program biologist; 1 month funding for Natural Resource Specialist 2 positions in district offices for pelt check-in and data collection; 1 month of administrative staff costs for Public Service Representatives at field offices and Headquarters; 10% funds program supplies and services; and the costs of administrative rulemaking is also paid for through program revenues). There are additional benefits provided through the program, as it provides value from the information collected on a breadth of species in Oregon, including conservation strategy species. The program also provides consultation about issues related to addressing damages from furbearers species, which are not accounted for in this fiscal analysis of the program. Southwick R., Woolley A, and Leonard Q. (2005) detail the public costs of losing trapping as a wildlife management tool, detailing the impacts to human health, transport, wildlife population management, agriculture, infrastructure, and other wildlife-related damages.

Estimated harvest levels in Table 2 are drawn from the 2021-2022 and 2022-2023 mandatory harvest reports and include both trapping and hunting. These harvest numbers are considered "minimum" because the mandatory reporting does not have 100% compliance and thus the actual total harvest is likely underestimated. Under statute, some species defined as predatory animals in certain situations, such as muskrat and coyotes, may be taken on private property without reporting. Therefore, the reported harvest of these species is likely underestimated (especially coyotes). The pelt values are the weighted averages of the Oregon Territorial Council on Furs (OTC) 2021 and 2022 Prineville and Klamath Falls fur sale results. Reported harvest estimates and average pelt values are multiplied to estimate the associated harvest revenues for the 2021 and 2022 license years. Total potential revenues were approximately \$447,979 for 2022-23. This represents an approximate increase of \$94,787 when compared to the 2021-2022 season (\$353,192 potential revenues), increased average prices was the primary driver of this increase. (SEE TABLE 2- Attached)

A 2015 Responsive Management study estimated the number of active trappers in the U.S. at 177,000 and in the West (not including Alaska) at about 23,000. In Oregon, the estimated mean days trapped in the 2014-15 season was about 36 days, which is the same as the national average. In terms of where they trap primarily, 24% focus on public land, 30% private land, and 46% both equally. Oregon trappers have out, on average, about 7 snares and 6.5 non-snare traps daily. Sixty percent of Oregon trappers have been contacted by a landowner to trap nuisance wildlife of their property, though only 32% of their trapping, on average, involves removal of nuisance wildlife. About two-thirds of Oregon trappers indicated that trapping is not important as a source of income (11% said "very important"). Mean expenses, in inflation adjusted 2023 dollars, for Oregon trappers is \$2,312.08, with 58% of them spending \$656.26 or more per season.

Although the rules relating to wildlife regulations can be generally viewed as reducing positive economic impacts in the short run, conservation through the regulation of seasons and other factors is intended to conserve Oregon's natural resources at optimal levels in the long run. Failure to restrict harvests of furbearers to allow for adequate reproduction and growth would result in adverse economic effects in the future. The regulations attempt to strike a balance that will provide opportunities and associated benefits subject to the need to conserve these wildlife populations.

References

Gum, Russell L. and Carl W. O'Connor. Economic Value of the Fur Trapping Industry in Oregon. Special Report 812. Oregon State University, Agricultural Experiment Station. September, 1987.

Responsive Management. Trap Use, Furbearers Trapped, and Trapper Characteristics in the United States in 2015.

Conducted for the Association of Fish and Wildlife Agencies.

Southwick R., Woolley A, and Leonard Q. Potential Costs of Losing Hunting and Trapping as Wildlife Management Methods. Conducted for the Animal Use Issues Committee of the International Association of Fish and Wildlife Agencies (IAFWA). May 2005.

US Bureau of Labor Statistics. CPI Inflation Calculator. https://www.bls.gov/data/inflation_calculator.htm Retrieved on April 8, 2024.

(2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s);
Businesses that buy pelts would be affected by the rules. There were 60 Fur Dealer permits sold in 2023.

(b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s);

There are no expected reporting, recordkeeping, or other administrative activities required for compliance with this rule.

(c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

There are no equipment, supplies, labor, or increased administration required for compliance with this rule.

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

Not applicable to this filing.

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

An Administrative Rule Advisory Committee was not consulted. The proposed amendments and anticipated impacts on both the public and on wildlife are minimal. The agency is engaging with the public through this noticed rulemaking process. Correspondence from and testimony by interested and affected persons is accepted into record and is part of the rulemaking process. Public correspondence will also be part of the Commission meeting for June 2024, when the adoption of these rules will be decided upon. The rules are believed to be fully compatible with legislative direction on the goals of wildlife management in Oregon.

NOTE: Additional PDF filed with this filing not included in this document. Please contact Department of Fish and Wildlife for a copy of this document.

RULES PROPOSED:

635-045-0000, 635-045-0002, 635-050-0045, 635-050-0050, 635-050-0070, 635-050-0080, 635-050-0090, 635-050-0100, 635-050-0110, 635-050-0120, 635-050-0130, 635-050-0140, 635-050-0150, 635-050-0170, 635-050-0180, 635-050-0189, 635-050-0210

AMEND: 635-045-0000

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

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 "~~2023~~2024-2024⁵" Oregon Game Bird Hunting Regulations," and "2024 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: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

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.¶¶
- (3) "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.¶¶
- (4) "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.¶¶
- (5) "Antlerless deer" means doe or fawn deer.¶¶
- (6) "Antlerless elk" means cow or calf elk.¶¶
- (7) "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.¶¶
- (8) "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.¶¶
- (9) "Baited Area" means an area where baiting has taken place.¶¶
- (10) "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.¶¶
- (11) "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.¶¶
- (12) "Buck Deer" means a male deer with at least one visible antler.¶¶
- (13) "Buck Pronghorn" means a male pronghorn antelope with visible horns and a dark cheek patch below the ear.¶¶
- (14) "Bull elk" for the purposes of a bag limit definition, means a male elk with at least one visible antler.¶¶
- (15) "Calendar year" means from January 1 through December 31.¶¶
- (16) "Carcass" is the skinned or unskinned body, with or without entrails, of a game bird or game mammal.¶¶
- (17) "Closed season" is any time and place when it is not authorized to take a specific species, sex or size of wildlife.¶¶
- (18) "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.¶¶
- (19) "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.¶¶
- (20) "Commission" means the Oregon Fish and Wildlife Commission.¶¶
- (21) "Controlled hunt" is a season where the number or distribution of hunters is limited through a public drawing or other means.¶¶
- (22) "Department" means the Oregon Department of Fish and Wildlife.¶¶
- (23) "Director" means the Oregon Fish and Wildlife Director.¶¶
- (24) "Doe or fawn pronghorn" means a female pronghorn antelope without a dark cheek patch below the ear or a pronghorn fawn (young of the year) of either sex.¶¶
- (25) "Domestic partner" means, as provided in section 3 of the Oregon Family Fairness Act of 2007 (ORS Chapter 106), "an individual who has, in person, joined into a civil contract with another individual of the same sex, provided that each individual is at least 18 years of age and is otherwise capable, and that at least one of the individuals is a resident of Oregon."¶¶

- (26) "Eastern Oregon" means all counties east of the summit of the Cascade Range including all of Klamath and Hood River counties.¶
- (27) "Eastern Oregon deer" means any live deer occurring east of the east boundaries of the Santiam, McKenzie, Dixon, Indigo and Rogue units.¶
- (28) "Eligible Hunter" means someone who will be 12 years of age by the time they hunt.¶
- (29) "Entry permit" means a permit issued by the Department to be in an area where entry is restricted.¶
- (30) "Feral Swine" means animals of the genus *Sus* as defined by the Oregon Department of Agriculture in OAR 603-010-0055.¶
- (31) "Fiscal year" means from July 1 through June 30.¶
- (32) "Furbearers" are beaver, bobcat, fisher, marten, mink, muskrat, otter, raccoon, red fox, and gray fox.¶
- (33) "Game Birds" are any waterfowl, snipe, band-tailed pigeon, mourning dove, pheasant, quail, partridge, grouse, or wild turkey.¶
- (34) "Game mammals" are pronghorn antelope, black bear, cougar, deer, elk, moose, Rocky Mountain goat, bighorn sheep, and western gray squirrel.¶
- (35) "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.¶
- (36) "Hunter certification" means to have met educational, safety or other requirements designated by administrative rule for participation in a hunt.¶
- (37) "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.¶
- (38) "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.¶
- (39) "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.¶
- (40) "Inedible" means unfit for human consumption.¶
- (41) "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.¶
- (42) "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.¶
- (43) "Low Income" means a person who is "economically disadvantaged" as defined in Section 4(8) of the Federal Job Training Partnership Act of 1982.¶
- (44) "Motor Vehicle" or "Motor-Propelled Vehicle" is any land vehicle or device which has a motor, either permanently or temporarily affixed, is capable of either motor-assisted-propulsion or self-propulsion and is capable of transporting a person or persons or any material or cargo. ¶
- (45) "Mounted Wildlife" means any hide, head or whole body of wildlife prepared by a licensed taxidermist for display.¶
- (46) "Muzzleloader" is any single-barreled (shotguns may be double barreled) long gun meant to be fired from the shoulder and loaded from the muzzle with open or peep sights.¶
- (47) "On or within" means a straight line distance measured on a map.¶
- (48) "Nonresident" means any person other than a resident.¶
- (49) "One deer" means a buck, doe, or fawn deer.¶
- (50) "One elk" means a bull, cow, or calf elk.¶
- (51) "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.¶
- (52) "Partner" means a person in an association of two or more persons formed to carry on as co-owners for profit.¶

- (53) "Possession" means to have physical possession or to otherwise exercise dominion or control over any wildlife or parts thereof, and any person who counsels, aids or assists another person holding such wildlife is deemed equally in possession.¶
- (54) "Postmark" means the date of mailing as stated in a mark applied by the U.S. Postal Service to a piece of mail. Office postal machine meter marks are not valid application deadline postmarks.¶
- (55) "Predatory animals" means coyotes, rabbits, rodents, and feral swine which are or may be destructive to agricultural crops, products and activities. "Predatory animal" does not mean beavers.¶
- (56) "Protected wildlife" means "game mammals" as defined in OAR 635-045-0002(35) "game birds" as defined in 635-045-0002(34), "furbearers" as defined in 635-045-0002(33), "threatened and endangered species" as defined in 635-100-0125, and "nongame wildlife protected" as defined in 635-044-0130.¶
- (57) "Pursue" means the act of trailing, tracking, or chasing wildlife in an attempt to locate, capture, catch, tree, or kill any game mammal, game bird, or furbearer.¶
- (58) "Raw pelt" means any pelt that has not been processed or converted to any usable form beyond initial cleaning, stretching, and drying.¶
- (59) "Resident" is any person who:¶
- (a) Has 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:¶
- (A) Are permanently assigned to active duty in this state, and their spouse and dependent children.¶
- (B) Reside in this state while assigned to duty at any base, station, shore establishment or other facility in this state.¶
- (C) Reside in this state while serving as members of the crew of a ship that has an Oregon port or shore establishment as its home port or permanent station.¶
- (c) Aliens attending school in Oregon under a foreign student exchange program.¶
- (d) Except for persons who qualify as resident in paragraph (b) and (c) above, a "Resident" does not include a person:¶
- (A) Who merely owns real property or pays property taxes in this state; or¶
- (B) Who claims resident privileges in another state or country for any purpose.¶
- (60) "River" is that portion of a natural water body lying below the level of bankfull stage. Bankfull stage is the stage or elevation at which overflow of the natural banks of a stream or body of water begins to inundate the upland.¶
- (61) "Rocky Mountain elk" is any live elk occurring east of the following described line: Beginning at the California line on Highway 97; north on Highway 97 to State Highway 26 at Madras; northwest on Highway 26 to east boundary of Santiam Unit; north along east boundary of Santiam Unit to the Columbia River.¶
- (62) "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.¶
- (63) "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.¶
- (64) "Sight bait" is exposed flesh bait within 15 feet of any foothold trap set for carnivores.¶
- (65) "Spike deer" is a deer with spike (unbranched) antlers.¶
- (66) "Spike-only bull elk" means a bull elk with at least one visible unbranched antler (a brow tine is not considered an antler branch under spike-only regulations).¶
- (67) "Stockholder" is a person who owns stock within a corporation as defined in OAR 635-045-0002(42)(b).¶
- (68) "Tag" is a document authorizing the taking of a designated kind of mammal at a specified time and place.¶
- (69) "Take" means to kill or obtain possession or control of any wildlife.¶
- (70) "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.¶
- (71) "Traditional Bow" is a long bow or recurve bow only, no compound bows are allowed during "traditional" bow/archery hunts.¶
- (72) "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.¶
- (73) "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.¶

- (74) "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.¶
- (75) "Valid certification permit" is a permit for the current season that has not become invalid after taking a season limit or illegal game bird.¶
- (76) "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).¶
- (77) "Visible Antler" means a velvet or hardened antler that is visible above the hairline on the skullcap and is capable of being shed.¶
- (78) "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. "edible portions" of game birds means, at a minimum, the meat of the breast associated with the sternum.¶
- (79) "Waterfowl" means ducks, geese, mergansers and coots.¶
- (80) "Weapon" is any device used to take or attempt to take wildlife.¶
- (81) "West Cascade elk" means any live elk occurring in the Santiam, McKenzie, Indigo, Dixon, Evans Creek, and Rouge units.¶
- (82) "Western Oregon" means all counties west of the summit of the Cascade Range except Klamath and Hood River counties.¶
- (83) "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.¶
- (84) "Wildlife" means fish, wild birds, amphibians, reptiles, wild mammals, and feral swine.¶
- (85) "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.¶
- (86) "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.¶
- (87) "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.¶
- (88) "Wildlife unit" is a geographic area described in OAR 635-080-0000 through 635-080-0077.¶
- (89) "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, 497.002, 497.127
- Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162, 496.151, 497.002, 497.127

AMEND: 635-050-0045

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0045

General Regulations ¶¶

(1) The appropriate furtaker's license or hunting license for furbearers must be in possession to hunt, trap, and/or salvage furbearers. ¶¶

(2) Any person possessing a valid furtaker's license or hunting license for furbearers is required to fill out and submit a completed harvest report to the Department online, by fax to (503)-947-6117, or by mail at 4034 Fairview Industrial Drive SE, Salem, OR 97302. The form shall be submitted online, received by fax, or postmarked by April 15, 2023~~5~~ for the 2022~~4~~-2023~~5~~ seasons and April 15, 2024~~6~~ for the 2023~~5~~-2024~~6~~ seasons. Failure to do so shall deny the license holder the opportunity to purchase a hunting license for furbearers or furtaker's license for the following furbearer season, unless the non-compliant licensee pays a fee of \$50.00 and completes and returns the harvest report form prior to the requested license being issued.¶¶

(a) The required harvest report shall include specific information on each beaver taken during the beaver harvest season to include: ¶¶

(A) Location of harvest¶¶

(i) Delineated watershed as selected from harvest survey materials (e.g., HUC4~~8~~)¶¶

(ii) Land ownership (e.g., state, federal, or private)¶¶

(B) Reason for harvest (e.g., was beaver harvest on private land at the request of the landowner for reasons of damage)¶¶

(C) Water feature where trap was set (e.g., bank of river/stream, bank of lake/pond, or bank of agricultural channel/field)¶¶

(b) Any take of beaver outside of the harvest season on privately owned forestland as defined by ORS 527.620 must be reported to the local Department office through the wildlife damage complaint system and should not be included in a furtaker harvest report. (Pursuant to ORS 527.620(7), "forestland" is defined as land that is used for the growing and harvesting of forest tree species, regardless of how the land is zoned or taxed or how any state or local statutes, ordinances, rules or regulations are applied.)¶¶

(3) Any person may sell or exchange the hide, carcass, or any part thereof, of any legally taken furbearing or unprotected mammal, except that a licensed furtaker, who is not the landowner or an agent of the landowner addressing damage, that traps a beaver on privately owned forestland other than "small forestland" as defined in Senate Bill 1501 (2022) may not sell or exchange the pelt of the beaver. (Pursuant to SB 1501 (2022), "small forestland" means forestland (as defined by ORS 527.620) whose owner owns or holds common ownership interest in less than 5,000 acres of forestland in this state.)¶¶

(4) All traps and snares, whether set for furbearing or other unprotected mammals, shall be legibly marked or branded with the owner's license (brand) number that has been assigned by the Department; except that unmarked traps or snares may be set for nongame mammals unprotected by law or Department regulations by any person or member of their immediate family upon land of which they are the lawful owner. A landowner is required to register the location of such land with the Department and shall possess each year a free landowner's license before hunting or trapping furbearing mammals. ¶¶

(5) No branded trap or snare may be sold unless accompanied by a uniform bill of sale. ¶¶

(6) Bobcat, raccoon and opossum may be hunted with the aid of an artificial light provided the light is not cast from or attached to a motor vehicle or boat. ¶¶

(7) An artificial light may be used to provide light to aid in the dispatch of animals legally restrained in a trap or snare. ¶¶

(8) Use of dogs is permitted to hunt or pursue bobcat, raccoon, fox, and unprotected mammals. ¶¶

(9) It is unlawful for any person to trap for furbearers, predatory animals or unprotected mammals using: ¶¶

(a) A steel foothold trap with a jaw spread greater than 9 inches. ¶¶

~~(b) A No. 3 or larger longspring foothold trap or any foothold trap with an inside jaw spread at dog greater than 6" not having a jaw spacing of at least 3/16 of one inch when the trap is sprung (measurement excludes pads on padded jaw traps) and when the trap is placed in a manner that is not capable of drowning a trapped animal. ¶¶~~

(c) The flesh of any game bird, game fish, game mammal for trap bait. ¶¶

(d) Any killing trap having a jaw spread of 7.5 inches or more in any land set except when authorized by the Oregon

Department of Fish and Wildlife. ¶

(e) Any toothed trap, or trap with a protuberance on the facing edge of the jaws that is intended to hold the animal (except pads on padded jaw traps). ¶

(f) Possessing the branded traps or snares of another unless in possession of written permission from the person to whom the brand is registered. ¶

(g) Sight bait within 15 feet of any foothold trap set for carnivores. ¶

(10) Except for persons authorized to enforce the wildlife laws, it is unlawful to disturb or remove the traps or snares of any licensed trapper while they are trapping on public lands or on land where they have permission to trap. ¶

(11) All traps or snares set or used for the taking of furbearing or unprotected mammals shall be inspected at least every 48 hours and all trapped animals removed. This regulation does not apply to the taking of predatory animals. ¶

(12) Any person setting a trap for predatory animals, as defined in ORS 610.002, must check the trap as follows: ¶

(a) For killing traps and snares, at least once every 14 days and remove all animals; ¶

(b) For restraining traps and snares, at least once every 48 hours and remove all animals. ¶

(13) Any person(s) acting as an agent for a landowner or lawful occupant of land shall have in their possession written authority from the landowner or lawful occupant of the land. Such written authority shall contain at least all of the following: ¶

(a) The date of issuance of the authorization; ¶

(b) The name, address, telephone number and signature of the person granting the authorization; ¶

(c) The name, address and telephone number of the person to whom the authorization is granted; and ¶

(d) The expiration date of the authorization, which shall be not later than one year from the date of issuance of the authorization. ¶

(14) When any furbearer or raw furbearer pelt is transferred to the possession of another person, a written record indicating the name and address of the person from whom the raw pelt was obtained shall accompany such transfer and remain with same so long as preserved in raw pelt form. ¶

(15) It is unlawful for any person to damage or destroy any muskrat house at any time except where such muskrat house is an obstruction to a private or public ditch or watercourse. ¶

(16) It is unlawful to waste the pelt of any furbearer except when authorized by the Oregon Department of Fish and Wildlife. ¶

(17) It is unlawful for any person to use traps or snares suspended in trees in the Siskiyou and Siuslaw National Forests.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146, 496.162, 498.042, 498.172

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146, 496.162, 498.042, 498.172

AMEND: 635-050-0050

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

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.¶¶
- (3) "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.¶¶
- (4) "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). ¶¶
- (5) "Land set" is any set with a trap or snare other than a water set.¶¶
- (6) "Predatory animals" means coyotes, rabbits and rodents which are or may be destructive to agricultural crops, products and activities. "Predatory animal" does not mean beavers.¶¶
- (7) "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".¶¶
- (8) "Raw pelt" means any pelt that has not been processed or converted to any usable form beyond initial cleaning, stretching, and drying.¶¶
- (9) "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:¶¶
- (A) Are permanently assigned to active duty in this state, and their spouse and dependent children.¶¶
- (B) Reside in this state while assigned to duty at any base, station, shore establishment or other facility in this state.¶¶
- (C) Reside in this state while serving as members of the crew of a ship that has an Oregon port or shore establishment as its home port or permanent station.¶¶
- (D) Resides in another state or a foreign country and establishes Oregon residency by filing Oregon state income taxes no later than 12 months before leaving active duty.¶¶
- (E) A member of the uniformed services who is not a resident member of the uniformed services, except for the purpose of purchasing controlled hunt tags issued by the commission. ¶¶
- (c) Aliens attending school in Oregon under a foreign student exchange program.¶¶
- (d) Resident does not include a person:¶¶
- (A) Who merely owns real property or pays property taxes in this state; or¶¶
- (B) Who claims resident privileges in another state or country for any purpose.¶¶
- (10) "Restraining trap" means a device used to capture and restrain (but not kill) a mammal as part of a restraining trap system. A restraining trap system is a system set with the intent to capture and restrain (but not kill) a mammal comprising a combination of: equipment (the trap and the trigger configuration), and set (including site modifications, lures, baits, location and other relevant requirements). ¶¶
- (11) "River" means that portion of a natural water body lying below the level of bankfull stage. Bankfull stage means the stage or elevation at which overflow of the natural banks of a stream or body of water begins to inundate the upland.¶¶
- (12) "Sight bait" means exposed flesh bait, including whole animal carcasses, within 15 feet of any foothold trap set for carnivores.¶¶
- (13) "Trailhead", for the purposes of trapping, is the area beginning at the sign marking the origin of a public trail or segment of trail which is designated, maintained, mapped, and marked by at least one visible sign and includes any

adjacent improved graveled or paved vehicle parking lot. The standard shoulder of the road is not considered part of the trailhead. Trailheads are marked by at least one visible sign posted by the responsible state or federal land management agency and identified on the most current official map of the agency. A trailhead does not include junctions between trails (posted or not) where there is no motorized vehicle access, or intersections where a trail crosses a road, or locations where users have developed an access point, but no improvements have been provided beyond minimal signage for public safety.¶¶

(14) "Unprotected mammals" means, for the purposes of OAR 635-050-0015 through 635-050-0300, badger, coyote, gophers (*Thomomys bottae*, *T. bulbivorus*, *T. mazama*, *T. talpoides* and *T. townsendii*), moles (*Scapanus townsendii*, *S. orarius* and *S. latimanus*), mountain beaver (*Apolodontia rufa*), yellowbellied marmots (*Marmonta flaviventris*), nutria, opossum, porcupine, spotted skunk, striped skunk, and weasel, for which there are no closed seasons or bag limits. 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 coyote, gopher, mountain beaver (boomer), marmot, nutria, or porcupine on that property, these six species are considered to be predatory animals.¶¶

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

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

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

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

AMEND: 635-050-0070

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0070

Beaver Harvest Seasons ¶¶

Open Season: ~~November 15, 2022 through March 15, 2023 and November 15, 2023 through March 15, 2024~~ of the following year in the following described areas:¶¶

- (1) Clackamas County. All open except within the exterior boundaries of Mt. Hood National Forest.¶¶
 - (2) Crook County. All open except Prineville Reservoir below high water line and the Ochoco National Forest.¶¶
 - (3) Curry County. All open except the Rogue River from the east county line to the mouth.¶¶
 - (4) Grant County. All open except within the exterior boundaries of the Ochoco National Forest; Murderers Creek and Deer Creek, tributaries of the South Fork John Day River, within the exterior boundaries of the Malheur National Forest.¶¶
 - (5) Jefferson County. All open except that portion of the Willow Creek watershed on the National Grasslands.¶¶
 - (6) Josephine County. All open except Rogue River from the confluence of Grave Creek downstream to the county line.¶¶
 - (7) Union County. All open except:¶¶
 - (a) National Forest lands. However, private inholdings within the National Forest remain open.¶¶
 - (b) Grande Ronde River above Beaver Creek.¶¶
 - (c) All tributaries of the Grande Ronde River above the confluence of Five Points Creek. (Five Points Creek open to the National Forest boundary.)¶¶
 - (8) Wallowa County. All open except:¶¶
 - (a) Wallowa River watershed above Wallowa Lake.¶¶
 - (b) Those portions of the Lostine River, Hurricane Creek, and Bear Creek watersheds within the Wallowa-Whitman National Forest.¶¶
 - (c) Minam River watershed.¶¶
 - (d) Peavine Creek, a tributary of Chesnimnus Creek.¶¶
 - (9) Wheeler County. All open except within the exterior boundaries of the Ochoco National Forest and those portions of the Bridge Creek watershed on Bureau of Land Management lands.¶¶
 - (10) Other counties: All of the following counties in their entirety: Baker, Benton, Clatsop, Columbia, Coos, Deschutes, Douglas, Gilliam, Hood River, Harney, Jackson, Klamath, Lake, Lane, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Wasco, Washington and Yamhill.
- Statutory/Other Authority: ORS 496.138, 496.146, 496.162, ORS 496.012
Statutes/Other Implemented: ORS 496.138, 496.146, 496.162, ORS 496.012

AMEND: 635-050-0080

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0080

Bobcat Harvest Seasons ¶¶

(1) The open harvest season for bobcat is December 1, 2022 through February 28, 2023 and December 1, 2023 through February 29, 2024, the last day of February of the following year. ¶¶

(2) The bag limit for bobcat in those counties east of the summit of the Cascade Range (including Hood River and Klamath counties) is five per season per licensed hunter or trapper.

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: 635-050-0090

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0090

Gray Fox Harvest Seasons ¶¶

(1) Open season: ~~October 15, 2022 through February 28, 2023 and October 15, 2023 through February 29, 2024~~ the last day of February of the following year. ¶¶

(2) Open area: Entire state.

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: 635-050-0100

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0100

Red Fox Harvest Seasons ¶¶

(1) Open season: ~~October 15, 2022 through February 28, 2023 and October 15, 2023 through February 29, 2024.~~¶

~~(2) Open area: Entire state the last day of February of the following year.~~¶

(2) Open area: Entire state except that portion fifteen miles from the Pacific Crest Trail from the Washinton border south to Interstate 5.

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: 635-050-0110

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0110

Marten Harvest Seasons ¶

(1) Open season: ~~November 1, 2022 through January 31, 2023 and November 1, 2023 through January 31, 2024.~~
of the following year. ¶

(2) Open area: Eastern Oregon and that portion of Western Oregon east of Interstate 5.

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: 635-050-0120

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0120

Mink Harvest Seasons ¶

(1) Open season: ~~November 15, 2022 through March 31, 2023 and November 15, 2023 through March 31, 2024~~, of the following year. ¶

(2) Open area: Entire state.

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: 635-050-0130

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0130

Muskrat Harvest Seasons ¶

(1) Open season: ~~November 15, 2022 through March 31, 2023 and November 15, 2023 through March 31, 2024.~~
of the following year. ¶

(2) Open area: Entire state.

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: 635-050-0140

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0140

Raccoon Harvest Seasons ¶

(1) Open season: ~~November 15, 2022 through March 15, 2023 and November 15, 2023 through March 15, 2024.~~
of the following year. ¶

(2) Open area: Entire state.

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: 635-050-0150

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0150

River Otter Harvest Seasons ¶

(1) Open season: ~~November 15, 2022 through March 15, 2023 and November 15, 2023 through March 15, 2024, of the following year.~~ ¶

(2) Open area: Entire state except for all areas closed to beaver trapping in OAR 635-050-0070.

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: 635-050-0170

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0170

Pursuit Seasons ¶¶

(1) The following pursuit seasons are authorized:¶¶

(a) Bobcat: September 1, ~~2022~~ through February 28, ~~2023~~ and September 1, ~~2023~~ through February 29, ~~2024~~ the last day of February of the following year.¶¶

(b) Fox: September 1, ~~2022~~ through February 28, ~~2023~~ and September 1, ~~2023~~ through February 29, ~~2024~~ the last day of February of the following year.¶¶

(c) Raccoon: September 1, ~~2022~~ through March 15, ~~2023~~ and September 1, ~~2023~~ through March 15, ~~2024~~ of the following year.¶¶

(2) License Requirements: Furtaker's license or hunting license for furbearers shall be on one's person during pursuit.¶¶

(3) No animals shall be killed except during authorized open harvest season.¶¶

(4) A bobcat record card shall be on one's person while taking or attempting to take bobcat.

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: 635-050-0180

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0180

Bobcat and River Otter Record Cards ¶¶

- (1) Each person desiring to hunt or trap bobcat or river otter shall purchase a bobcat or river otter record card prior to hunting or trapping bobcat or river otter.¶¶
- (2) Bobcat record cards will be available for a fee of \$37.50 per card.¶¶
- (3) River otter record cards will be available for a fee of \$37.50 per card.¶¶
- (4) Record cards will be available at the Salem headquarters and regional offices of the Department.¶¶
- (5) River otter cards will have spaces for recording 15 river otters. There is no limit on the purchase of river otter record cards.¶¶
- (6) A western Oregon bobcat record card allows a person to hunt or trap bobcats in the counties east of the summit of the Cascade Range. Each western Oregon bobcat record card will have spaces for recording 15 bobcats. There is no limit on purchase of western Oregon bobcat record cards.¶¶
- (7) An Oregon statewide bobcat record card allows a person to hunt or trap bobcats statewide. No more than one Oregon statewide record card for bobcats will be issued to any furtaker or hunter. A duplicate card may be issued, but no more than the bag limit described for statewide/eastern Oregon bobcats in OAR 635-050-0080 may be taken in a season.¶¶
- (8) No person may obtain or possess both statewide and western Oregon bobcat record cards.¶¶
- (9) Bobcat and river otter record cards shall not be sold after the end of their respective seasons.¶¶
- (10) Each furtaker shall have the appropriate record card on their person while trapping or hunting bobcat or river otter. A bobcat record card is not required to participate in pursuit seasons.¶¶
- (11) Furtakers shall not have record cards other than their own on their person; or in their possession while in the field or in transit. A transfer record should accompany any transfer of a record card and pelts to another furtaker for the purposes of temporary storage or tagging. ¶¶
- (12) Upon coming into possession of any bobcat or river otter, the furtaker who killed the animal shall immediately write on their record card, the species, sex, date of possession and county of harvest.¶¶
- (13) Each furtaker shall retain the record card until they dispose of the raw pelts.¶¶
- (14) Fees paid for unused record cards shall not be refunded.¶¶
- (15) It is unlawful to alter or be in possession of an altered bobcat or river otter record card.¶¶
- (16) Each licensee shall register a brand number to obtain a bobcat or river otter record card.

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

Statutes/Other Implemented: SB 247 (2015), ORS 496.012, ORS 496.138, ORS 496.146, ORS 496.162

AMEND: 635-050-0189

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0189

Special Bobcat and River Otter Regulations ¶¶

Those persons failing to comply with ~~20224-20235~~ or ~~20235-20246~~ Special Bobcat and River Otter Regulations may not be issued a license for the following furbearer season and shall be subject to the penalties provided in ORS 496.992.

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: 635-050-0210

RULE SUMMARY: Amend rules related to furbearer harvest, bag limits, area closures, reporting, residency and transaction of pelts for the 2024-2025 and 2025-2026 furbearer harvest and pursuit seasons and amend rules regarding trapping on department lands.

CHANGES TO RULE:

635-050-0210

Areas Closed to Hunting or Trapping ¶¶

It is unlawful to hunt or trap furbearing mammals or unprotected mammals on the following areas except as authorized by permit or as provided in section (~~2431~~) and (~~325~~) of this section: ¶¶

- (1) Cemeteries; ¶¶
- (2) City and municipal watersheds declared to be refuges; ¶¶
- (3) Coquille Valley Wildlife Area; ¶¶
- (4) Coyote Springs Wildlife Area; ¶¶
- (5) Crates Point Wildlife Area; ¶¶
- (6) Enterprise Wildlife Area; ¶¶
- (7) Federal refuges; ¶¶
- (8) Denman Wildlife Area; ¶¶
- (9) EE. Wilson Wildlife Area; ¶¶
- (10) Fern Ridge Wildlife Area; ¶¶
- (11) Irrigon Wildlife Area; ¶¶
- (12) Jewell Meadows Wildlife Area; ¶¶
- (13) Klamath Wildlife Area; ¶¶
- (14) Ladd Marsh Wildlife Area; ¶¶
- (15) McDonald Forest (Benton County); ¶¶
- (16) Metolius Wildlife Refuge; ¶¶
- (17) National, state and public parks; ¶¶
- (18) North Bank Habitat Management Area (BLM); ¶¶
- (19) Posted refuges and safety zones on Department owned, managed, or controlled areas; ¶¶
- (20) Power City Wildlife Area; ¶¶
- (21) Public campgrounds; ¶¶
- (22) Rimrock Springs Wildlife Area; ¶¶
- (23) Sauvie Island Wildlife Area; ¶¶
- (24) School lands; ¶¶
- (25) Summer Lake Wildlife Area; ¶¶
- (26) St. Louis Ponds ¶¶
- (27) Tami Wagner Wildlife Area; ¶¶
- (28) Willow Creek Wildlife Area; ¶¶
- (29) Tillicum Natural Area; ¶¶
- (30) Department owned, managed, or controlled areas that are primarily available to the public for the purpose of angling or boat access; ¶¶
- (31) Within city boundaries (note, however, that ORS 498.012 allows landowners and their agents to trap for the purpose of dealing with certain types of damage, public nuisance and public health risk. This authority overrides the restriction on trapping within cities); ¶¶
- (32) Notwithstanding section (31) of this rule, trapping furbearing and unprotected mammals is permitted within incorporated city limits as follows: ¶¶
 - (a) Warrenton, except within 100 yards of any residential building or within the boundaries of Fort Stevens State Park; ¶¶
 - (b) Klamath Falls, on a person's own property for muskrat and beaver; ¶¶
 - (c) Bend, as approved and permitted by the Department; ¶¶
 - (d) Cottage Grove; applicants must submit written request to the City of Cottage Grove for a trapping permit. ¶¶
- (33) Oregon Dunes National Recreation Area is open to hunting as permitted by the Department but closed to trapping furbearing and unprotected mammals.

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

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

Furbearer Trapping and Hunting Regulations for the 2024-2025 and 2025-2026 Seasons

Attachment to Notice of Proposed Rulemaking for June 14, 2024

Table 1. Oregon furtaker and fur dealer license sales, fees, and revenues 2021, 2022, and 2023

Transaction Type	Fee	2021		2022		2023	
		# Issued	Revenue	# Issued	Revenue	# Issued	Revenue
Resident Hunt and Trap	\$54.5	742	\$40,439	776	\$42,292	674	\$36,733
Resident Hunt Only	\$26	658	\$17,108	669	\$17,394	640	\$16,640
Non-Resident Furtaker	\$407	74	\$30,118	66	\$26,862	91	\$37,037
Youth Furtaker	\$17	54	\$918	60	\$1,020	58	\$986
Western Bobcat Card	\$37.5	352	\$13,200	315	\$11,812.5	313	\$11,737.5
Statewide Bobcat Card	\$37.5	1,067	\$40,012.5	999	\$37,462.5	1,057	\$39,637.5
River Otter Card	\$37.5	239	\$8,962.5	208	\$7,800	222	\$8,325
Fur Dealer Permit	\$111	56	\$6,216	59	\$6,549	60	\$6,660
Total Revenue			\$156,974		\$151,192		\$157,756

Table 2. Estimated harvest and associated pelt revenues for 2021-2022 and 2022-2023

	2021-2022			2022-2023		
	Total Statewide Harvest	Avg. Pelt \$ Value	Total Harvest Revenues	Total Statewide Harvest	Avg. Pelt \$ Value	Total Harvest Revenues
Badger	161	\$25.28	\$4,070.08	107	\$16.80	\$1,797.29
Beaver	1172	\$16.02	\$18,777.01	1075	\$25.96	\$27,911.26
Bobcat - statewide	918	\$235.29	\$215,996.31	862	\$363.30	\$313,162.04
Bobcat - western	360	\$45.34	\$16,321.20	368	\$130.33	\$47,960.05
Coyote	3965	\$18.49	\$73,299.63	2205	\$16.26	\$35,860.35
Grey Fox	179	\$15.56	\$2,784.59	173	\$11.80	\$2,041.89
Red Fox	172	\$12.13	\$2,086.36	116	\$15.81	\$1,833.47
Marten	23	\$33.24	\$764.52	0	\$30.10	\$0.00
Mink	64	\$6.88	\$440.40	40	\$5.63	\$225.06
Muskrat	881	\$2.09	\$1,840.39	740	\$2.84	\$2,097.94
Nutria	565	\$2.42	\$1,366.82	631	\$1.86	\$1,172.62
Otter	182	\$27.48	\$5,002.24	188	\$47.81	\$8,987.89
Opossum	211	\$2.97	\$626.67	212	\$2.49	\$526.94
Raccoon	542	\$7.62	\$4,128.99	477	\$2.66	\$1,269.64
Spotted Skunk	87	\$16.52	\$1,437.24	41	<i>na</i>	\$0.00
Striped Skunk	485	\$8.76	\$4,249.57	298	\$10.51	\$3,132.67
Weasel	12	<i>na</i>	\$0.00	0	<i>na</i>	\$0.00
Total Revenue			\$353,192.03			\$447,979.10