



**Oregon Administrative Rules
Oregon Department of Fish and Wildlife**

635-500-6700

Organization of Rules

These rules (OAR 635-500-6700 through 635-500-6765) establish the Commission's policy for the non-tribal Columbia River Recreational and Commercial Fisheries Management Framework.

Stat. Auth.: ORS 496.138, 496.146 and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 12-7-12, f. 12-27-12, ef. 1-1-13

635-500-6705

Guiding Principles for Columbia River fisheries management:

- (1) Promote the recovery of ESA-listed species and the conservation of wild stocks of salmon, steelhead, and sturgeon in the Columbia River.
- (2) Continue leadership on fish recovery actions, including improved fish survival through the federal Columbia River hydropower system, improved habitat conditions in the tributaries and estuary, hatchery reform, reduced predation by fish, birds, and marine mammals, and harvest management that meets conservation responsibilities.
- (3) Continue to meet terms of *U.S. v. Oregon* management agreements with Columbia River Treaty Tribes.
- (4) In a manner that is consistent with conservation and does not impair the resource, seek to enhance the overall economic well-being and stability of Columbia River fisheries in Oregon.
- (5) For steelhead, salmon and sturgeon, prioritize recreational fisheries in the mainstem and commercial fisheries in off-channel areas of the lower Columbia River. Toward this end:
 - a) Assign mainstem recreational fisheries a sufficient share of ESA-impacts and harvestable surplus to enhance current fishing opportunity and economic benefit.
 - b) Assign commercial fisheries a sufficient share of the ESA-impacts and harvestable surplus to effectively harvest fish in off-channel areas and harvest surplus fish with selective techniques in the mainstem Columbia River.
- (6) Limit the use of gill nets in non-tribal commercial fisheries, other than shad and smelt, in the mainstem Columbia River to fall fisheries in Commercial Zones 4 and 5. Limit other non-tribal gill net use to off-channel areas only.
- (7) Enhance the economic benefits of off-channel commercial fisheries, in a manner consistent with conservation and wild stock recovery objectives. Enhancements include:
 - a) Providing additional hatchery fish for release in off-channel areas by shifting currently available production, and where possible providing new production for release in off-channel areas, emphasizing complementary conservation benefits in tributaries.
 - b) Expanding existing seasons and boundaries in off-channel areas and/or establishing new off-channel areas, allowing increased harvest in areas where the likelihood of impacting ESA-listed stocks is lower than the mainstem.
- (8) Develop and implement selective-fishing gear and techniques for commercial mainstem fisheries to optimize conservation and economic benefits consistent with mainstem recreational objectives, combined with incentives to commercial fishers to expand the development and implementation of these gear and techniques.
- (9) Maintain consistent and concurrent policies between Oregon and Washington related to management of non-tribal Columbia River fisheries, to ensure orderly fisheries as well as the sharing of investments and benefits.



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(10) To maximize economic return, develop a program that seeks to implement Marine Stewardship Council or other certification of commercial salmon and sturgeon fisheries in the Columbia River as sustainably managed fisheries.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.109 & 506.129

Hist.: Adopted 3-17-17, f. 3-22-17, ef. 4-4-17

635-500-6710

Columbia River Fisheries

Department staff shall manage fisheries consistent with the guiding principles and the allocation framework and provisions in OAR 635-500-6715 through 635-500-6765.

Stat. Auth.: ORS 496.138, 496.146 and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 12-7-12, f. 12-27-12, ef. 1-1-13

635-500-6715

Spring Chinook

(1) Transition Period (2013-January 31, 2017).

(a) In 2013, assign 65%, then 70% of the ESA-impact for upriver spring Chinook stocks to mainstem recreational fisheries.

(b) In 2013, assign 35%, then 30% to off-channel and mainstem commercial fisheries.

(2) Long Term (February 1, 2017 and Beyond).

(a) Assign 80% of the ESA-impact to mainstem recreational fisheries. If the recreational allocation, including areas upstream of Bonneville Dam and in the Snake River, is unlikely to be fully used, the unused portion of that allocation shall be transferred to the commercial fishery.

(b) Assign 20% to commercial fisheries. Mainstem commercial fisheries may occur only after the run size update and will use tangle nets or other selective gear, if developed. Unused commercial impacts will not be transferred to recreational fisheries.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.109 & 506.129

Hist.: Adopted 3-17-17, f. 3-22-17, ef. 4-4-17

635-500-6720

Summer Chinook

(1) Transition Period (2013-April 4, 2017).

(a) In 2013-14, assign 60%, then 70% of the harvestable surplus available for use downstream from Priest Rapids Dam to mainstem recreational fisheries.

(b) In 2013-14, assign 40%, then 30% to off-channel and mainstem commercial fisheries.

(2) Long Term (April 5, 2017 and Beyond).

(a) Assign 80% of the harvestable surplus available for use downstream from Priest Rapids Dam to mainstem recreational fisheries.

(b) Assign 20% of the harvestable surplus available for use downstream from Priest Rapids Dam to



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off-channel and mainstem commercial fisheries using gears other than gill nets. Unused commercial harvest will not be transferred to recreational fisheries.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.109 & 506.129

Hist.: Adopted 3-17-17, f. 3-22-17, ef. 4-4-17

635-500-6725

Sockeye

(1) Transition Period (2013- January 31, 2017).

(a) Assign 70% of the ESA-impact for Snake River sockeye to mainstem recreational fisheries.

(b) Assign 30% to mainstem commercial fisheries for incidental harvest of sockeye in Chinook-directed fisheries.

(2) Long Term (February 1, 2017 and Beyond).

(a) Assign approximately 80% of the ESA-impact for Snake River sockeye to mainstem recreational fisheries.

(b) Assign the remaining balance to commercial fisheries for incidental harvest of sockeye in Chinook-directed fisheries.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.109 & 506.129

Hist.: Adopted 1-20-17, f. & ef. 1-25-17

635-500-6730

Tule Fall Chinook

(1) Transition Period (2013-April 4, 2017).

(a) Assign no more than 70% of the ESA-impact for lower Columbia River Tule fall Chinook to mainstem recreational fisheries.

(b) Assign not less than 30% to off-channel commercial fisheries, mainstem commercial fisheries that target Upriver Bright and Lower River Hatchery Fall Chinook.

(2) Long Term (April 5, 2017 and Beyond).

(a) Assign no more than 70% of the remaining ESA-impact for lower Columbia River Tule Fall Chinook to mainstem recreational fisheries.

(b) Assign not less than 30% of the remaining ESA-impact for lower Columbia River Tule Fall Chinook to off-channel commercial fisheries and mainstem commercial fisheries that target Upriver Bright and Lower River Hatchery Fall Chinook and hatchery coho. Use up to 2% of commercial ESA impacts of the most constraining stock for use in lower river commercial fisheries using alternative gears. The Department shall approve alternative gears for use.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.109 & 506.129

Hist.: Adopted 3-17-17, f. 3-22-17, ef. 4-4-17



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635-500-6735

Upriver Bright Fall Chinook

(1) Transition Period (2013-April 4, 2017).

(a) Assign no more than 70% of the ESA-impact for Snake River Wild Fall Chinook to mainstem recreational fisheries.

(b) Assign not less than 30% to off-channel and mainstem commercial fisheries. Provide additional mainstem commercial harvest when recreational fishery objectives (OAR 635-500-6760) are expected to be met.

(2) Long Term (April 5, 2017 and Beyond).

(a) Assign no more than 70% of the ESA-impact for Snake River Wild Fall Chinook to mainstem recreational fisheries.

(b) Assign not less than 30% to off-channel and mainstem commercial fisheries. Provide additional mainstem commercial harvest when recreational fishery objectives (OAR 635-500-6760) are expected to be met. Use up to 2% of commercial ESA impacts of the most constraining stock for use in lower river commercial fisheries using alternative gears. The Department shall approve alternative gears for use.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.109 & 506.129

Hist.: Adopted 3-17-17, f. 3-22-17, ef. 4-4-17

635-500-6740

Coho

(1) Transition Period (2013-January 31, 2017).

(a) Assign commercial fisheries a sufficient share of the ESA-impact for Lower Columbia Natural coho to implement off-channel coho and fall Chinook fisheries and mainstem fall Chinook fisheries.

(b) Assign the remaining balance to in-river mainstem recreational fisheries. If these fisheries are expected to be unable to use all of the ESA-impact for Lower Columbia Natural coho, assign the remainder to mainstem commercial coho fisheries.

(2) Long Term (February 1, 2017 and Beyond).

(a) Assign commercial fisheries a sufficient share of the ESA-impact for Lower Columbia Natural coho to implement off-channel coho and fall Chinook fisheries and mainstem fall Chinook and hatchery coho fisheries.

(b) Assign the balance to in-river mainstem recreational fisheries. If these fisheries are unable to use all of the ESA-impact for Lower Columbia Natural coho, assign the remainder to mainstem commercial coho fisheries.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.109 & 506.129

Hist.: Adopted 1-20-17, f. & ef. 1-25-17

635-500-6745

Chum

(1) Transition Period (2013-January 31, 2017).

(a) Assign commercial fisheries a sufficient share of the ESA-impact for chum to implement off-channel and mainstem fisheries targeting other salmon species.

(b) Prohibit the retention of chum salmon in recreational and commercial fisheries.



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(2) Long Term (February 1, 2017 and Beyond).

(a) Assign commercial fisheries a sufficient share of the ESA-impact for chum to implement off-channel and mainstem fisheries targeting other salmon species.

(b) Prohibit the retention of chum salmon in recreational and commercial fisheries

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.109 & 506.129

Hist.: Adopted 1-20-17, f. & ef. 1-25-17

635-500-6750

White Sturgeon

(1) Transition Period (2013-January 31, 2017).

(a) In years when retention is allowed, allocate 90% of the harvestable surplus downstream from Bonneville Dam for use in non-tribal fisheries and hold 10% in reserve as an additional conservation buffer above the maximum harvest rate allowed in Oregon's white sturgeon conservation plan.

(b) Assign 80% of the white sturgeon available for harvest to the recreational fishery.

(c) Assign 20% to off-channel and mainstem commercial fisheries.

(2) Long Term (February 1, 2017 and Beyond).

(a) In years when retention is allowed, allocate 90% of the harvestable surplus downstream from Bonneville Dam for use in non-tribal fisheries and hold 10% in reserve as an additional conservation buffer above the maximum harvest rate allowed in Oregon's white sturgeon conservation plan.

(b) Assign 80% of the white sturgeon available for harvest to the recreational fishery.

(c) Assign the balance (20%) to off-channel and mainstem commercial fisheries.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.109 & 506.129

Hist.: Adopted 1-20-17, f. & ef. 1-25-17

635-500-6755

Additional Commercial Opportunity

Additional opportunity for mainstem commercial fisheries shall be provided:

(1) If recreational fisheries are predicted to be unable to use their allocated impacts;

(2) If established objectives for mainstem recreational fisheries are predicted to be met; or

(3) If needed to remove lower river hatchery tle Chinook and coho using selective techniques to meet conservation objectives.

Stat. Auth.: ORS 496.138, 496.146 and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 12-7-12, f. 12-27-12, ef. 1-1-13

635-500-6760

Fall Recreational Fishery Objectives

Within limitations described in OAR 635-500-6730 thru OAR 635-500-6750, fall recreational fishery objectives include:



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(1) Buoy 10 to Tongue Point.

The recreational fishing objective for Buoy 10 is defined as a season beginning August 1 and continuing through Labor Day (34 days; assuming Labor Day is September 3).

(2) Tongue Point to Warrior Rock.

The recreational fishing objective for the area from Tongue Point upstream to Warrior Rock is defined as a season beginning August 1 and continuing through September 7 as non-mark selective with an additional week of mark selective fishing during September 8-14 (45 days).

(3) Warrior Rock to Bonneville Dam.

The recreational fishing objective for the area from Warrior Rock upstream to Bonneville Dam is defined as a season beginning August 1 and continuing through October 31 when the season is assumed to be essentially complete (92 days).

Stat. Auth.: ORS 496.138, 496.146 and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 12-7-12, f. 12-27-12, ef. 1-1-13

635-500-6765

Adaptive Management

(1) The Department shall use adaptive management principles within its statutory authority in support of achieving the expectations outlined in the guiding principles of this plan.

(2) The Commission will monitor implementation of the plan with an initial review in 2014 and undertake a comprehensive review at the end of the transition period. If the guiding principles are not being met, efforts will be made to determine why and the Commission will direct the Department to identify and evaluate alternative or additional management actions necessary to meet the principles.

Stat. Auth.: ORS 496.138, 496.146 and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 12-7-12, f. 12-27-12, ef. 1-1-13