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TEMPORARY ADMINISTRATIVE ORDER

INCLUDING STATEMENT OF NEED & JUSTIFICATION

DFW 105-2026

CHAPTER 635

DEPARTMENT OF FISH AND WILDLIFE

FILED: 10/01/2026 8:30 AM

ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: Eagle Creek (Clackamas) Angling Closure from Southeast Dowty Road Downstream to the Clackamas River Confluence

EFFECTIVE DATE: 10/02/2026 THROUGH 10/31/2026

AGENCY APPROVED DATE: 10/01/2026

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Filed By:
Adam Buell
Rules Coordinator

NEED FOR THE RULE(S):

Coho are listed under both the state and federal Endangered Species Acts in Eagle Creek (and the Clackamas River basin). Currently, coho in Eagle Creek are vulnerable to illegal snagging due to water conditions.

Early light rain events followed by hot, dry weather caused good numbers of coho to migrate out of the Clackamas mainstem into lower Eagle Creek. As flows in Eagle Creek have dropped, fish have remained in this area, concentrating them and making them susceptible to illegal snagging. Enforcement of current angling rules is difficult in this location, so a closure is needed.

JUSTIFICATION OF TEMPORARY FILING:

There is not adequate time to go through normal rulemaking proceedings to modify these rules in a timely manner because water conditions are changing. Failure to adopt this rule would cause serious prejudice to the public interest in that natural- and hatchery- origin coho are subject to abnormally high encounter rates and illegal angling approaches at this location. This may negatively affect the population level which would reduce opportunity for recreational anglers in the future. Anglers will still have opportunities to legally fish in the mainstem Clackamas and upstream in Eagle Creek

(once flows increase).

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

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 Adam Buell at 503-947-6233 or adam.m.buell@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: 635-017-0510

RULE TITLE: North Willamette (Cascade) District

RULE SUMMARY: This amended rule will temporarily close the lowest reach of Eagle Creek (Clackamas basin) to angling to provide coho with a safe resting area during current low flows.

RULE TEXT:
Effective October 2 through October 31, Eagle Creek is closed to angling from the mouth upstream to SE Dowty Rd bridge.

STATUTORY/OTHER AUTHORITY: ORS 496.138, ORS 496.146

STATUTES/OTHER IMPLEMENTED: ORS 496.162