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TEMPORARY ADMINISTRATIVE ORDER

INCLUDING STATEMENT OF NEED & JUSTIFICATION

DFW 106-2026

CHAPTER 635

DEPARTMENT OF FISH AND WILDLIFE

FILED: 10/01/2026 8:42 AM

ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: Authorize Sales for Columbia River Treaty Commercial Fall Gillnet Fishery

EFFECTIVE DATE: 10/02/2026 THROUGH 12/31/2026

AGENCY APPROVED DATE: 10/01/2026

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Filed By:
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Rules Coordinator

NEED FOR THE RULE(S):

This rule is needed to authorize sales of fish caught in fall-season Columbia River Zone 6 Treaty fisheries to state-licensed buyers. In-season monitoring by tribal fishery managers indicates these fisheries are within allowable harvest limits.

JUSTIFICATION OF TEMPORARY FILING:

There is insufficient time to initiate the permanent rulemaking process to authorize sales for these Tribal fishing periods by the specified date and time.

Fisheries are managed to provide opportunity for recreational, commercial, and treaty fisheries while meeting species or stock-specific allocations while remaining within ESA guidelines.

Failure to adopt this rule would deny Tribal fishers the opportunity to harvest then sell their share of this valuable resource in Oregon.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

1. COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION; JOINT STAFF REPORT - FALL FACT SHEET NO. 7; Columbia River Compact/Joint State Hearing; Dated September 30, 2026.

2. Columbia River Fishery Notice; Oregon Department of Fish and Wildlife; Dated September 30, 2026.

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

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AMEND: 635-041-0075

SUSPEND: Temporary 635-041-0075 from DFW 103-2026

RULE TITLE: Fall Salmon Season

RULE SUMMARY: This amended rule authorizes the sales of fish caught in the Zone 6 treaty commercial gillnet fishery.

Modifications are consistent with actions taken by the Departments of Fish and Wildlife for the States of Oregon and Washington at a Columbia River Compact hearing on September 30, 2026.

RULE TEXT:
(1) Salmon (all species), steelhead, shad, yellow perch, bass, catfish, carp, and walleye may be sold commercially or retained for subsistence purposes from the Zone 6 area of the mainstem Columbia River as follows:
(a) Effective 12:01 a.m. August 1 through 6:00 p.m. December 31, in the platform and hook-and-line fishery with gear restricted to hoop nets/bag nets, dip nets, and rod and reel with hook and line.
(b) The treaty Indian Columbia River gillnet fishery in Zone 6 is open as follows:
(A) Gear is restricted to set and drift gillnets with an 8-inch minimum mesh size.
(B) Standard sanctuaries applicable to gillnet gear are in effect as described in OAR 635-041-0045.
(C) Open fishing periods are as follows:
(i) 6:00 am September 28 through 6:00 pm September 30; and
(ii) 6:00 am October 5 through 6:00 pm October 8.
(c) Sturgeon may not be sold. Sturgeon from 38 to 54 inches fork length in the Bonneville Pool and sturgeon from 43 to 54 inches fork length in The Dalles and John Day pools may be kept for subsistence purposes.
(2) Effective 12:01 a.m. August 1 to 6:00 p.m. December 31, commercial sales of fish caught by enrolled Yakama Nation members in Yakama Nation tributary fisheries are open during those days and hours when these tributaries are open under lawfully-enacted Yakama Nation subsistence fishery regulations as follows:
(a) The Yakama Nation tributary fisheries include the Klickitat River, Wind River, and Drano Lake.
(b) Allowable sales include salmon (all species), steelhead, walleye, shad, catfish, carp, bass, and yellow perch.
(c) Sturgeon may not be sold. Sturgeon between 38-54 inches in fork length may be kept for subsistence purposes.
(d) Gear is restricted to subsistence fishing gear which includes hoop nets, bag nets, dip nets, and rod and reel with hook-and-line.
(3) Fish caught during any open period may be sold after the period concludes as long as the fish were landed during the open period.

STATUTORY/OTHER AUTHORITY: ORS 496.118, ORS 506.119

STATUTES/OTHER IMPLEMENTED: ORS 506.109, ORS 506.129, ORS 507.030