

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

12-7

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on [October 6, 2006] by the
Date prior to or same as filing date

Oregon Department of Fish and Wildlife (ODFW) – Wildlife Division 635
Agency and Division Administrative Rules Chapter Number

Casaria Tuttle 3406 Cherry Ave. NE Salem, OR 97303 (503)947-6033
Rules Coordinator Address Telephone

To become effective [January 1, 2007]. Rulemaking Notice was published in the [September 2006] Oregon Bulletin. **
Date upon filing or later Month and Year

RULE CAPTION

Establish 2007 regulations for Big Game Mammals

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:

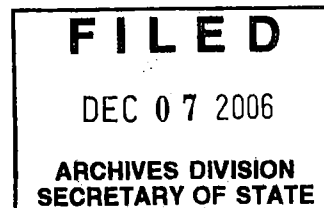
AMEND: 635-045-0000, 635-045-0002, 635-060-0000, 635-060-0046, 635-065-0001, 635-065-0401, 635-065-0625, 635-065-0635, 635-065-0720, 635-065-0740, 635-066-0000, 635-067-0000, 635-067-0015, & 635-072-0000.

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 496.012, 496.138, 496.146, & 496.162



Other Auth.:

Stats. Implemented: ORS 496.012, 496.138, 496.146, & 496.162

RULE SUMMARY

Establish 2007 hunting regulations for game mammals, including season dates, open areas, location of cooperative travel management areas, wildlife areas, and other rules including general hunting and controlled hunt regulations. Specific rule changes include: changes to the cougar quotas; and set 2007 spring bear controlled tag numbers.

Roxie Burns

Authorized Signer

Roxie Burns

Printed name

11/30/06

Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

ARC 930-2005

DFW 127-2006

DIVISION 045 DEFINITIONS

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 "2006-2007 Oregon Game Bird Regulations", and "2007 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.

Statutory Authority: ORS 496.012, 496.138, 496.146, 496.162

Stats Implemented: ORS 496.012, 496.138, 496.146, 496.162

635-045-0002

Definitions

- (1) "Adult hunting license" is a resident or nonresident hunter's license, resident combination angler's and hunter's license, disabled war veteran's license, pioneer's hunting license or senior citizen's hunting and fishing license.
- (2) "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.
- (3) "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.
- (4) "Antlerless deer" means doe or fawn deer.
- (5) "Antlerless elk" means cow or calf elk.
- (6) "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.
- (7) "Baited Area" means an area where baiting has taken place.
- (8) "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.
- (9) "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.
- (10) "Brace Height" is the distance from the back of the bow's riser at the handgrip to the string when the bow is at rest.
- (11) "Buck Deer" means a male deer with at least one visible antler.
- (12) "Buck Pronghorn" means a male pronghorn antelope with visible horns and a dark cheek patch below the ear.
- (13) "Bull elk" for the purposes of a bag limit definition, means a male elk with at least one visible antler.
- (14) "Calendar year" means from January 1 through December 31.
- (15) "Carcass" is the skinned or unskinned body, with or without entrails, of a gamebird or game mammal.
- (16) "Cascade elk" means any live elk occurring in the Dixon, Evans Creek, Indigo, Keno, McKenzie, Metolius, Rogue, Santiam and Upper Deschutes units and those parts of Fort Rock and Sprague units west of Highway 97, and that part of Grizzly Unit west of Hwy 97 and south of Hwy 26.
- (17) "Cervid" means any member of the family cervidae (deer), including gametes or hybrids. Species included within the family, taxonomic nomenclature, and other matters pertaining to the identification of animals within the family shall be that of *Walker's Mammals of the World, Sixth Edition*, Johns Hopkins University Press, Baltimore, Maryland, 1999, by Ronald M. Nowak.
- (18) "Cervid Propagation License – Type 1" means a license required to hold any live cervid species other than fallow deer and reindeer except as provided in OAR 635-049-0010(1)-(3).
- (19) "Cervid Propagation License – Type 2" means a license required to hold live fallow deer and reindeer except as provided in OAR 635-049-0010(1)-(3).
- (20) "Closed season" is any time and place when it is not authorized to take a specific species, sex or size of wildlife.

- (21) "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.
- (22) "Commission" means the Oregon Fish and Wildlife Commission.
- (23) "Controlled hunt" is a season where the number or distribution of hunters is limited through a public drawing or other means.
- (24) "Department" means the Oregon Department of Fish and Wildlife.
- (25) "Director" means the Oregon Fish and Wildlife Director.
- (26) "Doe or fawn pronghorn" means a female pronghorn antelope without a dark cheek patch below the ear or a pronghorn fawns (young of the year) of either sex.
- (27) "Domestic partner" as used in this rule means a person in a relationship with another person, each of whom:
- (a) is under no legal disability to marry the other person, but for the fact that each is of the same sex;
 - (b) desires a relationship of marriage under Oregon law and would enter into marriage with the other person, and only with the other person, if Oregon law permitted it;
 - (c) acknowledges and accepts financial obligations to the other person and to third parties equivalent to the financial obligation that arise within a marriage recognized under Oregon state law; and
 - (d) is not married and has no similar commitment and responsibility to any other person.
 - (e) Has continuously lived for 6 months with the other person
- (28) "Eastern Oregon" means all counties east of the summit of the Cascade Range including all of Klamath and Hood River counties.
- (29) "Eastern Oregon deer" means any live deer occurring east of the east boundaries of the Santiam, McKenzie, Dixon, Indigo and Rogue units.
- (30) "Eligible Hunter" means someone who will be 12 years of age by the time they hunt.
- (31) "Entry permit" means a permit issued by the Department to be in an area where entry is restricted by regulation.
- (32) "Established airport" is one that the Aeronautics Division has licensed as a public-use airport, registered as a personal-use airport, or specifically exempted from either licensing or registration.
- (33) "Evidence of lawful possession" means any license or permit allowing possession of the specified live cervid; or other documentation establishing lawful possession, including but not limited to a statement of no requirement for a license or permit for the specified live cervid granted by the country or state of origin.
- (34) "Facility" means the location where animals are held, including the exterior perimeter fence and all pastures, paddocks, runways, buildings, and pens therein.
- (35) "Feral Swine" means animals of the genus *Sus* as defined by the Oregon Department of Agriculture in OAR 603-010-0055.
- (36) "Fiscal year" means from July 1 through June 30.
- (37) "Furbearers" are beaver, bobcat, fisher, marten, mink, muskrat, otter, raccoon, red fox, and gray fox.
- (38) "Game Birds" are any waterfowl, snipe, band-tailed pigeon, dove, pheasant, quail, partridge, grouse, or wild turkey.
- (39) "Game mammals" are pronghorn antelope, black bear, cougar, deer, elk, moose, Rocky Mountain goat, bighorn sheep, and western gray squirrel.
- (40) "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.
- (41) "Hold" means any form of possession or control of an animal, gamete, hybrid, or part thereof.
- (42) "Hunter certification" means to have met educational, safety or other requirements designated by administrative rule for participation in a hunt.
- (43) "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.
- (44) "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.

(45) "Immediate family" for the purpose of Landowner Preference, means a landowner's spouse, children, father, mother, brother, sister, stepchildren, and grandchildren.; for all other purposes, it means spouse, domestic partner, children, father, mother, brother, sister, stepchildren, and grandchildren.

(46) "Inedible" means unfit for human consumption.

(47) "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 holding title in fee simple to 40 or more contiguous acres of land; provided however that the corporation 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.

(48) "Low Income" means a person who is "economically disadvantaged" as defined in Section 4(8) of the Federal Job Training Partnership Act of 1982.

(49) "Mounted Wildlife" means any hide, head or whole body of wildlife prepared by a licensed taxidermist for display.

(50) "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 an open ignition system and open or peep sights.

(51) "Native cervid" means mule deer, black-tailed deer, white-tailed deer, Roosevelt elk, Rocky Mountain elk and moose, including gamete or hybrid.

(52) "Nonindigenous cervid" means any member of a cervid species, including gamete or hybrid, not classified as a native cervid species.

(53) "On or within" means a straight line distance measured on a map.

(54) "One deer" means a buck, doe, or fawn deer.

(55) "One elk" means a bull, cow, or calf elk.

(56) "Open Ignition" is an ignition system where the percussion cap, or frizzen, or flint is visible and exposed to the weather at all times and is not capable of being closed or covered by any permanent piece of the weapon.

(57) "Partner" means a person in an association of two or more persons formed to carry on as co-owners for

(58) "Point-of-Sale" (POS) is a computerized licensing system available at locations that sell Oregon's hunting and angling licenses. Licenses and tags are generated and issued directly to customers from a POS machine at the time of sale.

(59) "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.

(60) "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.

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

(62) "Protected wildlife" means "game mammals" as defined in OAR 635-045-0002 (39), "game birds" as defined in OAR 635-045-0002 (38), "furbearers" as defined in OAR 635-045-0002 (37), "threatened and endangered species" as defined in OAR 635-100-0125, and "nongame wildlife protected" as defined in OAR 635-044-0130.

(63) "Pursue" means the act of trailing, tracking, or chasing wildlife in an attempt to locate, capture, catch, tree, or kill any game mammal or furbearer.

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

(65) "Red deer" means any species, subspecies, or race of the elk-red deer-wapiti complex *Cervus elaphus* not indigenous to the state of Oregon.

(66) "Release" is permitting any domestically-raised or imported wildlife currently or previously in possession to exist alive outside an approved holding or propagation facility. For the purposes of OAR Chapter 635, Division 049, release means permitting a cervid currently or previously in possession to exist alive outside an approved holding or propagating facility, except animals that are in transit pursuant to OAR 635-049-0075

- (67) "Resident" is any person who has resided in Oregon for a period of at least six months immediately prior to the date of making application for a license or tag. Members of the armed forces assigned to permanent duty status in Oregon including spouses and dependent children, and foreign exchange students attending school in Oregon under a foreign student exchange program may purchase a resident license and tags. All other persons are nonresidents.
- (68) "Resident juvenile" is any "Resident" of Oregon 14 through 17 years of age.
- (69) "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.
- (70) "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.
- (71) "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.
- (72) "Sight bait" is exposed flesh bait within 15 feet of any leghold trap set for carnivores.
- (73) "Spike deer" is a deer with spike (unbranched) antlers.
- (74) "Spike-only bull elk" means a bull elk with at least one visible unbranched antler (brow tines are not considered an antler branch under spike-only regulations).
- (75) "Stockholder" is a person who owns stock within a corporation as defined in OAR 635-045-0002 (47) (b).
- (76) "Tag" is a document authorizing the taking of a designated kind of mammal at a specified time and place.
- (77) "Take" means to kill or obtain possession or control of any wildlife.
- (78) "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.
- (79) "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.
- (80) "Unprotected Mammals and Birds" are European starling, house sparrow, rock dove and any mammal species for which there are no closed seasons or bag limits.
- (81) "Valid certification permit" is a permit for the current season that has not become invalid after taking a season limit or illegal game bird.
- (82) "Visible Antler" means a velvet or hardened antler that is visible above the hairline on the skullcap and is capable of being shed.
- (83) "Wait period" means the length of time a successful controlled hunt applicant must wait before reapplying for the species for which he was successful in drawing.
- (84) "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.
- (85) "Waterfowl" means ducks, geese, mergansers and coots.
- (86) "Weapon" is any device used to take or attempt to take wildlife.
- (87) "Western Oregon" means all counties west of the summit of the Cascade Range except Klamath and Hood River counties.
- (88) "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.
- (89) "Wildlife" means fish, wild birds, amphibians, reptiles, wild mammals, and feral swine.
- (90) "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.
- (91) "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.
- (92) "Wildlife unit" is a geographic area described in OAR 635-080-0000 through OAR 635-080-0077.

Statutory Authority: ORS 496.012, 496.138, 496.146, 496.162
Stats Implemented: ORS 496.012, 496.138, 496.146, 496.162

DIVISION 060

GAME MAMMAL AND GAME BIRD CONTROLLED HUNT REGULATIONS

635-060-0000

Purpose and General Information

- (1) The purpose of these rules is to describe the requirements and procedures for controlled hunts pursuant to ORS 496.162.
- (2) The documents entitled "2006-2007 Oregon Game Bird Regulations," and "2007 Oregon Big Game Regulations," are incorporated by reference into these rules. These documents are available at hunting license agents and regional, district, and headquarters offices of the Oregon Department of Fish and Wildlife.

Stat. Auth.: ORS 496.012, 496.138, 496.146, 496.162

Stats Implemented: ORS 496.012, 496.138, 496.146, 496.162

635-060-0046

Lost Tags and Tag Exchanges

- (1) A fee of \$5.00 and a \$1.50 license agent fee is charged to replace or exchange a tag or permit. Duplicates and exchanges may be obtained only through the Salem headquarters, regional offices of the department, and designated district offices. Exception: Replacement controlled hunt tags or permits will be issued at no charge only through the Salem headquarters or regional office of the department if the department determines that the person never received the original controlled tag or permit mailed from the Salem headquarters office.
- (2) A Controlled Buck Deer Tag or Controlled Elk Tag may be exchanged for a general season tag before the opening date of the season for which either tag is valid.
- (3) No controlled hunt tag shall be exchanged for another controlled hunt tag, except as described in 635-060-0008 (5) and 635-075-0015 (3).
- (4) A Controlled Antlerless Deer Tag shall not be exchanged.
- (5) In the event of the death of a successful controlled hunt applicant before the start of the season for which the tag or permit was issued, the tags of the deceased may be issued to a family member as defined by OAR 635-045-0002. Tag or permit transfer shall require a copy of the death certificate and the original controlled hunt tag or permit, and must be requested by the legal heir to the deceased which shall be presumed by possession of the tag or permit and death certificate.
- (6) A "leftover" controlled hunt tag may only be exchanged for a general season tag, but only if the person does not already possess a tag authorized by OAR 635-065-0015 (4) (a), (b) or (c) or OAR 635-0065-0015 (5) (a), (b), (c), (d), (e), (f), or (g).
- (7) The Commission shall accommodate Oregon residents who have lost preference points because of being called to active military service after June 1, 2002.
 - (a) The Commission shall accommodate the following individuals called to service at any location: Oregon National Guard.
 - (b) The Commission shall accommodate the following Oregon residents with military operational commitments: regular members of the United States Armed Forces (Army, Navy, Air Force, Marines, Coast Guard), members of the United States military reserves, and members of the National Guard.
 - (c) The Commission authorizes the Director to make such accommodations by:
 - (A) Reinstating preference points existing for a series, plus an additional point for participating in the draw.
 - (B) Reinstating preference points lost after two consecutive years of not applying for a controlled hunt in that series.
 - (d) Individuals seeking accommodation pursuant to this rule (or immediate family members acting on their behalf) must make a request in writing or in person to the Salem headquarters office. Each request must include a letter from a supervising officer on official unit letterhead verifying operational commitments.

Stat. Auth.: ORS 496.012, 496.138, 496.146, 496.162

Stats Implemented: ORS 496.012, 496.138, 496.146, 496.162

**DIVISION 065
GAME MAMMAL
GENERAL SEASONS AND REGULATIONS**

635-065-0001

Purpose and General Information

- (1) The purpose of these rules is to establish license and tag requirements, limits, areas, methods and other restrictions for hunting game mammals pursuant to ORS Chapter 496.
- (2) OAR Chapter 635, Division 065 incorporates, by reference, the requirements for hunting game mammals set out in the document entitled "2007 Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2007 Oregon Big Game Regulations" in addition to OAR Chapter 635, to determine all applicable requirements for game mammals. The annual Oregon Big Game Regulations are available at hunting license agents and regional, district, and headquarters offices of the Oregon Department of Fish and Wildlife.

Stat. Auth.: ORS 496.012, 496.138, 496.146, and 496.162
Stats Implemented: ORS 496.012, 496.138, 496.146, 496.162

635-065-0401

Deadline for Purchase of General Season Tags

- (1) No western Oregon deer rifle tag shall be issued after 11 p.m., September 28, 2007.
- (2) No deer bow tag shall be issued after 11 p.m., August 24, 2007.
- (3) No bear tag shall be issued after 11 p.m. September 28, 2007
- (4) No cougar (mountain lion) tag shall be issued after 11 p.m. September 28, 2007
- (5) No Rocky Mountain Elk Rifle First Season Tag shall be issued after 11 p.m., October 23, 2007.
- (6) No Rocky Mountain Elk Rifle Second Season Tag shall be issued after 11 p.m., November 2, 2007.
- (7) No Coast First Season Elk Tag shall be issued after 11 p.m., November 9, 2007.
- (8) No Coast Second Season Elk Tag shall be issued after 11 p.m., November 6, 2007.
- (9) No Cascade Elk Rifle Tag shall be issued after 11 p.m., October 19, 2007.
- (10) No elk bow tag shall be issued after 11 p.m., August 24, 2007.

Stat. Auth.: ORS 496.012, 496.138, 496.146, and 496.162
Stats Implemented: ORS 496.012, 496.138, 496.146, and 496.162

635-065-0625

Regulations on State Wildlife Areas, Refuges and Special Areas

State wildlife areas, refuges and special areas shall be open to hunting during authorized seasons, subject to the following special regulations and exceptions:

- (1) Bear Valley National Wildlife Refuge (Klamath County): The Bear Valley Refuge shall be closed to all entry from November 1 through March 31 annually.
- (2) Bridge Creek Wildlife Area (Umatilla County): Open to public access and hunting. Motorized vehicle travel restricted to open roads. Entry is by permit only December 1 through April 30.
- (3) Cascade Head- Lincoln City Area: The Cascade Head - Lincoln City Area shall be closed to hunting with centerfire rifles, muzzleloaders, or handguns. Hunting shall be restricted to archery and shotguns only during authorized seasons, except for Department approved emergency hunts. Hunters using shotguns for elk shall use slugs (single projectile) only. The Cascade Head - Lincoln City Area boundaries shall be defined as follows: Beginning at the Pacific Ocean and Siletz River mouth, east along the north shoreline of the Siletz River to Drift Cr. Rd. (mile post 1 on Hwy 229); north on Drift Cr. Rd. to Anderson Cr. Rd.; north on Anderson Cr. Rd. to Schooner Cr. Rd.; west on Schooner Cr. Rd. to Forest Rd. 2200; north and east on FR 2200 to FR 1726; west on

FR 1726 to FR 2100; northeast on FR 2100 to the power line crossing; north along the power line to State Hwy. 18; west on Hwy 18 to Old Scenic Hwy 101; north on Old Scenic Hwy 101 to Three Rocks Rd.; west on Three Rocks Rd. to U.S. Hwy 101; north on Hwy 101 to FR 1861; west on FR 1861 to Harts Cove trailhead; west on Harts Cove trail to the Pacific Ocean; south along the coastline to the Siletz River, point of beginning.

(4) Cold Springs Refuge (Umatilla County): The Cold Springs Refuge shall be closed to deer and elk hunting.

(5) Dean Creek Elk Viewing Area (Douglas County): Approximately 1,800 acres in the Tioga Unit including all BLM property between Hakki Ridge Road and State Highway 38 are closed to all hunting.

(6) Denman Wildlife Area (Jackson County): The Denman Wildlife Area shall be open to hunting only during game mammal and game bird seasons. Use of rifles and handguns is prohibited at all times.

(7) Dunes National Recreational Area: Use of rifles and handguns is prohibited for all hunting in that portion of the Siuslaw Unit west of Highway 101 and north of Tahkenitch Creek.

(8) North Bank Habitat Management Area (previously known as the Dunning Ranch Area in Douglas County): 6,500 acres located approximately eight miles northeast of Roseburg. Area: All BLM lands located in T25S, R5W, Sections 35,36; T26S, R5W, Sections 1,2,11,12,13,14; T25S, R4W, Sections 31,32,33; T26S, R4W, Sections 4,5,6,7,8,18. This area shall be closed to all big game hunting except for and during controlled deer hunts specific to the management area by hunters possessing a controlled hunt tag for the area.

(9) E.E. Wilson Wildlife Area (Benton County): This area is open to deer hunting during authorized seasons, except closed to bow hunting for deer when juvenile pheasant hunts are in progress. Rabbit hunting is permitted from November 1 through February each year. Hunting is by permit only. Permits are available at area headquarters and shall be filled out and returned each day hunted. Use of rifles, handguns, and crossbows shall be prohibited at all times.

(10) Elkhorn Wildlife Area (Baker/Union counties): Closed to all entry December 1 through April 10 annually. The Roth Tract is closed to all hunting. The Roth Tract is closed to public entry except by entry permit; an entry permit is required at all times of the year.

(11) Enterprise Wildlife Area (Wallowa County): Open to hunting seven days a week. No entry permit is required. Posted portions of the area lying south of the Union Pacific Railroad line and the entire Marr Tract are closed to all hunting.

(12) Fern Ridge Wildlife Area (Lane County): Open to black-tailed deer hunting during authorized seasons, except that East and West Coyote units are closed after October 31, and hunting in Fisher Butte Unit after October 31 is limited to Saturdays, Sundays, and Wednesdays, Thanksgiving Day, Christmas Day, New Year's Day, and Veteran's Day only. A free daily hunting permit is required for East Coyote, West Coyote, Fisher Butte, and Royal Amazon units. Permits are available at check stations located at area access points. Hunters are limited to shotguns and archery equipment only. The discharging of rifles and handguns within the wildlife area is prohibited.

(13) William Finley National Wildlife Refuge (Benton County):

(a) Portions of the refuge shall be open to deer hunting August 25 through September 23, 2007 under the regulations for bowhunting seasons.

(b) Portions of the refuge shall be open to hunting for buck deer September 29 through October 31, 2006 under regulations for the general western Oregon deer buck season. Use of rifles is prohibited.

(c) All hunters shall obtain a refuge permit and check in and out of the refuge daily. Information on open areas and special regulations are available at the refuge.

(14) Gods Valley Wildlife Area (Clatsop County): Vehicles shall be restricted to county roads.

(15) Government Island State Recreation Area (Multnomah County): Use of rifles, handguns, and shotguns with slugs or buckshot, and bows is prohibited at all times.

(16) Irrigon, Coyote Springs, Power City, and Boardman wildlife management areas (Morrow and Umatilla counties): Use of rifles and handguns are prohibited at all times.

(17) Hart Mountain National Antelope Refuge (Lake County): Portions of the refuge shall be open for hunting as prescribed under chukar season, controlled pronghorn antelope and bighorn sheep hunts, deer bowhunting season, and muzzleloader deer season.

(18) Heppner Regulated Hunt Area: Open fires and camping prohibited in posted areas. Approximately 69 square miles in Townships 2, 3, and 4 South, Ranges 26, 27 and 28 East;

(19) Jewell Meadows Wildlife Area (Clatsop County): The Beneke Tract and the Humbug Tract shall be open to hunting only during authorized game mammal and game bird seasons. The Beneke Tract is closed to all public

entry during any open Saddle Mountain elk season. It is unlawful to shoot rifles and bows from or across open fields during any open Saddle Mountain Unit or Wilson Unit elk seasons. The Fishhawk Tract is closed to public access. Posted lands of Cavenham Forest Industries, Inc., in T5N, R7W, Sections 2, 3 and 4, 9, 10 and 11 and T6N, R7W, Sections 33 and 34, are closed to all hunting. All areas posted as Refuge are closed to public access. Entry for other purposes is only by permit obtained at the Jewell Wildlife Area Headquarters.

(20) John Day Fossil Beds National Monument: Those parts of the National Monument in the Grizzly, Biggs, Fossil, and Northside Units are closed to all hunting and trapping.

(21) John Day River Refuge: All land within 1/4 mile of the John Day River mean high water line from the Columbia River upstream to Thirty Mile Creek. The area shall be open to hunting of upland game birds during authorized seasons only between September 1 and October 31 annually but closed to all waterfowl hunting. Hunting of big game is allowed during authorized seasons.

(22) Klamath Wildlife Area (Klamath County): This area is closed to all deer hunting.

(23) Klamath Marsh National Wildlife Refuge: Closed to deer and elk hunting.

(24) Ladd Marsh Wildlife Area (Union County): All land north and east of Foothill Road shall be closed to all deer and elk hunting except during controlled youth deer hunts and closed to all rifle and handgun shooting.

(25) Long Ranch (Linn County): Forty-eight acres in T13S, R4E, and S32 shall be closed to all hunting.

(26) Lower Deschutes Wildlife Area: Open to hunting of big game, game birds, and waterfowl during authorized seasons. Discharge of firearms prohibited the remainder of the year. Access by foot, boat or bicycle only.

(27) Malheur National Wildlife Refuge (Harney County): Portions of the refuge in Blitzen Valley lying west of State Highway 205 shall be open during authorized rifle and bow deer seasons.

(28) McDonald Forest-Dunn Forest Area (Benton County): The area is closed to all hunting except during controlled hunts as authorized by the commission.

(29) McKay Creek Refuge (Umatilla County): This refuge is closed to deer and elk hunting.

(30) Metolius Wildlife Refuge (Jefferson County). All hunting, injuring, taking, killing, or destroying any wild bird or mammal on public land is prohibited on public lands within T12 and T13S, R9E, bounded by USFS road 1420 and 1419 on the west; road 1400 on the south and east; and road 1420-400, Metolius River, and posted boundary from the Metolius River to road 1400 on the north (approximately five square miles). 36 CFR 261.58(v).

(31) Mill Creek Watershed (Umatilla County): This watershed is closed to all access and hunting except by holders of a Mill Creek Watershed controlled elk tag and a Forest Service entry permit.

(32) Newberry Crater Wildlife Refuge (Deschutes County). All hunting, injuring, taking, killing, or destroying any wild bird or mammal on public land is prohibited on public lands within the rim of Newberry Crater in: T21S, R12E; T22S, R12E; T21S, R13E; T22S, R13E (approximately 15 square miles).

(33) Rimrock Springs Wildlife Area (Grizzly Unit): This area is closed to all hunting.

(34) Rogue River Area:

(a) All land within one mile of the Rogue River between Grave Creek and Lobster Creek is closed to bear hunting.

(b) All land within 1/4 mile of the Rogue River in the wild river section from Grave Creek downstream to Watson Creek is closed to all hunting except during authorized seasons.

(35) Saddle Mountain Unit (White-tailed Deer Area): That portion of Saddle Mountain Wildlife Unit north of Burlington Northern railroad tracks to Astoria is closed to all deer hunting.

(36) Sauvie Island Wildlife Area (Multnomah-Columbia counties): This area shall be open to bowhunting for black-tailed deer August 25 through September 23, 2007. Daily permits are required. Hunters shall check in and out daily. This area shall be closed to deer hunting after September 23, 2007. Oak Island shall be closed to deer hunting. Use of rifles, handguns and crossbows shall be prohibited at all times. Parking permits are required.

(37) Phillip W. Schneider Wildlife Area (Grant County): Open to public access and hunting. Motorized vehicle travel restricted to open roads. Some roads closed seasonally from December 1 through April 30, or year-round; including BLM land within the exterior boundaries of the Wildlife Area.

(38) Snake River Islands (Malheur County): Closed to hunting with centerfire rifles and centerfire handguns.

(39) South Slough National Estuarine Reserve: Specific areas are closed to hunting due to public health and safety. Contact reserve headquarters office for specific closures.

(40) Starkey Experimental Forest Enclosure (Union County): That portion of The Starkey Experimental Forest within the eight foot elk-proof fence enclosure is closed to all hunting during deer and elk season except for persons possessing a controlled hunt tag for the area. A posted 1/4 mile buffer zone on the National Forest lands

surrounding the enclosure is closed to all hunting with a centerfire rifle. The enclosure is open to deer and elk hunting only by permit during controlled hunts. The 12-foot right-of-way along each side of all 8-foot-high perimeter and internal game fences is closed to all motorized travel. Public entry is allowed only through the main gate. The Experimental Forest is closed to all public entry during the winter closure, which runs from the day after the controlled antlerless elk hunt until May 1 annually.

(41) Summer Lake Wildlife Area (Lake County): Open to public access and hunting during authorized mule deer and game bird hunting seasons. Closed to deer hunting during any pheasant, quail or waterfowl hunting seasons and posted refuge areas are closed to hunting. Motorized vehicle travel restricted to open roads. Some roads may be closed seasonally from Mar. 15-Aug.15 and 3 days prior to and during waterfowl hunting seasons. Hunters must obtain a daily hunting permit and check out at the end of the day. Permits and Area maps are available at Headquarters (1.3 mi. south of the town of Summer Lake). It is unlawful to discharge firearms except during deer and game bird hunting seasons or by permit.

(42) Umatilla Refuge (Morrow County): This refuge shall be closed to deer and elk hunting except during controlled hunts specific to the refuge and emergency hunts as provided in OAR Chapter 635, Division 078.

(43) Wallowa Lake (Wallowa County): All land on or within 1/4 mile of the Wallowa River from Wallowa Lake upstream to the falls and within 1/4 mile along the west side of Wallowa Lake from the Wallowa Lake State Park to the Wallowa River outlet is closed to all big game hunting.

(44) Wenaha Wildlife Area (Union County): Open to public access and hunting. Motorized vehicle travel restricted to open roads.

(45) Willamette River Greenway Corridor: Hunting is permitted with shotguns or bows and arrows only during authorized season on Willamette River Greenway parcels, except in those parcels where hunting is prohibited.

(45) White River Wildlife Area: Open to hunting during authorized seasons.

Stat. Auth.: ORS 496.012, 496.138, 496.146, and 496.162

Stats Implemented: ORS 496.012, 496.138, 496.146, and 496.162

635-065-0635

Winter Range Closure Areas

The following winter closures shall be effective during the specified periods each year:

(1) Tumalo Winter Range: December 1 through March 31, - That part of the Upper Deschutes Unit as follows: 125 square miles in Townships 15, 16, 17, 18, and 19 South, Ranges 10 and 11 East.

(2) Bear Valley: Closed to motor vehicle use year round - That part of the Keno Unit as follows: six square miles in Township 40 South, Ranges 7 and 8 East.

(3) Lost River: December 1 through April 15 - That part of the Klamath Falls Unit as follows: 6 square miles in Township 39 South, Ranges 11, 11-1/2, and 12 East.

(4) Lost River: December 1 through April 15 - That part of the Interstate Unit as follows: 6 square miles in Township 41 South, Range 14 East.

(5) Cabin Lake-Silver Lake: December 1 through March 31 - That part of the Paulina Unit as follows: 342 square miles in Townships 23, 24, 25, 26, 27, 28, and 29 South, Ranges 11, 12, 13, 14, 15, and 16 East.

(6) Spring Creek Winter Range: December 15 through April 30 - That part of the Starkey Unit as follows: 14 square miles in Townships 2 and 3 South, Range 36 East.

(7) McCarty Winter Range: December 15 through March 31 - That part of the Starkey Unit as follows: 12 square miles in Townships 4 and 5 South, Ranges 34 and 35 East.

(8) Coombs Canyon Regulated Hunt Area: 19.5 square miles in the Columbia Basin Unit. Closed to entry August 15 through the day prior to the statewide pheasant season annually (Exception: entry is allowed for people possessing Coombs Canyon youth buck deer tags and their adult chaperone. People hunting antlerless deer must possess a permit which can be obtained at the Watershed District Office in Pendleton).

(9) Metolius Winter Range: December 1 through March 31- That part of the Metolius Unit as follows: 40 square miles in Townships 11, 12, and 13 South and Ranges 11 and 12 East

(10) Bryant Mountain: November 1 through April 15 - That part of the Klamath Falls Unit as follows: 50 square miles in Townships 39, 40, and 41 South and Ranges 12 and 13 East.

Stat. Auth.: ORS 496.012, 496.138, 496.146, and 496.162
Stats Implemented: ORS 496.012, 496.138, 496.146, and 496.162

635-065-0720

Bows and Arrows

Hunters shall use:

- (1) Any long, recurve, or compound bow with 40-pound or heavier pull rating to hunt pronghorn antelope, black bear, cougar (mountain lion), or deer.
- (2) Any long, recurve, or compound bow to hunt western gray squirrels.
- (3) Any long, recurve, or compound bow with a 50-pound or heavier pull rating to hunt bighorn sheep, Rocky Mountain goat, or elk.
- (4) Only unbarbed fixed position blade broadheads at least 7/8-inch wide to hunt game mammals other than western gray squirrel. See 635-045-0002 (79). Possession of moveable blade broadheads is prohibited when hunting game mammals, except western gray squirrels may be hunted with moveable blade broadheads.
- (5) A long, recurve, or compound bow and shall not possess any crossbow while hunting within an authorized bowhunting area or season.
- (6) Only a long, recurve, or compound bow during any authorized pronghorn antelope, deer or elk bowhunting season to hunt pronghorn antelope, deer, or elk.
- (7) For hunting seasons designated as bowhunting, hunters shall only use the bows legal for the species being hunted. Bows may be used during controlled antlerless deer seasons. Bows shall not be used during any designated rifle hunt.
- (8) Hunters shall not use any electronic device(s) attached to bow or arrow.
- (9) Hunters shall not use any device secured to or supported by the bow for the purpose of maintaining the bow at full draw (Persons unable to comply because of a disability may be eligible for a temporary permit from the department).
- (10) Hunters shall not use any device secured to or supported by a bow's riser which supports or guides an arrow from a point rearward of a bow's brace height (i.e. the position of the bows string when the bow is undrawn).

Stat. Auth.: ORS 496.012, 496.138, 496.146, and 496.162
Stats Implemented: ORS 496.012, 496.138, 496.146, and 496.162

635-065-0740

Hunting Prohibited

It is unlawful:

- (1) To hunt with a centerfire or muzzleloading rifle during eastern Oregon controlled buck season (September 29 – October 10, 2007 Cascade bull elk season, Coast bull elk seasons, Rocky Mountain bull or either-sex elk seasons, or the standard Rocky Mountain unit's antlerless elk seasons (Nov. 17 – Nov. 25, 2007) without a valid, unused tag for that species, time period and area on their person. EXCEPTION: Landowners, or their agent, hunting predators on lands they own or lease may use centerfire or muzzleloading rifles to hunt on such lands. EXCEPTION: Hunters may use .22 caliber or smaller centerfire rifles for hunting coyotes (*Canis latrans*) in the Juniper, Beatys Butte, East Beulah, Whitehorse and Owyhee units and in the Wagontire Unit south of the Lake County Road 5-14 during Rocky Mountain bull or either-sex elk seasons, or the standard Rocky Mountain unit's antlerless elk seasons (Nov. 17– Nov. 25, 2007).
- (2) To hunt on any refuge closed by the state or federal government.
- (3) To hunt within the corporate limits of any city or town, public park or cemetery, or on any campus or grounds of a public school, college, or university or from a public road, road right-of-way, or railroad right-of-way.
- (4) Notwithstanding section (4) of this rule, controlled antlerless elk hunts are permitted within the south city limits of Seaside if the herd should become a serious problem.
- (5) To hunt game mammals outside any area designated by a controlled hunt tag when such tag is required for that hunt season.
- (6) To hunt in any Safety Zones created and posted by the department.

(7) To hunt protected wildlife except:

(a) by a permit or during an authorized season established by the commission.

(b) That crow, blackbirds, cowbirds, and magpies may be taken under Federal regulations for reason of depredation or health hazards as described in the Code of Federal Regulations.

(8) To pursue or assist another to pursue a cougar (mountain lion) during an authorized cougar (mountain lion) season unless in possession of an unused cougar (mountain lion) tag or accompanied by the holder of an unused cougar (mountain lion) tag which is valid for that area and time period.

Stat. Auth.: ORS 496.012, 496.138, 496.146, and 496.162

Stats Implemented: ORS 496.012, 496.138, 496.146, and 496.162

DIVISION 066

BLACK BEAR SEASONS

635-066-0000

Purpose and General Information

- (1) The purpose of these rules is to establish season dates, bag limits, areas, methods, and other restrictions for hunting black bear pursuant to ORS Chapter 496.
- (2) OAR Chapter 635, Division 066 incorporates, by reference, the requirement for black bear hunting set out in the document entitled "2007 Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2007 Oregon Big Game Regulations" in addition to OAR Chapter 635, to determine all applicable requirements for the hunting of black bear. The annual Oregon Big Game Regulations are available at authorized license agents and regional, district and headquarters offices of the Oregon Department of Fish and Wildlife.

Stat. Auth.: ORS 496.012, 496.138, 496.146, and 496.162

Stats Implemented: ORS 496.012, 496.138, 496.146, and 496.162

DIVISION 067

PRONGHORN ANTELOPE, COUGAR, ROCKY MOUNTAIN GOAT, BIGHORN SHEEP REGULATIONS

635-067-0000

Purpose and General Information

(1) The purpose of these rules is to establish season dates, bag limits, areas, methods, and other restrictions for hunting pronghorn antelope, cougar, bighorn sheep, and Rocky Mountain goat pursuant to ORS Chapter 496.

(2) OAR Chapter 635, Division 067 incorporates, by reference, the requirements for hunting pronghorn antelope, cougar, bighorn sheep, and Rocky Mountain goat set out in the document entitled "2007 Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2007 Oregon Big Game Regulations" in addition to OAR Chapter 635, to determine all applicable requirements for hunting pronghorn antelope, cougar, bighorn sheep, and Rocky Mountain goat. The annual Oregon Big Game Regulations are available at authorized license agents and regional, district and headquarters offices of the Oregon Department of Fish and Wildlife.

(3) Controlled hunt tags shall be issued by a controlled hunt drawing following the procedures established in OAR Chapter 635, Division 060. Permitted arms and ammunition are established in OAR Chapter 635, Division 065. Controlled hunt tag numbers for 2006 are listed in Tables 1, 2, and 3 and are adopted and incorporated into OAR Chapter 635, Division 067 by reference.

Stat. Auth.: ORS 496.012, ORS 496.138, ORS 496.146 & ORS 496.162

Stats. Implemented: ORS 496.012, ORS 496.138, ORS 496.146 & ORS 496.162

635-067-0015

General Cougar Season Zone Harvest Quotas

(1) Hunt Zone: A -- Hunt Name: Coast/North Cascades;

(a) Harvest Quota: 120;

(b) Hunt Area: All of Wildlife Units: 10, 11, 12, 14, 15, 16, 17, 18, 20, 24, 25, 26, 27, 39, 41, and 42;

(2) Hunt Zone: B - Hunt Name: Southwest Cascades;

(a) Harvest Quota: 165;

(b) Hunt Area: All of Wildlife Units: 19, 21, 22, 23, 28, 29, 30, and 31;

(3) Hunt Zone: C -- Hunt Name: Southeast Cascades;

(a) Harvest Quota: 65;

(b) Hunt Area: All of Wildlife Units: 32, 33, 34, 35, 75, 76, and 77;

(4) Hunt Zone: D -- Hunt Name: Columbia Basin;

(a) Harvest Quota: 62;

(b) Hunt Area: All of Wildlife Units: 38, 40, 43, 44, and 45;

(5) Hunt Zone: E -- Hunt Name: Blue Mountains;

(a) Harvest Quota: 245;

(b) Hunt Area: All of Wildlife Units: 37, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, and 64;

(6) Hunt Zone: F -- Hunt Name: Southeast Oregon;

(a) Harvest Quota: 120;

(b) Hunt Area: All of Wildlife Units: 36, 65, 66, 67, 68, 69, 70, 71, 72, 73, and 74.

Stat. Auth.: ORS 496.012, ORS 496.138, ORS 496.146 & ORS 496.162

Stats. Implemented: ORS 496.012, ORS 496.138, ORS 496.146 & ORS 496.162

DIVISION 072

WESTERN GRAY SQUIRREL SEASON

635-072-0000

Purpose and General Information

(1) The purpose of these rules is to establish season dates, bag limits, areas, and other restrictions for hunting western gray squirrels pursuant to ORS Chapter 496.

(2) OAR Chapter 635, Division 072 incorporates, by reference, the requirements for hunting western gray squirrel set out in the document entitled "2007 Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2007 Oregon Big Game Regulations" in addition to OAR Chapter 635, to determine all applicable requirements for hunting western gray squirrel. The annual Oregon Big Game Regulations are available at hunting license agents and regional, district and headquarters offices of the Oregon Department of Fish and Wildlife.

Stat. Auth.: ORS 496.012, 496.138, 496.146, and 496.162

Stats Implemented: ORS 496.012, 496.138, 496.146, and 496.162