

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

8-14

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on [August 3, 2007] by the
Date prior to or same as filing date

Oregon Department of Fish and Wildlife
Agency and Division

635
Administrative Rules Chapter Number

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to become effective [upon filing]. Rulemaking Notice was published in the [July 2007] Oregon Bulletin. **
Date upon filing or later Month and Year

RULE CAPTION

Rules regarding the harvest of game birds, season dates, open areas, and bag limits
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:

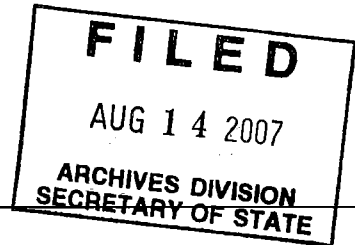
AMEND: 635-010-0015, 635-045-0000, 635-045-0002, 635-047-0025, 635-051-0000, 635-051-0048, 635-052-0000,
635-053-0000, 635-053-0100, 635-053-0105, 635-053-0125, 635-054-0000, 635-060-0000

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 496.012, 496.138, 496.146, 496.162 & 496.992



Other Auth.:

Stats. Implemented: ORS 496.012, 496.138, 496.146, 496.162 & 496.992

RULE SUMMARY

Rules where amended regarding the harvest of game birds, including the 2007-2008 season dates, open areas and bag limits.

Roy Elicker

8/13/07

Authorized Signer Printed name 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.

DFW 08-2007

**DIVISION 10
LICENSE AGENTS**

635-010-0015

Issuing Documents

(1) An agent must receive proper identification as defined in section (4) of this rule from each individual before issuing an Oregon resident license. Juvenile, youth, nonresident or landowner licenses, tags, Sauvie Island Parking Permits, raffle tickets, validations, daily angling licenses, and controlled hunt applications do not require identification.

(2) A resident 18 years or older must sign the document in person at the agent's place of business, except as provided in section (3) of this rule.

(3) Licensing documents may be obtained by mail or FAX by forwarding to the Oregon Department of Fish and Wildlife, Licensing Section, 3406 Cherry Avenue NE, Salem, OR, 97303, a legible copy of the mail order application form printed in the Oregon Big Game, Game Bird, and Sport Fishing Regulations or a copy of that form.

(a) Requests for mail-ordered documents must be postmarked on or before any deadlines established for issuing such documents;

(b) The Department may require additional information if necessary to complete the ordered documents;

(c) The Department will not issue any document until it receives the required fee by check, money order, or a valid debit or credit card authorization.

(4)(a) With the exceptions noted in paragraph (c) below, a resident is one who has physically dwelled in Oregon continuously for the six months prior to applying for a license. Temporary absences from Oregon during that time period do not defeat a person's residency so long as such absences were not for the purpose of establishing residency outside Oregon. This is the legal standard for purchasing a resident license. In addition to signing the certification, an in-person applicant 18 years of age or older must show the point-of-sale agent some "indicator of residence" to support the certification. These indicators are not conclusive legal proof the applicant qualifies for a resident license. Instead, they are simple indicators that can be easily checked by a point-of-sale agent. The required indicators are:

(1) An Oregon driver's license or an Oregon non-driver's license identification card; or

(2) Three pieces of other identification or official documents, each of which show the applicant's name and current address and indicates six month's Oregon residency.

(b) To implement the legal standard, the applicant must sign this certification: "I, the undersigned, hereby certify and declare that the information I have provided to obtain this license is true. To acquire an Oregon resident license/tag I certify that I have resided continuously within Oregon no less than 6 months immediately prior to applying for this license/tag."

(c) The legislature has waived the six month requirement for certain classes of persons:

(1) Active members of the armed forces permanently assigned to active duty in Oregon (and their spouses and dependent children). This includes, but is not limited to, those who serve as crew members of ships that have an Oregon port or shore establishment as their home port or permanent station;

(2) Active members of the armed forces who reside outside Oregon but paid Oregon resident income taxes no later than 12 months before leaving active duty; and

(3) Aliens attending an Oregon school as foreign exchange students.

(5) Agents must supply all the information requested on the data screen. If the person applying for the licensing document fails to supply the necessary information, the agent

may not issue the requested licensing document. All daily angling licenses must show the date they become valid.

(6) Agents must obtain social security numbers for any person who purchases a license. The Department will use this number to comply with collection of the social security numbers pursuant to the child support enforcement laws as required by Section 117, Chapter 746, Oregon Laws 1997. The Department will issue a system-generated number to persons who are not citizens of this country or who do not have a social security number. If the social security number provided by an applicant is in use by another individual, the agent will not issue the license until the applicant provides proof that the social security number is, in fact, the applicant's social security number. An official document such as a social security card, payroll document, or health insurance identification card with the social security number printed on it must be presented to the agent as proof. An individual's social security number is not subject to disclosure to members of the public under the Oregon Public Records Law.

(7) Any employee of the agent may issue documents, provided that the employee is instructed as to all applicable statutes and regulations. An agent is responsible for employee training and for any violation of applicable statutes and regulations committed by the employees.

Stat Auth: ORS: 496, 497 & 498

Stats Implemented: 496, 497 & 498

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 "2007-2008 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 pigeon 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 47

PRIVATE HUNTING PRESERVE RULES

635-047-0025

Marking of Birds

All privately owned game birds to be released must be premarked in a manner prescribed by the department:

- (1) All game birds reared for release upon hunting preserves shall be identified by a healed toe mark or be marked with a plastic poultry band or marked by a nasal scar. A nasal scar is a permanent deformity caused by an anti pecking device. For a healed toe mark, the terminal joint, including the entire toenail, shall be clipped from the outside of the right foot of each chick.
- (2) In the event that an operator acquires birds that have not been marked, they shall be banded prior to release by the operator with plastic poultry bands or other bands approved by the department.
- (3) Any wild game bird incidentally taken upon a hunting preserve at any time other than the general open season therefore shall be immediately marked with a wild bird seal that has been issued by the department. The fee for such seals shall be \$10.00 each. Any unused wild bird seals may be submitted for refund not later than 30 days after the close of business if a preserve discontinues operation.
- (4) Operators shall pay for in advance and have on hand not less than 10 wild bird seals at all times.
- (5) A wild bird seal shall be securely affixed to any wild bird taken outside the general season or any wild hen pheasant before it leaves the premises of the hunting preserve.
- (6) A record of the date of issue and the names and address of persons receiving wild bird seals must be maintained by the operator and available to department personnel or enforcement officers at all times.

Stat. Auth.: ORS 496.012, 496.138, 496.570, 497.102, 497.156, 497.248

Stats Implemented: ORS 496.012, 496.138, 496.570, 497.102, 497.156, 497.248

DIVISION 051

GENERAL GAME BIRD REGULATIONS

635-051-0000

Purpose

- (1) The purpose of these rules is to establish dates, areas and other restrictions for hunting game birds pursuant to ORS Chapter 496.
- (2) The document entitled "2007-2008 Oregon Game Bird Regulations," is incorporated by reference into these rules.

Statutory Authority: ORS 496.012, 496.138, 496.146, 496.162

Stats Implemented: ORS 496.012, 496.138, 496.146, 496.162

635-051-0048

Other Restrictions

Except as provided in section (1) (a), (b), (c), (2) (3) - (5) of this rule, it is *unlawful*: 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.

- (1) Migratory game bird hunting is permitted within the city limits of Warrenton in the following described areas:
 - (a) Beginning at a point located at the west end of the Lewis and Clark Bridge (Alternate Highway 101) at the southern boundary of the Warrenton city limits and west bank of the Lewis and Clark River, then westerly along the common southern boundary of the Port of Astoria airport and the Warrenton City limits to the west bank of Adams Slough (formerly Adair's Slough), then northerly along the west tracks, then westerly along said railroad tracks to its intersection with Northeast King Avenue, then northerly along Northeast King Avenue to the mouth of the Skipanon River, then generally northwesterly following a contour line 100 yards inland from the shoreline at mean high water of the Columbia River, and on the Columbia River side of the Burlington Northern Railroad tracks to its intersection with the Warrenton/Hammond city limits at Tansy Point, then in a generally southeasterly direction upstream along the Columbia River, Youngs Bay and Lewis and Clark River to the point of beginning.
 - (b) Beginning at a point of intersection with the low tide of the Pacific Ocean and the westerly extension of Delaura Beach Road (County Road #34), then easterly along Delaura Beach Road and Oceanview Cemetery Road (County Road #321) to the junction with Wild Ace Lake Drive to the Warrenton School Dump Road (County Road #286), then easterly along the Warrenton School Dump Road to the junction of Southwest Juniper Avenue, then northerly along Southwest Juniper Avenue to the road's end, then continuing northerly along the common boundary of Section 16 and 17 to the Warrenton/Hammond city limits, then westerly along the Warrenton/Hammond city limits to the low tide of the Pacific Ocean, then southerly to the point of beginning.
 - (c) Beginning at a point of intersection with the most southerly boundary of the Warrenton city limits and Oregon Coast Highway 101 and the west bank of the Skipanon River, then northerly along the west bank of the Skipanon River to the bridge on (Crab Pot Way) Alternate Highway 101 (Fort Stevens Highway #104), then in a generally easterly direction along Alternate Highway 101 to Southeast 14th Place, then in a generally southeasterly direction along Southeast 14th Place and its easterly extension, crossing the Oregon Coast Highway 101 to its intersection with the Warrenton city limits, then southerly and westerly along the line of the Warrenton city limits to the point of beginning.
- (2) Game bird hunting is permitted within the city limits of Dunes City.
- (3) Game bird hunting is permitted within the boundary limits of the Klamath Falls Airport.
- (4) Waterfowl hunting is permitted in the following portion of Miami Cove lying within the city limits of Garibaldi: That land in the east one-half of the northwest quarter of Section 22, Township 1 North, Range 10 West, Willamette Meridian, lying south of Coast Highway 101, and in the east one-half of the southwest quarter of Section 22, Township 1 North, Range 10 West, lying north and west of Coast Highway 101, provided that no hunting be permitted within 100 yards of any residence or commercial structure.
- (5) Waterfowl hunting is allowed within a portion of Coos Bay City limits as described in Coos Bay City Ordinance number 100, section 3 (2) (a) as of August 3, 2007.

(6) No person shall hold any wild bird in captivity or destroy the eggs or nests of birds. However, the department may authorize destruction of eggs of resident Canada geese to the extent consistent with federal law and where necessary to address depredation by geese; provided, however, that no such destruction of goose eggs shall be authorized until specific policy guidelines are adopted by the Commission.

Statutory Authority: ORS 496.012, 496.138, 496.146, 496.162

Stats Implemented: ORS 496.012, 496.138, 496.146, 496.162

DIVISION 052
MIGRATORY UPLAND GAME BIRD REGULATIONS

635-052-0000

Purpose

(1) The purpose of these rules is to establish season dates, areas and bag limits for migratory upland game birds pursuant to ORS Chapter 496.

(2) The document entitled "2007-2008 Oregon Game Bird Regulations," is incorporated by reference into these rules.

Statutory Authority: ORS 496.012, 496.138, 496.146, 496.162

Stats Implemented: ORS 496.012, 496.138, 496.146, 496.162

**DIVISION 053
UPLAND GAME BIRD REGULATIONS**

635-053-0000

Purpose

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

(2) The document entitled "2007-2008 Oregon Game Bird Regulations," is incorporated by reference into these rules.

Statutory Authority: ORS 496.012, 496.138, 496.146, 496.162

Stats Implemented: ORS 496.012, 496.138, 496.146, 496.162

Upland Game Bird Stamp

635-053-0100

Purpose

The purpose of these rules is to describe the procedures and necessary accompanying information for submitting artwork for the 2008-2013 upland bird stamps, the criteria for selection of the winning designs, and the obligation of winning artists pursuant to ORS Chapter 496.

Statutory Authority: ORS 496.012, 496.138, 496.146, 496.162, 496.558, 496.562, 496.566, 496.570

Stats Implemented: ORS 496.012, 496.138, 496.146, 496.162, 496.558, 496.562, 496.566, 496.570

635-053-0105

Submission of Artwork: Requirements

(1) Applicants shall submit artwork for the upland bird stamp to the Department headquarters office by 5:00 p.m. on the following deadline dates:

- (a) 2008 upland game bird stamp deadline is December 31, 2007;
- (b) 2009 upland game bird stamp deadline is December 31, 2008;
- (c) 2010 upland game bird stamp deadline is December 31, 2009;
- (d) 2011 upland game bird stamp deadline is December 31, 2010
- (e) 2012 upland game bird stamp deadline is December 30, 2011; and
- (f) 2013 upland game bird stamp deadline is December 31, 2012.

(2) The 2008 through 2013 upland game bird stamp artwork shall feature the following species in their natural setting:

- (a) 2008 – Blue grouse (*Dendragapus obscurus*);
- (b) 2009 – Ruffed grouse (*Bonasa umbellus*);
- (c) 2010 – Greater Sage-grouse (*Centrocercus urophasianus*);
- (d) 2011 – Spruce grouse (*Falcipennis canadensis franklinii*);
- (e) 2012 – Sharp-tailed grouse (*Tympanuchus phasianellus columbianus*); and
- (f) 2013 – Chukar (*Alectoris chukar*).

(3) Each entry shall measure 13 inches by 18 inches (horizontal or vertical) and shall be in any full color medium except any photographic process.

(4) The artwork shall be original and unsigned by the artist, and shall not have been used in production or entered into any other state upland bird stamp competition. Any artwork signed by the artist will not be accepted and will be returned to the artist without being judged.

(5) The entry may be mounted and/or matted, but it shall not be framed or under glass.

(6) Artists may submit more than one entry meeting the requirements herein.

(7) Each artist shall submit with his or her entry or entries a brief biographical description that includes the artist's background, experience, and previous artistic accomplishments. The Department reserves the right to use this information for publicity should the work be selected.

Statutory Authority: ORS 496.012, 496.138, 496.146, 496.162, 496.558, 496.562, 496.566, 496.570

Stats Implemented: ORS 496.012, 496.138, 496.146, 496.162, 496.558, 496.562, 496.566, 496.570

635-053-0125

Other Provisions

- (1) Sale of 2008 - 2013 upland bird stamps by the department shall end at the close of business on June 30, of the following year. Excess stamps at that time shall be shredded after auditing of sales takes place.
- (2) The Department shall award three thousand dollars (\$3,000) to the artist whose entry is selected for the upland game bird stamp.
- (3) The winning entry shall become the exclusive property of the Department.
- (4) The Department shall retain all reproduction rights and may review proposals for limited edition prints, posters, or other related art products.
- (5) The artist shall sign, at no charge, up to two hundred (200) upland game bird stamps for sale by the Department.

Statutory Authority: ORS 496.012, 496.138, 496.146, 496.162, 496.558, 496.562, 496.566, 496.570

Stats Implemented: ORS 496.012, 496.138, 496.146, 496.162, 496.558, 496.562, 496.566, 496.570

DIVISION 054

WATERFOWL, COMMON SNIPE AND CROW REGULATIONS

635-054-0000

Purpose

(1) The purpose of these rules is to establish season dates, bag limits, areas and other restrictions for hunting ducks, geese, coots, common snipe and crow pursuant to ORS Chapter 496.

(2) The document entitled "2007-2008 Oregon Game Bird Regulations," is incorporated by reference into these rules.

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 "2007-2008 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