

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

9-28

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on September 28, 2007 by the
Date prior to or same as filing date

DFW 102-2001 (Temp)
Oregon Department of Fish and Wildlife Fish Division 635
Agency and Division Administrative Rules Chapter Number
Casaria Tuttle 3406 Cherry Avenue NE Salem, OR 97303 (503) 947-6033
Rules Coordinator Address Telephone

to become effective October 1, 2007 through December 31, 2007.
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

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

Sturgeon open seven days per week from Wauna powerlines upstream to Bonneville Dam.

RULEMAKING ACTION

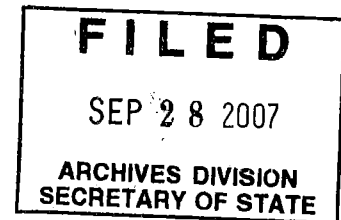
List each rule number separately, 000-000-0000.
Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

ADOPT:

AMEND:

635-023-0095 (T)

SUSPEND:



Stat. Authority: ORS 496.138, 496.146 and 506.119

Other Authority: _____

Stats. Implemented: ORS 496.162 and 506.129

RULE SUMMARY

Amend rule to allow sturgeon fishing seven days per week October 1, 2007 to December 31, 2007 in the mainstem Columbia River from Wauna powerlines (River Mile 40) upstream to Bonneville Dam. Revision is consistent with Joint State Action taken by the states of Oregon and Washington on September 26, 2007.

Laurie Byerly
Authorized Signer

Laurie Byerly
Printed Name

September 28, 2007
Date

* With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.
ARC 940-2005

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Oregon Department of Fish and Wildlife

Fish Division

635

Agency and Division

Administrative Rules Chapter Number

In the Matter of: Amendment of OAR Chapter 635, Division 023 related to recreational sturgeon fisheries in the Columbia River.

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Sturgeon open seven days per week from Wauna powerlines upstream to Bonneville Dam.

Statutory Authority: ORS 496.138, 496.146, and 506.119

Other Authority:

Stats. Implemented: ORS 496.162 and 506.129

Need for the Temporary Rule(s):

Amend rule to allow sturgeon fishing seven days per week October 1, 2007 to December 31, 2007 in the mainstem Columbia River from Wauna powerlines (River Mile 40) upstream to Bonneville Dam. Revision is consistent with Joint State Action taken by the states of Oregon and Washington on September 26, 2007.

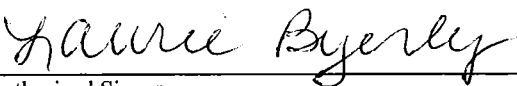
Documents Relied Upon, and where they are available:

1. Columbia River Fishery Notice, Joint State Action, dated September 26, 2007.

The above documents are available for public inspection in the Department of Fish and Wildlife, Fish Division, Third Floor, 3406 Cherry Avenue NE, Salem, Oregon, between 8:00 a.m. and 4:00 p.m., on normal working days, Monday through Friday.

Justification of Temporary Rule(s):

Amend rule to allow sturgeon fishing seven days per week October 1, 2007 to December 31, 2007 in the mainstem Columbia River from Wauna powerlines (River Mile 40) upstream to Bonneville Dam. Revision is consistent with Joint State Action taken by the states of Oregon and Washington on September 26, 2007.



Authorized Signer

Laurie Byerly

Printed name

September 28, 2007

Date

635-023-0095

Temp Rule ef. 10-01-07 thru 12-31-07

Sturgeon Season

- (1) The 2007 Oregon Sport Fishing Regulations provide requirements for the Columbia River Zone and the Snake River Zone. However, additional regulations may be adopted in this rule division from time to time, and, to the extent of any inconsistency, they supersede the 2007 Oregon Sport Fishing Regulations.
- (2) The Columbia River from Wauna powerlines (River Mile 40) upstream to Bonneville Dam is open to the retention of white sturgeon during the following periods:
 - (a) Monday, January 1, 2007 through Wednesday January 31, 2007 three days per week, Thursday, Friday, and Saturday; and
 - (b) Thursday February 1 through Tuesday July 31, 2007 and Monday, October 1, 2007 through Monday, December 31, 2007 four days per week, Thursday, Friday, Saturday and Sunday.
 - (c) Seven days per week Saturday, August 18 through Sunday, September 30, 2007.
 - (d) Seven days per week Monday, October 1, through Monday, December 31, 2007.
- (3) The retention of white sturgeon in the area identified in subsection (2) of this rule is prohibited August 1 through August 17, 2007.
- (4) The Columbia River from Wauna powerlines (River Mile 40) downstream to the mouth at Buoy 10, including Youngs Bay is open to the retention of white sturgeon seven days per week during the following periods:
 - (a) Monday, January 1, 2007 through Monday, April 30, 2007, and
 - (b) Saturday, May 12, 2007 through Wednesday, July 4, 2007.
- (5) The retention of white sturgeon in the area identified in subsection (4) of this rule is prohibited May 1, 2007 through May 11, 2007 and from July 5, 2007 through December 31, 2007.
- (6) During the fishing periods as identified in subsections (2)(d) and (4)(a) of this rule, only white sturgeon between 42-60" in overall length may be retained per day. The annual bag limit is five fish.
- (7) During the fishing period as identified in subsection (4)(b) of this rule, only white sturgeon between 45-60" in overall length may be retained.
- (8) The Columbia River and tributaries between The Dalles Dam and John Day Dam are closed to the retention of sturgeon effective 12:00 Midnight, March 28, 2007.
- (9) The Columbia River and tributaries between John Day Dam and McNary Dam are closed to the retention of sturgeon effective 12:00 Midnight, Sunday June 10, 2007.
- (10) The Columbia River and tributaries between Bonneville Dam and The Dalles Dam are closed to the retention of sturgeon effective 12:00 Midnight, Sunday July 29, 2007.
- (11) Angling for sturgeon is prohibited from Marker 85 upstream to Bonneville Dam, from Highway 395 Bridge upstream to McNary Dam, and from the west end of the grain silo at Rufus upstream to John Day Dam during May 1, 2007 through July 31, 2007.
- (12) The retention of green sturgeon is prohibited effective January 1, 2007.

Stat. Auth.: ORS 496.138, 496.146 and 506.119

Stats. Implemented: ORS 496.162 and 506.129

Hist.: