

Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**

I certify that the attached copies\* are true, full and correct copies of the PERMANENT Rule(s) adopted on [Sept 2, 2010] by the  
Oregon Department of Fish and Wildlife (ODFW) Date prior to or same as filing date  
635

Agency and Division Administrative Rules Chapter Number  
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to become effective [ Upon filing]. Rulemaking Notice was published in the [August 2010] Oregon Bulletin.\*\*  
Date upon filing or later Month and Year

**RULE CAPTION**

Amended Rules regarding furbearer record cards and harvest reporting

**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:** 635-050-0045, 635-050-0180

**REPEAL:**

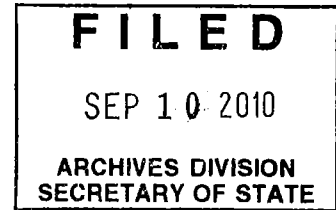
**RENUMBER:**

**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**

These amendments modify the language related to the bobcat and otter record cards to make it consistent with the other portions of this rule. These amendments also provide furtakes that did not submit their harvest reports before the deadline an option to pay a penalty so that they may purchase a hunting license for furbearers or furtakers hunting license for the following season.

Curt E Melcher

9/3/10

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. ARC 930-2005

DFW 127-2010

**DIVISION 050**  
**FURBEARING AND UNPROTECTED MAMMAL REGULATIONS**

**635-050-0045**

**General Furbearer Regulations**

The following general regulations apply to furbearer seasons:

- (1) The appropriate furtaker's license or hunting license for furbearers must be in possession to hunt and/or trap furbearers.
- (2) Any person possessing a valid furtaker's license or hunting license for furbearers is required to fill out and return a completed harvest report form to the Department at 3406 Cherry Avenue NE, Salem, Oregon 97303. The form shall be postmarked by April 15, 2011 for the 2010–2011 seasons and April 15, 2012 for the 2011–2012 seasons. Failure to do so shall deny the license holder the opportunity to purchase a hunting license for furbearers or furtaker's license for the following furbearer season, unless the non-compliant licensee pays a fee of \$50.00 and completes and returns the harvest report form prior to the requested license being issued.
- (3) Any person may sell or exchange the hide, carcass, or any part thereof, of any legally taken furbearing or unprotected mammal.
- (4) All traps and snares, whether set for furbearing or other unprotected mammals, shall be legibly marked or branded with the owner's license (brand) number that has been assigned by the Department; except that unmarked traps or snares may be set for nongame mammals unprotected by law or Department regulations by any person or member of his immediate family upon land of which he is the lawful owner. A landowner is required to register the location of such land with the Department and shall possess each year a free landowner's license before hunting or trapping furbearing mammals.
- (5) No branded trap or snare may be sold unless accompanied by a uniform bill of sale.
- (6) Bobcat, raccoon and opossum may be hunted with the aid of an artificial light provided the light is not cast from or attached to a motor vehicle or boat.
- (7) An artificial light may be used to provide light to aid in the dispatch of animals legally restrained in a trap or snare.
- (8) Use of dogs is permitted to hunt or pursue bobcat, raccoon, fox, and unprotected mammals except in game bird nesting habitat during April, May, June or July, except as authorized by the Fish and Wildlife Commission.
- (9) It is unlawful for any person to trap for furbearers, predatory animals or unprotected mammals using:
  - (a) A steel foothold trap with a jaw spread greater than 9 inches.
  - (b) A No. 3 or larger foothold trap or any foothold trap with an inside jaw spread at dog greater than 6" not having a jaw spacing of at least 3/16 of one inch when the trap is sprung (measurement excludes pads on padded jaw traps) and when the trap is placed in a manner that is not capable of drowning a trapped animal.
  - (c) The flesh of any game bird, game fish, game mammal for trap bait.
  - (d) Any instant-kill trap having a jaw spread of 9 inches or more in any land set.
  - (e) Any toothed trap, or trap with a protuberance on the facing edge of the jaws that is intended to hold the animal (except pads on padded jaw traps).
  - (f) Or possessing the branded traps or snares of another unless in possession of written permission from the person to whom the brand is registered.
  - (g) Sight bait within 15 feet of any foothold trap set for carnivores.
- (10) Except for persons authorized to enforce the wildlife laws, it is unlawful to disturb or remove the traps or snares of any licensed trapper while he is trapping on public lands or on land where he has permission to trap.

(11) All traps or snares set or used for the taking of furbearing or unprotected mammals shall be inspected at least every 48 hours and all trapped animals removed. This regulation does not apply to the taking of predatory animals.

(12) Any person setting a trap for predatory animals, as defined in ORS 610.002, must check the trap as follows:

(a) For killing traps and snares, at least once every 30 days and remove all animals;

(b) For restraining traps and snares, at least once every 76 hours and remove all animals. However, restraining traps and snares set by a person owning, leasing, occupying, possessing or having charge of or dominion over any land, place, building, structure, wharf, pier or dock or their agent, and set for predatory animals damaging land, livestock or agricultural or forest crops, shall be checked at least once every 7 days. Any person(s) acting as an agent for a landowner shall have in their possession written authority from the landowner or lawful occupant of the land. Such written authority shall contain at least all of the following:

(A) The date of issuance of the authorization;

(B) The name, address, telephone number and signature of the person granting the authorization;

(C) The name, address and telephone number of the person to whom the authorization is granted; and

(D) The expiration date of the authorization, which shall be not later than one year from the date of issuance of the authorization.

(13) A "killing trap" means a device used to kill a mammal as part of a killing trap system. A killing trap system is a system set with the intent to kill a mammal comprising a combination of: equipment (the trap and trigger configuration), and set (including site modifications, lures, baits, location and other relevant requirements).

(14) A "restraining trap" means a device used to capture and restrain (but not kill) a mammal as part of a restraining trap system. A restraining trap system is a system set with the intent to capture and restrain (but not kill) a mammal comprising a combination of: equipment (the trap and the trigger configuration), and set (including site modifications, lures, baits, location and other relevant requirements).

(15) These general furbearer regulations do not apply to the trapping of gophers, moles, ground squirrels and mountain beaver.

(16) When any furbearer or raw furbearer pelt is transferred to the possession of another person, a written record indicating the name and address of the person from whom the raw pelt was obtained shall accompany such transfer and remain with same so long as preserved in raw pelt form.

(17) It is unlawful for any person to damage or destroy any muskrat house at any time except where such muskrat house is an obstruction to a private or public ditch or watercourse.

## **635-050-0180**

### **Bobcat and River Otter Record Cards**

(1) Each person desiring to hunt or trap bobcat or river otter shall purchase a bobcat or river otter record card prior to hunting or trapping bobcat or river otter.

(2) Bobcat record cards will be available for a fee of \$20.00 (plus a \$2.00 license agent fee) per card.

(3) River otter record cards will be available for a fee of \$15.00 (plus a \$2.00 license agent fee) per card.

(4) Record cards will be available at the Salem headquarters and regional offices of the Department.

(5) River otter cards will have spaces for recording 15 river otters. There is no limit on the purchase of river otter record cards.

(6) Each western Oregon bobcat record card will have spaces for recording 15 bobcats. There is no limit on purchase of western Oregon bobcat record cards.

(7) No more than one record card for eastern Oregon bobcats will be issued to any furtaker or hunter. A duplicate card may be issued, but no more than the bag limit described for eastern Oregon bobcats in OAR 635-050-0080 may be taken in a season.

(8) No person may obtain or possess both eastern and western Oregon bobcat record cards.

- (9) Bobcat and river otter record cards shall not be sold after the end of their respective seasons.
- (10) Each furtaker shall have the appropriate record card on his person while trapping or hunting bobcat or river otter.
- (11) Furtakers shall not have record cards other than their own on their person while in the field.
- (12) Upon coming into possession of any bobcat or river otter, the furtaker shall immediately write on the record card, species, sex, date of possession and county of harvest.
- (13) Each furtaker shall retain the record card until he disposes of the raw pelts.
- (14) Fees paid for unused record cards shall not be refunded.
- (15) It is unlawful to alter or be in possession of an altered bobcat or river otter record card.
- (16) Each licensee shall register a brand number to obtain a bobcat or river otter record card.