

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 [August 5, 2011] 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
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to become effective [August 5, 2011]. Rulemaking Notice was published in the [July, 2011] Oregon Bulletin.**
Date upon filing or later Month and Year

RULE CAPTION

Amendments regarding harvest of game birds, season dates, open areas and bag limits.

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:

635-008-0070, 635-008-0080, 635-008-0095, 635-008-0105, 635-008-0115, 635-008-0120, 635-008-0130,
635-008-0145, 635-008-0155, 635-008-0163, 635-008-0185, 635-008-0190, 635-043-0105, 635-045-0000, 635-051-0000, 635-051-0048, 635-052-0000, 635-053-0000, 635-054-0000, 635-054-0020, 635-060-0000

REPEAL:

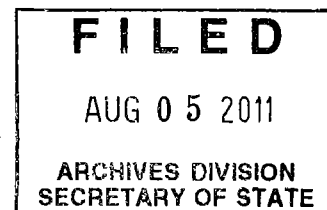
RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 496.012, 496.138, 486.146, 496.162, 498.002

Other Auth.:

Stats. Implemented: ORS 496.012, 496.138, 486.146, 496.162, 498.002



RULE SUMMARY

Amend rules regarding the harvest of game birds including 2011-2012 season dates, open areas, regulations and bag limits. Amend rules regarding wildlife harassment permit if using a dog to harass migratory birds.

W. Daniel Edge
Printed name

August 5, 2011
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 108-2011

DIVISION 008
DEPARTMENT OF FISH AND WILDLIFE LANDS

635-008-0070

Coyote Springs Wildlife Area

The Coyote Springs Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 Columbia Basin Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

- (1) All dogs must be on a leash except during authorized game bird hunting seasons, or by permit.
- (2) Camping is permitted only in designated parking areas. Camping more than seven days in any consecutive 14-day period is prohibited.
- (3) Open fires between April 1 and November 30 are prohibited.
- (4) Discharging a shotgun is prohibited except as authorized during game bird and game mammal seasons.
- (5) Discharging firearms other than shotguns is prohibited except as authorized by a permit issued by the Department.
- (6) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot.
- (7) Entry into the area between 10 p.m. and 4 a.m. is prohibited except in designated parking areas.
- (8) Leaving decoys set out overnight (10 p.m. through 4 a.m.) is prohibited.
- (9) Placing waterfowl hunting site closer than 200 yards apart is prohibited.
- (10) Closed to all big game hunting

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

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

635-008-0080

Ken Denman Wildlife Area

The Ken Denman Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2006 Ken Denman Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

- (1) Discharging firearms is prohibited except as authorized during game bird and game mammal seasons, or by permit.
- (2) Running or training of dogs is prohibited April 1 through July 31 except on designated Dog Training Areas.
- (3) Camping is prohibited.
- (4) Boats with gas propelled motors are prohibited.
- (5) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot.

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

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

635-008-0095

Fern Ridge Wildlife Area

As the underlying landowner, the U.S. Army Corps of Engineers has adopted rules and regulations (CFR Title 36) that apply to all Fern Ridge project land and water areas. The Fern Ridge Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2009 Fern Ridge Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

- (1) Hunting is prohibited except as authorized in annual game bird and big game hunting regulations.
- (2) Discharging firearms is prohibited except as authorized during game bird and game mammal seasons, or by permit.
- (3) Discharging rifles and handguns is prohibited.
- (4) All dogs must be on a leash except during authorized hunting seasons, or by permit.
- (5) Camping is prohibited except by permit.

(6) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot.

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

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

635-008-0105

Irrigon Wildlife Area

The Irrigon Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 Columbia Basin Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

- (1) All dogs must be on a leash except during authorized game bird hunting seasons, or by permit.
- (2) Camping is permitted only in designated parking areas. Camping more than seven days in any consecutive 14-day period is prohibited.
- (3) Horses must stay on the Lewis and Clark Heritage trail.
- (4) Trapping may occur during authorized trapping seasons (trapping permit required).
- (5) Open fires between April 1 and November 30 are prohibited.
- (6) Discharging a shotgun is prohibited except as authorized during game bird and game mammal seasons.
- (7) Discharging firearms other than shotguns is prohibited except as authorized by a permit issued by the Department.
- (8) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot.
- (9) Entry into the area between 10 p.m. and 4 a.m. is prohibited except in designated parking areas.
- (10) Leaving decoys set out overnight (10 p.m. through 4 a.m.) is prohibited.
- (11) Placing waterfowl hunting site closer than 200 yards apart is prohibited.

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

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

635-008-0115

Klamath Wildlife Area

The Klamath Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 Klamath Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

- (1) Discharging firearms is prohibited except as authorized during game bird seasons, or by permit.
- (2) Running or training of dogs is prohibited February 1 through July 31 except on designated Dog Training Areas or by permit.
- (3) Camping is prohibited.
- (4) Personal property must be removed from the area at the end of each hunt day.
- (5) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot.

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

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

635-008-0120

Ladd Marsh Wildlife Area

The Ladd Marsh Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 Ladd Marsh Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

- (1) An entry permit is required except during the authorized upland game bird and waterfowl seasons and on that portion of Ladd Marsh Wildlife Area west of Foothill Road, the nature trail and Long Pine Viewpoint.
- (2) The area is closed to big game hunting except that portion of Ladd Marsh Wildlife Area West of Foot Hill Road.
- (3) Discharging firearms is prohibited except as authorized during game bird and big game hunting seasons, or by permit.
- (4) Camping is prohibited.

(5) Running or training of dogs is prohibited April 1 through July 31.

(6) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot.

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

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

635-008-0130

Power City Wildlife Area

The Power City Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 Columbia Basin Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) All dogs must be on a leash except during authorized game bird hunting seasons or by permit.

(2) Camping is permitted only in designated parking areas. Camping more than seven days in any consecutive 14-day period is prohibited.

(3) Open fires between April 1 and November 30 are prohibited.

(4) Discharging a shotgun is prohibited except as authorized during game bird and game mammal seasons.

(5) Discharging firearms other than shotguns is prohibited except as authorized by a permit issued by the Department.

(6) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot.

(7) Entry into the area between 10 p.m. and 4 a.m. is prohibited except in designated parking areas.

(8) Leaving decoys set out overnight (10 p.m. through 4 a.m.) is prohibited.

(9) Placing waterfowl hunting site closer than 200 yards apart is prohibited.

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

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

635-008-0145

St. Louis Ponds: Marion County

(1) St. Louis Ponds is that area posted Department lands located in Sections 21, 22, 27, and 28, Township 5 South, Range 2 West of the Willamette Meridian in Marion County and containing 222 acres more or less.

(2) In the area described in section (1) of this rule it is unlawful to:

(a) Use the area for any purpose between one hour after sunset and one hour before sunrise;

(b) Use any floating craft on any pond;

(c) Swim or otherwise enter any pond;

(d) Build open fires;

(e) Discharge rifles and pistols;

(f) Discharge shotguns except during open seasons between the beginning of pheasant season and the end of waterfowl season, or during dog trials authorized by Department permit;

(g) Operate motor vehicles off established roads;

(h) Run dogs except in posted areas;

(i) Violate the terms of any permit issued by the Department.

(3) No person shall possess or use any shot other than federally-approved nontoxic shot at any time.

Stat. Auth.: ORS 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.138, 496.146 & 496.162

635-008-0155

Summer Lake Wildlife Area

The Summer Lake Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2007 Summer Lake Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) Posted Refuges are closed to all entry during authorized game bird and game mammal hunting seasons, except to retrieve lawfully taken wildlife, or by permit.

(2) Entering any portion of the Wildlife Area south of Thousand Springs Lane (Lake County Road 4-17), except the Foster Place unit and open roads and campgrounds, between October 1 through 4:00 AM on October 9, 2010 is prohibited.

(3) Discharging firearms is prohibited except as authorized during game bird and game mammal hunting seasons, or by permit.

(4) Motor vehicles and other motor driven modes of transportation are prohibited except on parking areas and open roads, or by permit.

(5) Camping or leaving vehicles unattended is prohibited except on areas designated for that use, and may not exceed 14 days per stay, except by permit.

(6) Running or training of dogs is prohibited except by permit.

(7) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot.

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

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

635-008-0163

Tami Wagner Wildlife Area

The Tami Wagner Wildlife Area is open for wildlife-oriented public use unless otherwise excluded or restricted by the following rules:

(1) Discharging firearms is prohibited except as authorized during game bird and game mammal seasons or by permit.

(2) Camping is prohibited except by permit.

(3) Unauthorized motor vehicle use is prohibited.

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

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

635-008-0185

Willow Creek Wildlife Area

The Willow Creek Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 Columbia Basin Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) All dogs must be on a leash except during authorized game bird hunting seasons, or by permit.

(2) Camping is permitted only in designated parking areas. Camping more than seven days in any consecutive 14-day period is prohibited.

(3) Open fires between April 1 and November 30 are prohibited.

(4) Discharging a shotgun is prohibited except as authorized during game bird and game mammal seasons.

(5) Discharging firearms other than a shotgun is prohibited except during, and as authorized for, eastern Oregon controlled deer seasons, or by permit issued by the Department.

(6) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot.

(7) Entry into the area between 10 p.m. and 4 a.m. is prohibited except in designated parking areas.

(8) Leaving decoys set out overnight (10 p.m. through 4 a.m.) is prohibited.

(9) Placing waterfowl hunting site closer than 200 yards apart is prohibited.

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

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

635-008-0190

E.E. Wilson Wildlife Area

The E. E. Wilson Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives contained in the 2008 E. E. Wilson Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:

(1) Hunting is prohibited except as authorized in annual game bird and big game regulations.

(2) Discharging firearms is prohibited except as authorized during game bird and game mammal seasons, or by permit.

(3) Discharging rifles and handguns is prohibited.

(4) All dogs must be on a leash except during authorized hunting seasons, or by permit.

(5) Camping is prohibited except by permit.

(6) Horses and other domestic livestock use are restricted to established roads only.

(7) No person shall possess or use any shot other than federally-approved nontoxic shot at any time, except for big game hunters using buckshot.

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

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

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

**DIVISION 043
MISCELLANEOUS PERMITS AND RECORDS**

635-043-0105

Permit Required to Harass Wildlife

Any landowner suffering damage from wildlife (except for bobcat, red fox, cougar, bear, and non-threatened or non-endangered migratory birds) to property that they own or lawfully occupy, and desiring to control the damage by means of harassment shall first secure a Wildlife Harassing Permit by applying to the Department. Any harassment of non-threatened or non-endangered migratory birds must not result in the take of migratory birds, their eggs or their nests.

Stat. Auth.: ORS 183 & 496
Stats. Implemented: ORS 183 & 496

**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 "2011-2012 Oregon Game Bird Regulations", and "2012 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.

[Publications: Publications referenced are available from the agency.]

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

**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 "2011-2012 Oregon Game Bird Regulations," is incorporated by reference into these rules.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: 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) -(6) 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) Waterfowl hunting is allowed within Boardman City limits as described in City of Boardman Resolution 4-2011 as of January 19, 2011.

(7) No person shall take any wild bird without a permit or destroy the eggs or nests of wild birds

(8) Notwithstanding the prohibition in paragraph (7):

(a) If registered through the Resident Canada Goose Nest and Egg Registration Site of the U.S. Fish and Wildlife Service (<https://epermits.fws.gov/eRCGR/geSI.aspx>), any person may destroy the eggs or nests of resident Canada geese:

(A) Inside incorporated cities or urban growth boundaries; or

(B) On golf courses, parks or other highly developed recreational areas outside incorporated cities or urban growth boundaries.

(b) The U.S. Fish and Wildlife Service, or anyone issued a depredation permit by the USFWS, may take any wild migratory bird, its eggs or nest for the purpose of protecting public health or safety, to address public nuisance or to deal with crop depredation. Any wild bird captured for the purpose of translocation must be reported to the department and the translocation site approved by the department prior to release.

Stat. Auth.: 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 "2011-2012 Oregon Game Bird Regulations," is incorporated by reference into these rules.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: 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 "2011-2012 Oregon Game Bird Regulations," is incorporated by reference into these rules.

[Publications: Publications referenced are available from the agency.]

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

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

DIVISION 054
WATERFOWL, WILSON'S 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, Wilson's snipe and crow pursuant to ORS Chapter 496.
- (2) The document entitled "2011-2012 Oregon Game Bird Regulations," is incorporated by reference into these rules.

[Publications: Publications referenced are available from the agency.]

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

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

635-054-0020

Wilson's Snipe

Stat. Auth.: 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 "2011-2012 Oregon Game Bird Regulations", and "2012 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.

[Publications: Publications referenced are available from the agency.]

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

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