

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 [December 7, 2012] by the
Date prior to or same as filing date

Oregon Fish and Wildlife Commission Chapter 635
Agency and Division Administrative Rules Chapter Number
Therese M. Kucera 3406 Cherry Avenue, Salem, OR 97303 (503) 947-6033
Rules Coordinator Address Telephone

to become effective [January 1, 2013]. Rulemaking Notice was published in the [November 1, 2012] Oregon Bulletin.**
Date upon filing or later Month and Year

RULE CAPTION

Amendments to Rules for Management of Columbia River Commercial and Recreational Fisheries
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: 635-500-6700, 635-500-6705, 635-500-6710, 635-500-6715, 635-500-6720, 635-500-6725, 635-500-6730, 635-500-6735, 635-500-6740, 635-500-6745, 635-500-6750, 635-500-6755, 635-500-6760, and 635-500-6765.

AMEND: 635-014-0090, 635-017-0090 635-017-0095, 635-023-0090 and 635-023-0095.

REPEAL:

RENUMBER:

AMEND & RENUMBER:

FILED
DEC 27 2012
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SECRETARY OF STATE

Stat. Auth.: ORS 183.325, 496.138, 496.146, 497.121, 506.036, 506.109, 506.119, 506.129 and 513.020.

Other Auth.:

Stats. Implemented: ORS 496.004, 496.009, 496.162, 506.109, 506.129, 507.030, 508.025, 508.040 and 508.550.

RULE SUMMARY

These adopted and amended rules modify commercial and recreational fisheries in the Columbia River and tributaries; and establish management measures for future fisheries. Housekeeping and technical corrections to the regulations were made to ensure rule consistency.

Authorized Signer

Curtis E. Melcher
Printed name

December 19, 2012
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 152 - 2012



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635-014-0090

Inclusions and Modifications

(1) The **2013 Oregon Sport Fishing Regulations** provide requirements for the Northwest 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 **2013 Oregon Sport Fishing Regulations** pamphlet.

(2) Notwithstanding all other requirements provided in the **2013 Oregon Sport Fishing Regulations** pamphlet, the following additional rules apply to adult salmon angling in waters of the Northwest Zone:

(a) All waters of the Necanicum River Basin, Nehalem River Basin (including North Fork), Tillamook Bay Basin, (including the Miami, Kilchis, Wilson, Trask, and Tillamook rivers), and the Nestucca River Basin (including the Little Nestucca and Three Rivers) and Salmon River that are open for Chinook salmon are limited to no more than 2 adult non fin-clipped Chinook salmon per day, and 10 adult non fin-clipped Chinook salmon in the seasonal aggregate when combined with all other waters in the Northwest Zone with a 10 adult non fin-clipped Chinook salmon seasonal aggregate limit. Seasonal aggregate applies to all adult non fin-clipped Chinook salmon retained between August 1 and December 31 except in the Nehalem Basin where the seasonal aggregate applies to all adult non fin-clipped Chinook salmon retained between July 1 and December 31.

(b) Within the Nehalem Basin (including the North Fork) the following additional rules apply:

(A) Mainstem closed to all salmon angling upstream of Foss Road (CC) Bridge (RM 15.5) July 1 through December 31.

(B) Nehalem tidewater from the jetty tips upstream to Miami-Foley Bridge on South Fork and North Fork Road Bridge on the North Fork is open for non adipose fin-clipped coho salmon from September 15 through the earlier of November 30 or attainment of an adult coho salmon quota of 1,200 non adipose fin-clipped coho salmon.

(C) The daily catch limit may include one adult non adipose fin-clipped coho salmon per day and one non adipose fin-clipped jack coho salmon per day, and no more than 2 total adult non adipose fin-clipped coho salmon in the seasonal aggregate from all waters in the Northwest Zone and Southwest Zone with a 2 adult non adipose fin-clipped coho salmon seasonal aggregate limit (Siletz River, Yaquina River, Alsea River, Siuslaw River, Umpqua River).

(c) Within the Tillamook Bay Basin the following additional rules apply:

(A) Tillamook Bay tidewater from the jetty tips upstream to Highway 101 Bridge on Miami, Kilchis, Wilson, and Trask rivers and Burton Bridge on Tillamook River is open on Fridays and Saturdays only for non adipose fin-clipped coho salmon from September 15 through the earlier of November 30 or attainment of an adult coho salmon quota of 1,000 non adipose fin-clipped coho salmon.

(B) The daily catch limit may include one adult non adipose fin-clipped coho salmon per day and one non adipose fin-clipped jack coho salmon per day, and no more than 1 total adult non adipose fin-clipped coho salmon in the seasonal aggregate from all waters in the Northwest Zone and Southwest Zone with a 1 adult non adipose fin-clipped coho salmon seasonal aggregate limit (Nestucca River).

(d) Within the Nestucca Basin (including the Little Nestucca River and Three Rivers) the following rules apply:

(A) Mainstem Nestucca upstream of First Bridge (RM 15.8) near Beaver closed to all Chinook angling August 1 through December 31.

(B) Nestucca Bay tidewater (excluding Little Nestucca tidewater) from the bay mouth upstream to the Cloverdale Bridge (RM 7.1) is open on Sundays and Mondays only for non adipose fin-clipped coho salmon from September 15 through the earlier of November 30 or attainment of an adult coho salmon quota of 250 non adipose fin-clipped coho salmon.

(C) The daily catch limit may include one adult non adipose fin-clipped coho salmon per day and one non adipose fin-clipped jack coho salmon per day, and no more than 1 total adult non adipose fin-clipped coho salmon in the seasonal aggregate from all waters in the Northwest Zone and Southwest Zone with a 1 adult non adipose fin-clipped coho salmon seasonal aggregate limit (Tillamook Basin rivers).

(e) Within the Siletz River Basin the following additional rules apply:

(A) Mainstem and tributaries above an ODFW marker sign approximately 1,200 feet upstream of Ojalla Bridge (RM 31) closed to Chinook August 1-December 31; Drift Creek (Siletz River Basin) upstream of the confluence with Quarry Creek at RM 8 is closed for Chinook salmon from August 1 through December 31;

(B) Siletz River and Bay upstream an ODFW marker sign approximately 1,200 feet upstream of to Ojalla Bridge (RM 31) is open for non adipose fin-clipped coho salmon from September 15 through the earlier of November 30 or attainment of an adult coho salmon quota of 1,200 non adipose fin-clipped coho salmon; and

(C) The daily catch limit may include one adult non adipose fin-clipped coho salmon per day and one non adipose fin-clipped jack coho salmon per day, and no more than 2 total adult non adipose fin-clipped coho salmon in the seasonal aggregate from all waters in the Northwest Zone and Southwest Zone with a 2 adult non adipose fin-clipped coho salmon seasonal aggregate limit (Nehalem River, Yaquina River, Alsea River, Siuslaw River,



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Umpqua River).

(f) Within the Yaquina River Basin the following additional rules apply:

(A) All waters of the Yaquina River upstream of the confluence of the Yaquina River and Big Elk Creek at RM 18.3 and all waters of Big Elk Creek (Yaquina River Basin) are closed for Chinook salmon from August 1 through December 31;

(B) The Yaquina River and Bay upstream to the confluence of the Yaquina River and Big Elk Creek are open for non adipose fin-clipped coho salmon from September 15 through the earlier of November 30 or attainment of an adult coho salmon quota of 800 non adipose fin-clipped coho salmon; and

(C) The daily catch limit may include one adult non adipose fin-clipped coho salmon per day and one non adipose fin-clipped jack coho salmon per day, and no more than 5 total adult non adipose fin-clipped coho salmon in the seasonal aggregate from all waters in the Northwest Zone and Southwest Zone with a 2 adult non adipose fin-clipped coho salmon seasonal aggregate limit (Nehalem River, Siletz River, Alsea River, Siuslaw River, Umpqua River).

(g) Within the Alsea River Basin the following additional rules apply:

(A) All waters of Drift Creek (Alsea River Basin) within the Drift Creek Wilderness Area and upstream are closed for Chinook salmon from August 1 through December 31;

(B) All waters of the Alsea River upstream of the confluence with Five Rivers at RM 21 are closed for Chinook salmon from August 1 through December 31;

(C) All waters of Five Rivers are closed for Chinook salmon from August 1 through December 31.

(D) The Alsea River and Bay upstream to the confluence of the Alsea River and Five Rivers are open for non adipose fin-clipped coho salmon from October 1 through the earlier of December 15 or attainment of an adult coho salmon quota of 950 non adipose fin-clipped coho salmon; and

(E) The daily catch limit may include one adult non adipose fin-clipped coho salmon per day and one non adipose fin-clipped jack coho salmon per day, and no more than 2 total adult non adipose fin-clipped coho salmon in the seasonal aggregate from all waters in the Northwest Zone and Southwest Zone with a 2 adult non adipose fin-clipped coho salmon seasonal aggregate limit (Nehalem River, Siletz River, Yaquina River, Siuslaw River, Umpqua River).

(h) Within the Siuslaw River Basin the following additional rules apply:

(A) All waters of the Siuslaw River upstream of the confluence with Lake Creek at RM 30.0 are closed for Chinook salmon from August 1 through December 31;

(B) All waters of Lake Creek are closed for Chinook salmon August 1 through December 31 and all waters of Lake Creek downstream of Fish Creek are closed to all angling from September 1 through November 30;

(C) The Siuslaw River and Bay upstream to the confluence of the Siuslaw River and Lake Creek are open for non adipose fin-clipped coho salmon from September 15 through the earlier of November 30 or attainment of an adult coho salmon quota of 1,700 non adipose fin-clipped coho salmon; and

(D) The daily catch limit may include one adult non adipose fin-clipped coho salmon per day and one non adipose fin-clipped jack coho salmon per day, and no more than 2 total adult non adipose fin-clipped coho salmon in the seasonal aggregate from all waters in the Northwest Zone and Southwest Zone with a 2 adult non adipose fin-clipped coho salmon seasonal aggregate limit (Nehalem River, Yaquina River, Alsea River, Siuslaw River, Umpqua River).

(3) Effective January 1, 2013, the use of barbless hooks is required when angling for salmon, steelhead, or trout in the following areas:

(a) Within the Youngs Bay Select Area (Clatsop County) from the Highway 101 Bridge upstream to markers at the confluence of the Youngs and Klaskanine rivers including the lower Lewis and Clark River upstream to the Alternate Highway 101 Bridge, and the lower Walluski River upstream to the Highway 202 Bridge.

(b) In Gnat Creek (Clatsop County) from the railroad bridge upstream to the Aldrich Point Road Bridge.

(4) Effective January 1, 2013, the annual bag limit for white sturgeon is one (1) fish. Catch-and-release angling for white sturgeon is allowed year-round. Effective January 1, 2014, all waters within the Northwest Zone are closed to the retention of white sturgeon and catch-and-release angling is allowed year-round.

Stat. Auth.: ORS 496.138, 496.146, 497.121 & 506.119

Stats. Implemented: ORS 496.004, 496.009, 496.162 & 506.129

635-017-0090

Inclusions and Modifications

(1) The 2013 Oregon Sport Fishing Regulations provide requirements for the Willamette Zone. However,



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additional regulations may be adopted in this rule division from time to time and to the extent of any inconsistency, they supersede the **2013 Oregon Sport Fishing Regulations**.

(2) Pacific Lamprey Harvest:

(a) Pursuant to OAR 635-044-0130(1)(b), authorization from the Oregon Fish and Wildlife Commission must be in possession by individuals collecting or possessing Pacific lamprey for personal use. Permits are available from ODFW, 17330 SE Evelyn Street, Clackamas, OR 97015;

(b) Open fishing period is June 1 through July 31 from 7:00 A.M. to 6:00 P.M.; personal use harvest is permitted Friday through Monday each week. All harvest is prohibited Tuesday through Thursday;

(c) Open fishing area is the Willamette River at Willamette Falls on the east side of the falls only, excluding Horseshoe Area at the peak of the falls;

(d) Gear is restricted to hand or hand-powered tools only;

(e) Catch must be recorded daily on a harvest record card prior to leaving the open fishing area. Harvest record cards will be provided by ODFW. All harvest record cards must be returned to the ODFW Clackamas office by August 31 to report catch. Permit holders who do not return the harvest record cards by August 31 will be ineligible to receive a permit in the following year.

(f) Harvesters must allow sampling or enumeration of catches by ODFW personnel.

(3) Sandy River (Multnomah/Clackamas Co.) mainstem and tributaries upstream from ODFW markers at the mouth of the Salmon River, including the Salmon River:

(a) Open for adipose fin-clipped steelhead and non-adipose fin-clipped steelhead harvest July 1-August 31.

(b) Angling restricted to artificial flies and lures with a single point hook no larger than 1/2 inch gap (size 1) and multiple point hook no larger than 3/8 inch gap (size 4).

(c) No limit on size or number of brook trout taken. Catch limits on other trout species do not apply to brook trout.

(4) Effective January 1, 2013, the use of barbless hooks is required when angling for salmon, steelhead, or trout in the mainstem Willamette River downstream of Willamette Falls (including Multnomah Channel and the Gilbert River) and in the lower Clackamas River upstream to the Highway 99E Bridge.

Stat. Auth.: ORS 496.138, 496.146, 497.121 & 506.119

Stats. Implemented: ORS 496.004, 496.009, 496.162 & 506.129.

635-017-0095

Sturgeon Season

(1) The **2013 Oregon Sport Fishing Regulations** provide requirements for the Willamette 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 **2013 Oregon Sport Fishing Regulations**.

(2) Effective January 1, 2013, the annual bag limit for white sturgeon is one (1) fish. Only white sturgeon with a fork length of 38-54 inches may be retained. In 2013, the Willamette River downstream of Willamette Falls (including Multnomah Channel and the Gilbert River) is open to the retention of white sturgeon three days per week, Thursday, Friday, and Saturday during the period from February 17 until the harvest guideline is met.

(3) Catch-and-release angling for white sturgeon is allowed year-round except as described below in sections (4) and (6).

(4) Bank angling is prohibited from the east shore of the Willamette River the entire year in the area beginning west of Highway 99E, at the northern-most extent of the parking area near the intersection of 8th Street and Highway 99E in Oregon City, approximately 290 feet downstream of the Oregon City/West Linn bridge (Hwy 43) and extending upstream approximately 1715 feet to the retaining wall extending into the Willamette River at the NW corner of the Blue Heron Paper Mill.

(5) Retention of green sturgeon is prohibited all year in all areas.

(6) Angling for sturgeon, including catch-and-release, is prohibited seven days per week during May 1 through August 31 from Willamette Falls downstream to the I-205 Bridge.

(7) Effective January 1, 2014, all waters within the Willamette Zone are closed to the retention of white sturgeon.

Stat. Auth.: ORS 183.325, 506.109 & 506.119

Stats. Implemented: ORS 506.129 & 507.030



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635-023-0090

Inclusions and Modifications

The **2013 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 **2013 Oregon Sport Fishing Regulations**.

(1) Effective January 1, 2013, the use of barbless hooks is required when angling for salmon, steelhead, or trout in the mainstem Columbia River from Buoy 10 upstream to the Oregon-Washington border located upstream of McNary Dam (river mile 309.5).

(2) Effective January 1, 2013, the use of barbless hooks is required when angling for salmon or steelhead or trout in the following areas:

(a) Within the Youngs Bay Select Area (Clatsop County) from the Highway 101 Bridge upstream to markers at the confluence of the Youngs and Klaskanine rivers including the lower Lewis and Clark River upstream to the Alternate Highway 101 Bridge, and the Walluski River upstream to the Highway 202 Bridge.

(b) Within the Knappa/Blind Slough Select Area (Clatsop County) from markers at the west end of Minaker Island upstream to markers at the mouth of Blind Slough, continuing upstream to the railroad bridge in Blind Slough.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 496.162 & 506.129

635-023-0095

Sturgeon Season

(1) The **2013 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 **2013 Oregon Sport Fishing Regulations**.

(2) In 2013, the mainstem Columbia River and Oregon tributaries upstream to the mainline railroad bridges from the Wauna powerlines (River Mile 40) upstream to Bonneville Dam, excluding the lower Willamette River upstream to Willamette Falls, Multnomah Channel, and the Gilbert River, is open to the retention of white sturgeon with a fork length of 38-54 inches, three days per week, Thursdays through Saturdays, during the following periods:

(a) January 1 through July 31; and

(b) October 20 through December 31.

(3) In 2013, the mainstem 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) January 1 through April 30;

(b) May 12 through July 8 (or until guideline is met).

(4) During the fishing period as identified in subsection (3)(a) of this rule, only white sturgeon with a fork length of 38-54 inches may be retained.

(5) During the fishing periods as identified in subsection (3)(b) of this rule, only white sturgeon with a fork length of 41-54 inches may be retained.

(6) Effective January 1, 2013, the annual bag limit for white sturgeon is one (1) fish.

(7) Angling for sturgeon is prohibited from:

(a) Bonneville Dam downstream 9 miles to a line crossing the Columbia River from Navigation Marker 82 on the Oregon shore westerly to a boundary marker on the Washington shore upstream of Fir Point from May 1 through August 31;

(b) Highway 395 Bridge upstream to McNary Dam; and

(c) From the west end of the grain silo at Rufus upstream to John Day Dam during May 1 through July 31.

(d) The upper and lower ends of Sand Island and corresponding markers on the Oregon shoreline (slough at Rooster Rock State Park) from January 1 through April 30.

(8) The mainstem Columbia River from McNary Dam upstream to the Oregon-Washington border at river mile 309.5 is open to retention of white sturgeon with a fork length of 43-54 inches, seven days per week from February 1 through July 31.

(9) Retention of green sturgeon is prohibited all year in all areas.

(10) Catch-and-release angling is allowed year-round except as described above in sections (7)(a) through (7)(d).

(11) Effective January 1, 2014, the mainstem Columbia River from the mouth at Buoy 10 upstream to Bonneville Dam, including Oregon tributaries upstream to the mainline railroad bridges, is closed to the retention of white



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sturgeon.

Stat. Auth.: ORS 183.325, 506.109 & 506.119
Stats. Implemented: ORS 506.129 & 507.030

Columbia River Recreational and Commercial Fisheries Management Strategies

635-500-6700 (New Rule)

Organization of Rules

These rules (OAR 635-500-6700 through 635-500-6765) establish the Commission's policy for the non-tribal Columbia River Recreational and Commercial Fisheries Management Framework.

Stat. Auth.: ORS 496.138, 496.146 & 506.119
Stats. Implemented: ORS 506.109 & 506.129

635-500-6705 (New Rule)

Guiding Principles for Columbia River fisheries management:

- (1) Promote the recovery of ESA-listed species and the conservation of wild stocks of salmon, steelhead, and sturgeon in the Columbia River.
- (2) Continue leadership on fish recovery actions, including improved fish survival through the federal Columbia River hydropower system, improved habitat conditions in the tributaries and estuary, hatchery reform, reduced predation by fish, birds, and marine mammals, and harvest management that meets conservation responsibilities.
- (3) Continue to meet terms of *U.S. v. Oregon* management agreements with Columbia River Treaty Tribes.
- (4) In a manner that is consistent with conservation and does not impair the resource, seek to enhance the overall economic well-being and stability of Columbia River fisheries in Oregon.
- (5) For steelhead, salmon and sturgeon, prioritize recreational fisheries in the mainstem and commercial fisheries in off-channel areas of the lower Columbia River. Toward this end:
 - a) Assign mainstem recreational fisheries a sufficient share of ESA-impacts and harvestable surplus to enhance current fishing opportunity and economic benefit.
 - b) Assign commercial fisheries a sufficient share of the ESA-impacts and harvestable surplus to effectively harvest fish in off-channel areas and harvest surplus fish with selective techniques in the mainstem Columbia River.
- (6) Phase out the use of non-selective gill nets in non-tribal commercial fisheries in the mainstem Columbia River. Transition gill net use to off-channel areas.
- (7) Enhance the economic benefits of off-channel commercial fisheries, in a manner consistent with conservation and wild stock recovery objectives. Enhancements include:
 - a) Providing additional hatchery fish for release in off-channel areas by shifting currently available production, and where possible providing new production for release in off-channel areas, emphasizing complementary conservation benefits in tributaries.
 - b) Expanding existing seasons and boundaries in off-channel areas and/or establishing new off-channel areas, allowing increased harvest in areas where the likelihood of impacting ESA-listed stocks is lower than the mainstem.
- (8) Develop and implement selective-fishing gear and techniques for commercial mainstem fisheries to optimize conservation and economic benefits consistent with mainstem recreational objectives, combined with incentives to commercial fishers to expand the development and implementation of these gear and techniques.
- (9) Maintain consistent and concurrent policies between Oregon and Washington related to management of non-tribal Columbia River fisheries, to ensure orderly fisheries as well as the sharing of investments and benefits.
- (10) To maximize economic return, develop a program that seeks to implement Marine Stewardship Council or other certification of commercial salmon and sturgeon fisheries in the Columbia River as sustainably managed fisheries.

Stat. Auth.: ORS 496.138, 496.146 & 506.119
Stats. Implemented: ORS 506.109 & 506.129



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635-500-6710 (New Rule)

Department staff shall manage fisheries consistent with the guiding principles and the allocation framework and provisions in OAR 635-500-6715 through 635-500-6765.

Stat. Auth.: ORS 496.138, 496.146 & 506.119
Stats. Implemented: ORS 506.109 & 506.129

635-500-6715 (New Rule)

Spring Chinook

(1) Transition Period (2013-2016).

(a) In 2013, assign 65%, then 70% of the ESA-impact for upriver spring Chinook stocks to mainstem recreational fisheries.

(b) In 2013, assign 35%, then 30% to off-channel and mainstem commercial fisheries.

(2) Long Term (2017 and Beyond).

(a) Assign 80% of the ESA-impact to mainstem recreational fisheries.

(b) Assign 20% to commercial fisheries.

Stat. Auth.: ORS 496.138, 496.146 & 506.119
Stats. Implemented: ORS 506.109 & 506.129

635-500-6720 (New Rule)

Summer Chinook

(1) Transition Period (2013-2016).

(a) In 2013-14, assign 60%, then 70% of the harvestable surplus available for use downstream from Priest Rapids Dam to mainstem recreational fisheries.

(b) In 2013-14, assign 40%, then 30% to off-channel and mainstem commercial fisheries.

(2) Long Term (2017 and Beyond).

Stat. Auth.: ORS 496.138, 496.146 & 506.119
Stats. Implemented: ORS 506.109 & 506.129

635-500-6725 (New Rule)

Sockeye

(1) Transition Period (2013-2016).

(a) Assign 70% of the ESA-impact for Snake River sockeye to mainstem recreational fisheries.

(b) Assign 30% to mainstem commercial fisheries for incidental harvest of sockeye in Chinook-directed fisheries.

(2) Long Term (2017 and Beyond).

(a) Assign approximately 80% of the ESA-impact for Snake River sockeye to mainstem recreational fisheries.

(b) Assign the remaining balance to commercial fisheries for incidental harvest of sockeye in Chinook-directed fisheries.

Stat. Auth.: ORS 496.138, 496.146 & 506.119
Stats. Implemented: ORS 506.109 & 506.129

635-500-6730 (New Rule)

Tule Fall Chinook

(1) Transition Period (2013-2016).

(a) Assign no more than 70% of the ESA-impact for lower Columbia River Tule fall Chinook to mainstem recreational fisheries.

(b) Assign not less than 30% to off-channel commercial fisheries, mainstem commercial fisheries that target Upriver Bright and Lower River Hatchery Fall Chinook.

(2) Long Term (2017 and Beyond).

(a) Assign no more than 80% of the ESA-impact for lower Columbia River Tule Fall Chinook to mainstem



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recreational fisheries.

(b) Assign not less than 20% to off-channel commercial fisheries and mainstem commercial fisheries that target Upriver Bright and Lower River Hatchery Fall Chinook and hatchery coho.

Stat. Auth.: ORS 496.138, 496.146 & 506.119
Stats. Implemented: ORS 506.109 & 506.129

635-500-6735 (New Rule)

Upriver Bright Fall Chinook

(1) Transition Period (2013-2016).

(a) Assign no more than 70% of the ESA-impact for Snake River Wild Fall Chinook to mainstem recreational fisheries.

(b) Assign not less than 30% to off-channel and mainstem commercial fisheries. Provide additional mainstem commercial harvest when recreational fishery objectives (OAR 635-500-6760) are expected to be met.

(2) Long Term (2017 and Beyond).

(a) Assign no more than 80% of the ESA-impact for Snake River Wild Fall Chinook to mainstem recreational fisheries.

(b) Assign not less than 20% to off-channel and mainstem commercial fisheries. Provide additional mainstem commercial harvest when recreational fishery objectives (OAR 635-500-6760) are expected to be met.

Stat. Auth.: ORS 496.138, 496.146 & 506.119
Stats. Implemented: ORS 506.109 & 506.129

635-500-6740 (New Rule)

Coho

(1) Transition Period (2013-2016).

(a) Assign commercial fisheries a sufficient share of the ESA-impact for Lower Columbia Natural coho to implement off-channel coho and fall Chinook fisheries and mainstem fall Chinook fisheries.

(b) Assign the remaining balance to in-river mainstem recreational fisheries. If these fisheries are expected to be unable to use all of the ESA-impact for Lower Columbia Natural coho, assign the remainder to mainstem commercial coho fisheries.

(2) Long Term (2017 and Beyond).

(a) Assign commercial fisheries a sufficient share of the ESA-impact for Lower Columbia Natural coho to implement off-channel coho and fall Chinook fisheries and mainstem fall Chinook and hatchery coho fisheries.

(b) Assign the balance to in-river mainstem recreational fisheries. If these fisheries are unable to use all of the ESA-impact for Lower Columbia Natural coho, assign the remainder to mainstem commercial coho fisheries.

Stat. Auth.: ORS 496.138, 496.146 & 506.119
Stats. Implemented: ORS 506.109 & 506.129

635-500-6745 (New Rule)

Chum

(1) Transition Period (2013-2016).

(a) Assign commercial fisheries a sufficient share of the ESA-impact for chum to implement off-channel and mainstem fisheries targeting other salmon species.

(b) Prohibit the retention of chum salmon in recreational and commercial fisheries.

(2) Long Term (2017 and Beyond).

(a) Assign commercial fisheries a sufficient share of the ESA-impact for chum to implement off-channel and mainstem fisheries targeting other salmon species.

(b) Prohibit the retention of chum salmon in recreational and commercial fisheries

Stat. Auth.: ORS 496.138, 496.146 & 506.119
Stats. Implemented: ORS 506.109 & 506.129



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635-500-6750 (New Rule)

White Sturgeon

(1) Transition Period (2013-2016).

(a) In years when retention is allowed, allocate 90% of the harvestable surplus downstream from Bonneville Dam for use in non-tribal fisheries and hold 10% in reserve as an additional conservation buffer above the maximum harvest rate allowed in Oregon's white sturgeon conservation plan.

(b) Assign 80% of the white sturgeon available for harvest to the recreational fishery.

(c) Assign 20% to off-channel and mainstem commercial fisheries.

(2) Long Term (2017 and Beyond).

(a) In years when retention is allowed, allocate 90% of the harvestable surplus downstream from Bonneville Dam for use in non-tribal fisheries and hold 10% in reserve as an additional conservation buffer above the maximum harvest rate allowed in Oregon's white sturgeon conservation plan.

(b) Assign 80% of the white sturgeon available for harvest to the recreational fishery.

(c) Assign the balance (20%) to off-channel and mainstem commercial fisheries.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.109 & 506.129

635-500-6755 (New Rule)

Additional Commercial Opportunity

Additional opportunity for mainstem commercial fisheries shall be provided:

(1) If recreational fisheries are predicted to be unable to use their allocated impacts;

(2) If established objectives for mainstem recreational fisheries are predicted to be met; or

(3) If needed to remove lower river hatchery tule Chinook and coho using selective techniques to meet conservation objectives.

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.109 & 506.129

Miscellaneous Columbia River Management Provisions

635-500-6760 (New Rule)

Fall Recreational Fishery Objectives

Within limitations described in OAR 635-500-6730 thru OAR 635-500-6750, fall recreational fishery objectives include:

(1) Buoy 10 to Tongue Point.

The recreational fishing objective for Buoy 10 is defined as a season beginning August 1 and continuing through Labor Day (34 days; assuming Labor Day is September 3).

(2) Tongue Point to Warrior Rock.

The recreational fishing objective for the area from Tongue Point upstream to Warrior Rock is defined as a season beginning August 1 and continuing through September 7 as non-mark selective with an additional week of mark selective fishing during September 8-14 (45 days).

(3) Warrior Rock to Bonneville Dam.

The recreational fishing objective for the area from Warrior Rock upstream to Bonneville Dam is defined as a season beginning August 1 and continuing through October 31 when the season is assumed to be essentially complete (92 days).

Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 506.109 & 506.129

635-500-6765 (New Rule)

Adaptive Management.

(1) The Department shall use adaptive management principles within its statutory authority in support of achieving the expectations outlined in the guiding principles of this plan.

(2) The Commission will monitor implementation of the plan with an initial review in 2014 and undertake a



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comprehensive review at the end of the transition period. If the guiding principles are not being met, efforts will be made to determine why and the Commission will direct the Department to identify and evaluate alternative or additional management actions necessary to meet the principles.

Stat. Auth.: ORS 496.138, 496.146 & 506.119
Stats. Implemented: ORS 506.109 & 506.129