



## PERMANENT ADMINISTRATIVE ORDER

**DFW 179-2018**  
CHAPTER 635  
DEPARTMENT OF FISH AND WILDLIFE

**FILED**

12/04/2018 3:19 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: 2019 Big Game Controlled Hunt Tag Numbers, Season Dates and Regulations

EFFECTIVE DATE: 12/04/2018

AGENCY APPROVED DATE: 09/14/2018

CONTACT: Roxann Borisch  
503-947-6314  
roxann.b.borisch@state.or.us

4034 Fairview Industrial Drive SE  
Salem, OR 97302

Filed By:  
Roxann Borisch  
Rules Coordinator

### RULES:

635-043-0003, 635-043-0110, 635-045-0000, 635-045-0002, 635-046-0045, 635-046-0050, 635-046-0055, 635-060-0005, 635-060-0008, 635-060-0009, 635-060-0023, 635-060-0030, 635-060-0046, 635-060-0055, 635-065-0501, 635-065-0733, 635-065-0735, 635-065-0740, 635-065-0745, 635-066-0000, 635-066-0010, 635-066-0020, 635-067-0000, 635-067-0004, 635-067-0024, 635-067-0029, 635-067-0034, 635-067-0041, 635-072-0000, 635-075-0005, 635-075-0011, 635-075-0020, 635-075-0022, 635-075-0024, 635-090-0140

AMEND: 635-043-0003

RULE TITLE: Fur Dealer and Taxidermy

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

### RULE TEXT:

- (1) Fur Dealer License shall cost \$106.00 (plus a \$2.00 license agent fee) and shall expire on December 31 of the year issued.
- (2) Whenever a fur dealer purchases, possesses, sells, or disposes of the pelt of any furbearing mammal, the dealer must record:
  - (a) The date, numbers and types of pelts;
  - (b) For furbearing mammals requiring tags, the tag number, the state issuing the tag, the species, and the year the tag was issued; and
  - (c) The name and address of those from whom the pelts were obtained, and to whom they were sold or otherwise transferred;
  - (d) This record must be maintained at the business address of the fur dealer for a period of three years.
- (3) No fur dealer may purchase, sell, or possess any raw pelt requiring a tag or seal without having a proper tag or seal affixed to the pelt.
- (4) Fur buyers who are agents for companies shall have a fur dealer's license and record the company whom they represent on the fur dealer's license application.

- (5) Fur dealer records and pelts are subject to inspection at any time by any Oregon State Police officer or Department representative.
- (6) Failure to comply with the record keeping criteria in OAR 635-043-0003(1) or to permit inspection of such records may result in a two year license suspension.
- (7) Taxidermy License shall cost \$106.00 (plus a \$2.00 license agent fee) and shall expire on December 31 of the year issued.
- (8) Licensed taxidermists may sell a client's unclaimed, legally taken, mounted wildlife, except migratory birds protected by Federal Law 16 USC 703, provided that:
- (a) Upon completion, at least two written notices of intent to sell are sent to the client;
  - (b) Two months have passed since completion of mount;
  - (c) The amount realized by the sale of a mount is not to exceed the original quoted price stated contemporaneously in writing, less any deposit received;
  - (d) Taxidermists may mount and sell legally taken furbearing animals with a fur dealer's license.
- (9) At the time of receiving wildlife for mounting, every licensed taxidermist shall:
- (a) Record the date, number and kinds of wildlife received;
  - (b) Record the tag number and year of issuance of those furbearing mammals requiring tags;
  - (c) For game mammals and game birds requiring tags, record the confirmation number of electronic tags, record the date (month/day/year) and time (hour:minute) of issuance of paper tags.
  - (d) Record the date taken, the county or hunting unit and state where taken, and the name and address of the person who killed the wildlife;
  - (e) Record the name and address of the person from whom the wildlife is received and the quoted price for the taxidermy work;
  - (f) Maintain this record at the business address of the taxidermist for a three-year period;
  - (g) Maintain copies of the written notices, as described in 635-043-0003(6), date of sale, amount of sale and name and address of the person purchasing the mount at the business address of the taxidermist for a three-year period.
- (10) Taxidermy records and all wildlife possessed by licensed taxidermists for the purpose of taxidermy are subject to inspection at any time by any Oregon State Police officer or Department representative.

STATUTORY/OTHER AUTHORITY: SB 247 (2015), ORS 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 498.019, 498.022, 498.042

AMEND: 635-043-0110

RULE TITLE: Form of Harassment Permit

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

The Wildlife Harassing Permit shall include the name and address of the complainant suffering wildlife damage, the name and address of the person or persons designated by the landowner to act as his agent, the description of the property on which harassment will be permitted, the wildlife species to be harassed, the date of issue and date of expiration of the permit, and the signature of the Department representative issuing the permit.

STATUTORY/OTHER AUTHORITY: ORS 183, 496

STATUTES/OTHER IMPLEMENTED: ORS 183, 496

AMEND: 635-045-0000

RULE TITLE: Purpose

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

(1) The purpose of these rules is to list definitions pursuant to hunting seasons for big game and game birds.

(2) The documents entitled "2018-19 Oregon Game Bird Regulations," and "2019 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.]

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-045-0002

RULE TITLE: Definitions

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) "Adult hunting license" is a resident or nonresident hunting license, resident combination angling and hunting license, disabled veteran's angling and hunting license, pioneer's angling and hunting license or senior citizen's angling and hunting 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) "Bait" for hunting game mammals means any substance placed to attract an animal by its sense of smell or taste, including but not limited to food items or minerals (such as salt). Applying a scent or attractant to one's body or clothing while worn, is not baiting.
- (8) "Baited Area" means an area where baiting has taken place.
- (9) "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.
- (10) "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.
- (11) "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.
- (12) "Buck Deer" means a male deer with at least one visible antler.
- (13) "Buck Pronghorn" means a male pronghorn antelope with visible horns and a dark cheek patch below the ear.
- (14) "Bull elk" for the purposes of a bag limit definition, means a male elk with at least one visible antler.
- (15) "Calendar year" means from January 1 through December 31.
- (16) "Carcass" is the skinned or unskinned body, with or without entrails, of a game bird or game mammal.
- (17) "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.
- (18) "Closed season" is any time and place when it is not authorized to take a specific species, sex or size of wildlife.
- (19) "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.
- (20) "Commission" means the Oregon Fish and Wildlife Commission.
- (21) "Controlled hunt" is a season where the number or distribution of hunters is limited through a public drawing or other means.
- (22) "Department" means the Oregon Department of Fish and Wildlife.
- (23) "Director" means the Oregon Fish and Wildlife Director.
- (24) "Doe or fawn pronghorn" means a female pronghorn antelope without a dark cheek patch below the ear or a

pronghorn fawn (young of the year) of either sex.

(25) "Domestic partner" means, as provided in section 3 of the Oregon Family Fairness Act of 2007 (ORS Chapter 106), "an individual who has, in person, joined into a civil contract with another individual of the same sex, provided that each individual is at least 18 years of age and is otherwise capable, and that at least one of the individuals is a resident of Oregon."

(26) "Eastern Oregon" means all counties east of the summit of the Cascade Range including all of Klamath and Hood River counties.

(27) "Eastern Oregon deer" means any live deer occurring east of the east boundaries of the Santiam, McKenzie, Dixon, Indigo and Rogue units.

(28) "Eligible Hunter" means someone who will be 12 years of age by the time they hunt.

(29) "Entry permit" means a permit issued by the Department to be in an area where entry is restricted by regulation.

(30) "Feral Swine" means animals of the genus *Sus* as defined by the Oregon Department of Agriculture in OAR 603-010-0055.

(31) "Fiscal year" means from July 1 through June 30.

(32) "Furbearers" are beaver, bobcat, fisher, marten, mink, muskrat, otter, raccoon, red fox, and gray fox.

(33) "Game Birds" are any waterfowl, snipe, band-tailed pigeon, mourning dove, pheasant, quail, partridge, grouse, or wild turkey.

(34) "Game mammals" are pronghorn antelope, black bear, cougar, deer, elk, moose, Rocky Mountain goat, bighorn sheep, and western gray squirrel.

(35) "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.

(36) "Hunter certification" means to have met educational, safety or other requirements designated by administrative rule for participation in a hunt.

(37) "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.

(38) "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.

(39) "Immediate family" for the purpose of Landowner Preference, means a landowner's spouse, children, sons-in law, daughters-in-law, father, mother, brother, brothers-in law, sister, sisters-in-law, stepchildren, and grandchildren.; for all other purposes, it means spouse, domestic partner, children, father, mother, brother, sister, stepchildren, and grandchildren.

(40) "Inedible" means unfit for human consumption.

(41) "Juvenile hunting license" is a resident, nonresident hunting license or resident combination angling and hunting license for persons 9 to 17 years of age to hunt wildlife.

(42) "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 or Limited Liability Company (LLC) holding title in fee simple to 40 or more contiguous acres of land; provided however that the corporation or LLC 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.

(43) "Low Income" means a person who is "economically disadvantaged" as defined in Section 4(8) of the Federal Job Training Partnership Act of 1982.

- (44) "Mounted Wildlife" means any hide, head or whole body of wildlife prepared by a licensed taxidermist for display.
- (45) "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.
- (46) "On or within" means a straight line distance measured on a map.
- (47) "One deer" means a buck, doe, or fawn deer.
- (48) "One elk" means a bull, cow, or calf elk.
- (49) "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.
- (50) "Partner" means a person in an association of two or more persons formed to carry on as co-owners for profit.
- (51) "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.
- (52) "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.
- (53) "Predatory animals" means coyotes, rabbits, rodents, and feral swine which are or may be destructive to agricultural crops, products and activities.
- (54) "Protected wildlife" means "game mammals" as defined in OAR 635-045-0002(35) "game birds" as defined in 635-045-0002(34), "furbearers" as defined in 635-045-0002(33), "threatened and endangered species" as defined in 635-100-0125, and "nongame wildlife protected" as defined in 635-044-0130.
- (55) "Pursue" means the act of trailing, tracking, or chasing wildlife in an attempt to locate, capture, catch, tree, or kill any game mammal, game bird, or furbearer.
- (56) "Raw pelt" means any pelt that has not been processed or converted to any usable form beyond initial cleaning, stretching, and drying.
- (57) "Resident" is any person who
- (a) Has resided in Oregon for a period of at least six consecutive months immediately prior to the date of making application for a license, tag, or permit.
  - (b) Members of the uniformed services of the United States who:
    - (i) Are permanently assigned to active duty in this state, and their spouse and dependent children.
    - (ii) Reside in this state while assigned to duty at any base, station, shore establishment or other facility in this state.
    - (iii) Reside in this state while serving as members of the crew of a ship that has an Oregon port or shore establishment as its home port or permanent station.
    - (iv) Aliens attending school in Oregon under a foreign student exchange program.
    - (v) All other persons are nonresidents.
- (58) "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.
- (59) "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.
- (60) "Sabot" A carrier, bushing or device in which a projectile of a smaller caliber is centered so as to permit firing the projectile within a larger caliber weapon. Cloth, paper or felt patches used with round balls are not considered a sabot.
- (61) "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.
- (62) "Sight bait" is exposed flesh bait within 15 feet of any foothold trap set for carnivores.
- (63) "Spike deer" is a deer with spike (unbranched) antlers.
- (64) "Spike-only bull elk" means a bull elk with at least one visible unbranched antler (a brow tine is not considered an

antler branch under spike-only regulations).

(65) "Stockholder" is a person who owns stock within a corporation as defined in OAR 635-045-0002(42)(b).

(66) "Tag" is a document authorizing the taking of a designated kind of mammal at a specified time and place.

(67) "Take" means to kill or obtain possession or control of any wildlife.

(68) "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.

(69) "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. Broadheads with moveable blades that fold/collapse when withdrawn are considered unbarbed.

(70) "Uniformed Services" means Army, Navy, Air Force, Marine Corps and Coast Guard, or their reserve components; the National Guard or Oregon National Guard, commissioned corps of the National Oceanic and Atmospheric Administration, and the Public Health Service of the United States Department of health and Human Services detailed with the Army or Navy.

(71) "Unprotected Mammals and Birds" are European starling, house sparrow, Eurasian collared-dove and any mammal species for which there are no closed seasons or bag limits.

(72) "Valid certification permit" is a permit for the current season that has not become invalid after taking a season limit or illegal game bird.

(73) "Visible Antler" means a velvet or hardened antler that is visible above the hairline on the skullcap and is capable of being shed.

(74) "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.

(75) "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. "Edible portion" means the meat of the front quarters as far down as the knees (the distal joint of the radius-ulna), meat of the hindquarters as far down as the hocks (the distal joint of the tibia-fibula), and the meat along the backbone including the loins (back-strap), and tenderloins. For elk, it also includes the meat of the neck.

(76) "Waterfowl" means ducks, geese, mergansers and coots.

(77) "Weapon" is any device used to take or attempt to take wildlife.

(78) "Western Oregon" means all counties west of the summit of the Cascade Range except Klamath and Hood River counties.

(79) "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.

(80) "Wildlife" means fish, wild birds, amphibians, reptiles, wild mammals, and feral swine.

(81) "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.

(82) "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.

(83) "Wildlife" means, for the purposes of the Wildlife Diversity Plan described in OAR 635-100-0001 through 635-100-0194, fish, shellfish, amphibians, reptiles, feral swine, wild mammals, wild birds, and animals living intertidally on the bottom as defined by ORS 506.011.

(84) "Wildlife unit" is a geographic area described in OAR 635-080-0000 through 635-080-0077.

(85) "Youth" is any "Resident" of Oregon or Nonresident 12 through 17 years of age.

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

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162



STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-046-0045

RULE TITLE: General Regulations

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) Releasing domestically-raised game birds or using wildlife during competitive hunting dog trials, and releasing domestically-raised game birds for hunting dog and raptor training, are only allowed under a permit from the Department.
- (2) Wildlife that shows symptoms of sickness or injury, or that is dead from disease, must not be used in competitive hunting dog trials or the training of hunting dogs or raptors.
- (3) Any person who takes or attempts to take wildlife, including domestically-raised game birds, during a competitive hunting dog trial or while training a hunting dog or raptor, must meet the hunting license and state bird validation (stamp) requirements contained in the Department's current Oregon Game Bird, Big Game, and Furbearer Hunting/Trapping Regulations.
- (4) Recall pens may be used on private lands to capture domestically-raised upland game birds which were released for a competitive hunting dog trial or hunting dog or raptor training, provided that, upon discovery, any unmarked game bird(s) (except bobwhite and Coturnix quail) or other wildlife caught incidentally must be released immediately.
- (5) For the purposes of these rules, domestically-raised game birds that have been used for competitive hunting dog trials or hunting dog and raptor training are considered inedible. All dead animal carcasses from the trial and training activities must be removed from the field (ORS 164.785 and 164.805).

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 498.006, 498.106

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 498.006, 498.106

AMEND: 635-046-0050

RULE TITLE: Use of Wildlife for Hunting Dog and Raptor Training

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

(1) Upland game birds, except sage grouse, sharp-tailed grouse, and spruce grouse, may be pursued to train hunting dogs from September through January, or as permitted by these rules.

(2) No person may release any domestically-raised game birds without first obtaining a "Game Bird Release Permit for Hunting Dog and Raptor Training" from the Department. With such a permit, the Department authorizes the permittee and his or her designees to release domestically-raised game birds for the sole purpose of training hunting dogs and raptors and to operate recall pens on private lands to recapture those same game birds.

(a) A designee(s) must possess a copy of the permittee's permit or written authorization from the permittee to release domestically-raised game birds on his or her behalf.

(b) The permit is immediately valid upon completion of the application when signed by the permittee. A copy of the completed permit must be submitted to the Department as indicated on the permit.

(c) There is no cost for this permit and there will be no limit to the number of permits that will be available.

(d) Permits are valid from date of issue through December 31.

(e) On Department owned or managed lands, the release of domestically-raised game birds for hunting dog or raptor training is prohibited except in designated dog training areas where release is specifically allowed by wildlife area rule, and, if required by the wildlife area, the individual has a special permit specific to that wildlife area for activities allowed under these rules.

(f) The following species are permitted for release under this permit: common pheasant (all races of *Phasianus colchicus*, most commonly ring-necked); California (valley), bobwhite and Coturnix quail; Hungarian (gray), chukar, and red-legged partridge; or mallards, provided such birds were lawfully acquired and, except for bobwhite and Coturnix quail, are marked birds.

(g) If at any time one or more people are training hunting dogs or raptors with domestically-raised game birds released under a valid Game Bird Release Permit for Hunting Dog and Raptor Training, the following items must be in the possession of at least one of those persons:

(i) At least one valid Game Bird Release Permit for Hunting Dog and Raptor Training.

(ii) A sales receipt from the propagator or a written note of origin containing the name and address of the person from whom the birds were acquired, which specifies the number and species of game birds which have been or are going to be released.

(iii) One or more hunting dogs or raptors.

(h) A holder of a Game Bird Release Permit for Hunting Dog and Raptor Training must annually report to the Department the number and species of game birds released by county.

(3) Domestically-raised game birds lawfully released under a valid Game Bird Release Permit for Hunting Dog and Raptor Training may be pursued or taken in any number by shooting or falconry for the sole purpose of training hunting dogs and raptors, provided that:

(a) At least one person participating in the training possesses a valid Game Bird Release Permit for Hunting Dog and Raptor Training.

(b) The birds are pursued or taken on the same day they are released. However, if the birds are pursued or taken by the same individual(s) as part of a multi-day training session, the birds must be pursued or taken within three consecutive days after the day of release. Bobwhite and Coturnix quail are not subject to the time constraints of this subsection.

(c) On Department owned or managed lands, the pursuit and take of domestically-raised game birds for hunting dog or

raptor training may occur only in designated dog training areas where pursuit and take is specifically allowed by wildlife area rule, and, if required by the wildlife area, the individual has a special permit specific to that wildlife area for activities allowed under these rules.

(4) Carcasses of domestically-raised game birds which were lawfully released under a valid Game Bird Release Permit for Hunting Dog and Raptor Training and subsequently taken for hunting dog and raptor training may be possessed in any number by any person, provided that the person holds a valid Game Bird Release Permit for Hunting Dog and Raptor training or a written note from the permittee describing when, where, and for what purpose the birds were taken.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 498.006, 498.106

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 498.006, 498.106

AMEND: 635-046-0055

RULE TITLE: Use of Wildlife for Competitive Hunting Dog Trials

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) To hold a competitive hunting dog trial, a person must possess a "Competitive Hunting Dog Trial Permit" from the Department:
  - (a) If domestically-raised game birds are released.
  - (b) If wildlife is used outside the pursuit or hunting season for that species; or
  - (c) If the trial occurs between March 16 and August 14 (whether domestically-raised game birds are released or not).
- (2) The applicant (sponsor of the competitive hunting dog trial) must apply for a Competitive Hunting Dog Trial Permit to the Department's wildlife district where the trial will take place.
  - (a) The fee for a Competitive Hunting Dog Trial Permit is \$27.00 (plus a \$2.00 license agent fee).
  - (b) The application (available online) must be received by the Department at least ten business days prior to the start of a competitive trial via hand-delivery, U.S. Mail, electronic mail, or facsimile.
  - (c) The District Wildlife Biologist or his or her designee will respond to permit applications within 10 business days from the received date.
- (3) To issue a Competitive Hunting Dog Trial Permit, the Department must determine that the proposed trial will not:
  - (a) Conflict to a significant degree with other authorized activities, including but not limited to land management actions, other permitted trials, or lawful hunting.
  - (b) Result in significant adverse impact to wildlife or wildlife habitat, taking into consideration location, land ownership, designation of site, size, and date of the proposed trial.
- (4) The Department may approve, approve with conditions, or deny a permit application.
  - (a) If the Department denies the issuance a permit, the Department will provide the applicant with a written explanation and an opportunity to request a hearing to appeal that action.
  - (b) The applicant may appeal the Department's decision by submitting a written request for a contested case hearing to the Department within 10 business days after mailing of the Department's decision.
- (5) If after issuance of a Competitive Hunting Dog Trial Permit any unforeseen or emergency circumstances necessitate a change to the permit, the Department will, to the maximum extent practicable, work with permittee to exhaust other options to maintain the trial.
- (6) The following species may be released under a Competitive Hunting Dog Trial Permit: common pheasant (all races of *Phasianus colchicus*, most commonly ring-necked); California (valley), bobwhite, and Coturnix quail; Hungarian (gray), chukar, and red-legged partridge; or mallards, provided all domestically-raised game birds were lawfully acquired and any mallard used must be a marked bird.
- (7) Domestically-raised game birds released under a valid Competitive Hunting Dog Trial Permit may be pursued or taken during the course of the permitted trial.
- (8) Use of recall pens to recapture domestically-raised upland game birds released under a valid Competitive Hunting Dog Trial Permit is allowed on private lands only if all released game birds were marked (except bobwhite and Coturnix quail, or if there is an exception granted as a condition of the permit) and provided that the person operating the recall pen has the original or a copy of the permit.
- (9) The carcasses of domestically-raised game birds which were lawfully released under a valid Competitive Hunting Dog Trial Permit and subsequently taken during the trial may be possessed in any number by any person, provided that the person holds a copy of the Competitive Hunting Dog Trial Permit or a written note from the permittee describing when, where, and for what purpose the birds were taken.

STATUTORY/OTHER AUTHORITY: SB 247 (2015), ORS 496.012, 496.138, 496.146, 498.006, 498.106

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 498.006, 498.106

AMEND: 635-060-0005

RULE TITLE: Application Eligibility and Procedures

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1)(a) An applicant for game mammal controlled hunts shall have a current adult hunting license or juvenile hunting license. A current and complete hunting license number shall be entered on the application for the controlled hunt.
- (b) Licenses are nonrefundable, whether or not an applicant is successful in the drawing.
- (2)(a) A valid controlled hunt application is required to participate in a controlled hunt drawing. The purchase price of the application shall be a nonrefundable fee of \$6.00 per game mammal application, and a nonrefundable \$2.00 license agent processing fee.
- (b) Department license agents authorized to sell applications for controlled hunts shall be connected to the Department's computerized licensing system.
- (3) Each controlled hunt is assigned a hunt number. The hunt number shall be entered on the application indicating area of choice and shall match the type of application purchased. All hunt numbers listed on an application shall have the same first digit or letter, which indicates a species or group of hunts as listed below:
  - (a) 100 series for controlled buck deer.
  - (b) 200 series for controlled elk.
  - (c) 400 series for pronghorn antelope.
  - (d) 500 series for bighorn sheep.
  - (e) 600 series for controlled antlerless deer.
  - (f) 700 series for controlled black bear.
  - (g) 900 series for controlled Rocky Mountain goat.
  - (h) L series for Premium deer.
  - (i) M series for Premium elk.
  - (j) N series for Premium pronghorn antelope.
- (4) If successful in the drawing, party members shall receive the same hunt choice as the party leader. If a party application exceeds the allowed party size, all applicants in the party shall be considered as individual applicants in the drawing. Party size limits are as follows:
  - (a) 100 series hunts, no limitation.
  - (b) 200 series hunts, no limitation.
  - (c) 400 series hunts, no limitation.
  - (d) 500 series hunts, no parties allowed.
  - (e) 600 series hunts, no limitation.
  - (f) 700 series hunts, no limitation.
  - (g) 900 series hunts no parties allowed.
  - (h) L series hunts no parties allowed.
  - (i) M series hunts no parties allowed.
  - (j) N series hunts no parties allowed.
- (5) Controlled Hunt applications, along with the proper fees, must be submitted online, through the Department or its agents no later than midnight of the deadline date described in OAR 635-060-0008 (1) - (5). Applications along with proper fees submitted by U.S. Postal Service must be postmarked by the application deadline. Applications received after the specified deadline dates may be considered disqualified as described in OAR 635-060-0018(4).
- (6) To apply for a controlled youth hunt for spring bear, pronghorn, deer or elk a youth must be 12-17 years old at the

time they hunt.

(7) The purchase price of applications for controlled game bird hunts shall be a nonrefundable fee of \$2.00 per application, and a nonrefundable \$2.00 license agent processing fee. Game bird controlled hunt application procedures are listed in the current Oregon Game Bird Regulations.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162



AMEND: 635-060-0008

RULE TITLE: Application Deadline Dates

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) The application deadline for spring black bear controlled hunts is February 10, each year.
- (2) The application deadline for pronghorn antelope, bighorn sheep, Rocky Mountain goat, deer and elk controlled hunts is May 15, each year.
- (3) Applications for the controlled hunts listed in OAR 635-060-0005(1)–(5) above that are hand-delivered by the specified deadline dates will be considered on time (see 635-060-0005(5)).
- (4) In the event that tags remain from undersubscribed controlled hunts after the game mammal controlled hunt drawing, the department may issue remaining tags on a first-come, first-serve basis at authorized license agents. Tags issued in this manner are additional tags and may be exchanged for a general season tag only as authorized by OAR 635-060-0046(6) and 635-065-0501(4) and (5). A person may only purchase one first-come, first-serve tag per hunt series. Such tag may be for the person or for someone other than the person.
- (5) A hunter who received a tag of his/her choice through the original game mammal controlled hunt drawing process may exchange that tag for a remaining tag in the first-come, first-serve process while tags remain available. Exchanges may be obtained through the department's regional offices, designated district offices, or the Salem headquarters office of the department and must be made before the start of the seasons for which the tags are issued. The tag being exchanged shall not be reissued.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-060-0009

RULE TITLE: Successful Applicants

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

Successful controlled hunt applicants must purchase the controlled hunt tag or permit for the hunt in which they were successful within the following dates:

(1) Spring black bear controlled hunts tag sales begin February 20, each year and end at 11:59 pm, Pacific Time, the day before the season start date.

(2) Pronghorn antelope, bighorn sheep, Rocky Mountain goat, deer and elk controlled hunts tag sales begin June 20 each year and end at 11:59 pm, Pacific Time, the day before the season start date for which the tag is valid.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

RULE TITLE: Modified Preference Point System

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) The Modified Preference Point System separates the tags for each controlled game mammal hunt into two groups:
  - (a) Seventy-five percent of the tags will be issued through the preference point system;
  - (b) The remaining 25 percent of the tags will be issued by the equal-probability computer drawing.
- (2) Applicants shall accrue no more than one preference point per hunt number series per year. Valid applicants who did not receive controlled hunt tags for their first choice hunt number in the 100, 200, 400, 600, or 700 series hunts during the controlled hunt drawing shall receive one preference point applicable to subsequent controlled hunt drawings for the respective hunt number series, except as excluded in OAR 635-060-0008(4).
- (3) A preference point will automatically accrue within each controlled hunt series when an applicant's first choice is as follows:
  - (a) Hunt number 199: controlled buck deer;
  - (b) Hunt number 299: controlled elk;
  - (c) Hunt number 499: controlled pronghorn antelope;
  - (d) Hunt number 699: controlled antlerless deer;
  - (e) Hunt number 799: controlled black bear.
- (4) Youth nine years of age or older are eligible to apply for automatic Preference Points as described in (3) provided they have a social security number, an ODFW ID number issued by the Department, and purchase the appropriate (resident or nonresident) juvenile or adult hunting license.
- (5) The Modified Preference Point System will group controlled hunt applicants by the number of preference points they have accrued for each hunt number series. Applicants with the highest number of preference points for each hunt number will be drawn first. Applicants having the next highest number of preference points per hunt number will be drawn next. This tag issuance process will continue through descending numbers of preference points until 75 percent of the tags authorized for the hunt have been issued, unless all qualified applicants with preference points have been issued tags prior to that point. Any tags remaining following the issuance of preference point tags will be issued through the equal-probability computer drawing. Applicants unsuccessful in the preference point tag issuance procedure and those applicants without preference points will be placed in the equal-probability computer drawing for the remaining tags.
- (6) Applicants, except for those with a Pioneer Angling/Hunting License, successful in drawing their first choice hunt except numbers ending in 99 within a hunt number series shall have zero preference points when they next apply for a tag in that hunt number series. Successful Applicants with a Pioneer Angling/Hunting License shall have one preference point when they apply for a tag in that hunt number series.
- (7) Beginning in 2008 applicants will not forfeit preference points accumulated for a hunt number series when they do not apply for that hunt number series for two consecutive years.
- (8) Applicants who have their hunting license suspended or revoked by legal action will forfeit all preference points.
- (9) Party applicant preference points shall be determined by totaling the preference points of all party members and then calculating the average of this total. Party preference points will be rounded up from x.51 (e.g. 3.51 to 4, 3.50 to 3) to the next whole number.
- (10) Department records are final to determine accrued preference points for controlled hunt applicants.
- (11) Each applicant's preference point accrual record will be linked to his or her permanent identification number. Preference point applicants shall use the permanent identification number each time they apply for a controlled hunt

tag. Failure to do so shall place the applicant in the equal-probability drawing for his or her hunt number series and preference points will not be accrued together.

(12) Applicants will receive no preference points when:

- (a) Their application is not received by the appropriate application date; however, a hunter may purchase one preference point for the current year, for each series (100, 200, 400, 600, and 700) from July 1 through November 30 if they did not apply during the controlled hunt drawing for that series.
- (b) They request their controlled hunt application be withdrawn prior to the controlled hunt drawing;
- (c) The controlled hunt application has been falsified.

(13) The Modified Preference Point System shall apply to 100, 200, 400, 600, and 700 series hunts.

(14) In 2005, 800 series points were converted into 600 series points.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-060-0030

RULE TITLE: Issuing Tags

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) The Department may, except for bighorn sheep and Rocky Mountain goat, issue tags or permits in excess of the quantity authorized by the commission to resolve documented errors made by the Department. The quantity shall not exceed an amount consistent with the management goals of the hunt.
- (2) The number of controlled deer and controlled elk tags issued to nonresident applicants shall not exceed five percent of the tags authorized for each hunt. Exception: one nonresident tag may be issued for each hunt when the number of authorized tags is fewer than 35. This number does not affect the tags issued under the Landowner Preference Program (OAR chapter 635, division 075).
- (3) Tags will not be issued to a party (residents or nonresidents) when, during the drawing process, the party size exceeds the number of remaining tags.
- (4) Youths age 12-17 who are unsuccessful in the first controlled hunt drawing for 100, 200, or 600 series hunts may apply for one guaranteed "first time" tag per series, provided that:
  - (a) Youths are limited to only one "first time" tag per series in a lifetime.
  - (b) Within the 200 series, only hunts with antlerless only bag limits are available as "first time" tags.
  - (c) Hunts are only available as "first time" opportunities as follows: 100 series hunts must have had more than 200 tags available in the first drawing; 200 and 600 series hunts must have had more than 50 tags available in the first drawing.
  - (d) Applicants shall use forms available online or through the Department or its agents beginning July 1 of each year.
  - (e) Persons who were successful in any controlled hunt drawing for 100, 200, or 600 series hunts are never again eligible for "first time" tags in the respective hunt series.
  - (f) Successful "first time" applicants shall purchase tags at POS vendors by the day before the assigned season begins.
  - (g) Youths may not receive a "First Time" youth hunt tag in a hunt series if they applied for a point saver option in the primary big game drawing.
- (5) Incentive tags for compliance with Mandatory Harvest Reporting requirements. The Fish and Wildlife Commission authorizes the Department to issue hunting tags as incentives to encourage hunters to comply with requirements for harvest reporting. Any hunter who complies with harvest reporting requirements by the specified deadline will be automatically entered in a controlled hunt draw for one Mandatory Hunter Reporting Incentive Tag valid for the upcoming hunting season. Obtaining and using such tags is governed by OAR 635-065-0015(7).

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-060-0046

RULE TITLE: Preference Point Reinstatement

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) The Commission shall accommodate Oregon residents who have lost preference points because of being called to active military service after June 1, 2002.
- (a) The Commission shall accommodate the following individuals called to service at any location: Oregon National Guard.
- (b) The Commission shall accommodate the following Oregon residents with military operational commitments: regular members of the United States Armed Forces (Army, Navy, Air Force, Marines, and Coast Guard), members of the United States military reserves, and members of the National Guard.
- (c) The Commission authorizes the Director to make such accommodations by:
- (A) Reinstating preference points existing for a series, plus an additional point for participating in the draw.
- (d) Individuals seeking accommodation pursuant to this rule (or immediate family members acting on their behalf) must make a request in writing or in person to the Salem headquarters office. Each request must include a letter from a supervising officer on official unit letterhead verifying operational commitments.
- (2) (a) The Director may reinstate the preference points of a person who the Director determines did not or will not participate in a controlled hunt because of:
- (A) Circumstances beyond the person's control; or
- (B) Tragic personal circumstances.
- (b) "Tragic personal circumstances" means:
- (A) Death or life-threatening injury or illness in the person's immediate family; or
- (B) The person's own serious injury or illness, which results in the person's hospitalization. The person need not be hospitalized during the hunt; this rule also applies if preparation for surgery or recovery after hospitalization renders the person incapable of participating in the hunt.
- (c) To apply for reinstatement, the person must provide a sworn affidavit providing adequate details and must return the unused tag if it was purchased or a signed affidavit stating the tag was not used. When relying upon tragic personal circumstances, the person must also provide a sworn affidavit by a physician. When relying upon circumstances beyond the person's control, the person must also provide documentation of the circumstances (such as an accident report or affidavit from an employer).
- (d) "Circumstances beyond the person's control" excludes complaints about the quality of a hunt (including, but not limited to, road closures, inclement weather and work being conducted in the hunt area).
- (e) If the Director decides that the person does not qualify for reinstatement, the person may appeal that decision to the Oregon Fish and Wildlife Commission (Commission). The Commission must review the Director's decision within 60 days after receipt of appeal. The Commission will not take verbal testimony from the person, and the Commission's decision is final.
- (f) If the Director or Commission reinstates a person's preference point under this subsection, the person will be awarded a new point as when classified as "unsuccessful" in the draw and is not entitled to a refund of license or tag fees.

STATUTORY/OTHER AUTHORITY: SB 247 (2015), ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-060-0055

RULE TITLE: Documents Required in Field

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

(1) A person hunting in any controlled game mammal hunt shall have on his or her person a hunting license valid for the calendar year in which the person is hunting, Hunter Education Certificate or a Department document which includes their Hunter Education Certificate Number (for persons less than 18 years old), and a controlled hunt tag (if applicable) for the area and season being hunted.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

REPEAL: 635-065-0501

RULE TITLE: Exchange of Deer and Elk Tags

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) Tags may be exchanged only prior to the seasons for which both of the tags to be exchanged are valid. No tag may be exchanged after the start of the season for which it is valid.
- (2) Exchanges of tags and duplicate tags may be obtained only through the Department's regional offices or Salem headquarters.
- (3) A fee of \$23.50 (plus a \$2.00 license agent fee) is charged to replace a tag. All licenses, tags and permits, issued to the same person, that are identified as being lost, destroyed or stolen may be listed on the same affidavit for a single fee (\$23.50 plus a \$2.00 license agent fee.) A fee of \$5.00 (plus a \$2.00 license agent fee) is charged to exchange a tag. However, a \$10.00 license agent fee will be charged for nonresident deer and elk tags.
- (4) A "leftover" controlled hunt deer tag may only be exchanged for a general season deer tag, but only if the person does not already possess a deer tag authorized by OAR 635-065-0015(4)(a), (b), or (c).
- (5) A "leftover" controlled hunt elk tag may only be exchanged for a general season elk tag but only if the person does not already possess an elk tag authorized by OAR 635-065-0015(5)(a), (b), (c), (d), (e), (f), (g) or (h).

STATUTORY/OTHER AUTHORITY: SB 247 (2015), ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162



REPEAL: 635-065-0733

RULE TITLE: Decoys

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

Except for purposes of law enforcement or wildlife management, the use of decoys with moving parts is prohibited. This prohibition includes, but is not limited to, decoys with parts that are powered by a motor, battery, human action (for example, cable or pull-string) or the wind. Flexible or adjustable parts that permit placement or adjustment of a decoy but do not otherwise move do not constitute "moving parts" for the purpose of this rule. This rule is intended to ban decoys that attract game mammals via movement.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162, 498.002

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-065-0735

RULE TITLE: Vehicles, Boats, Aircraft

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

It is unlawful:

- (1) To hunt any big game from a motor-propelled vehicle. Exception: A qualified disabled hunter may obtain an Oregon Disabilities Hunting and Fishing Permit to hunt from a motor vehicle except while the vehicle is in motion or on any public road or highway. For the purpose of this regulation, "motor vehicle" includes All Terrain Vehicles (ATVs).
- (2) To shoot game mammals from or with the help of any motorboat or sailboat unless the motor has been shut off and/or sail furled and movement caused by any motor or sail has stopped.
- (3) To hunt within eight (8) hours of having been transported by, communicating with or receiving information on the location of game mammals from a manned aircraft.
- (4) To use drones for the following purposes related to the pursuit of wildlife:
  - (a) Angling;
  - (b) Hunting;
  - (c) Trapping;
  - (d) Aiding angling, hunting or trapping through the use of drones to harass, track, locate or scout wildlife; and
  - (e) Interfering in the acts of a person who is lawfully angling, hunting or trapping.
- (f) EXCEPTIONS allowing the use of drones for the pursuit of wildlife:
  - (A) Subject to ORS 837.360 and 837.365, the State Department of Fish and Wildlife and the department's agents and contractors may use of drones in carrying out the duties of the department;
  - (B) The use of drones in a manner otherwise prohibited under this section if the purpose of the use is to benefit wildlife management or habitat or for the protection of property.
- (g) As used in this rule, "drone" means:
  - (A) An unmanned flying machine;
  - (B) An unmanned water-based vehicle; or
  - (C) Any other vehicle that is able to operate in the air, in or under the water or on land, either remotely or autonomously, and without a human occupant.
- (5) To shoot at pronghorn antelope from a point within 50 yards of a motor-propelled vehicle including aircraft, except for qualified disabled hunters as shown in 635-065-735(1).

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-065-0740

RULE TITLE: Hunting Prohibited

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

It is unlawful:

- (1) To hunt with a centerfire rifle during the deer and elk seasons and dates (see current Oregon Big Game Hunting Regulations pamphlet) in the Wildlife Management Units (WMUs) listed by number below without a used or unused deer, elk, pronghorn, bighorn sheep, or mountain goat tag valid for the dates and area being hunted. A hunter must have an unused tag to hunt a game mammal for which a tag is required.
  - (a) Eastern Oregon Controlled Buck Deer, WMUs 31-77;
  - (b) Cascade Bull Elk, WMUs 16, 19, 21, 22, 29-31, 34, 39, also those portions of WMUs 33 and 77 W of Hwy 97;
  - (c) Rocky Mtn. Bull Elk 1st Season, WMUs 32, 35-38, 40-64, 66, 69, 72, 74-76, also those portions of WMUs 33 and 77 E of Hwy 97;
  - (d) Rocky Mtn. Bull Elk 2nd Season, 32, 35-38, 40-64, 66, 69, 72, 74-76, also those portions of WMUs 33 and 77 E of Hwy 97;
  - (e) Coast Bull Elk 1st Season, WMUs 10-15, 17-18, 20, 23-27;
  - (f) Coast Bull Elk 2nd Season, WMUs 10-15, 17-18, 20, 23-27;
- (2) To hunt on any refuge closed by the state or federal government.
- (3) 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.
- (4) Notwithstanding section (3) of this rule, controlled antlerless elk hunts are permitted within the south city limits of Seaside if the herd should become a serious problem.
- (5) To hunt in any Safety Zones created and posted by the Department.
- (6) To hunt protected wildlife except:
  - (a) by a permit or during an authorized season established by the commission.
  - (b) That crow, blackbirds, cowbirds, and magpies may be taken under Federal regulations for reason of depredation or health hazards as described in the Code of Federal Regulations.
- (7) To pursue or assist another to pursue a cougar (mountain lion) during an authorized cougar (mountain lion) season unless in possession of an unused cougar (mountain lion) tag or accompanied by the holder of an unused cougar (mountain lion) tag which is valid for that area and time period.
- (8) To engage in computer-assisted hunting (Internet hunting) or provide or operate facilities for computer-assisted hunting in Oregon. As used in this act, "computer-assisted hunting" (Internet hunting) means the use of a computer or any other device, equipment, or software to remotely control the aiming and discharge of a firearm, bow, or any other weapon to hunt any game bird, wildlife, game mammal, or other mammal, and "facilities for computer-assisted remote hunting" means real property and improvements on the property associated with hunting, including hunting blinds, offices and rooms equipped to facilitate computer-assisted remote hunting. Nothing in subsection (8) of this section prohibits the use of computer-assisted hunting by employees or agents of county, state or federal agencies while acting in their official capacities.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-065-0745

RULE TITLE: Prohibited Methods

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

It is unlawful:

- (1) To shoot from or across a public road, road right-of-way, or railroad right-of-way, except that persons legally hunting on closed roads within department Cooperative Travel Management Areas are not violating current prohibitions on shooting from or across a public road.
- (2) To hunt for or kill any wildlife for another person except as provided in ORS 498.170 for visually impaired hunters, and OAR 635-065-0090 for hunters with permanent disability permits.
- (3) To hunt any game mammal with dogs, except western gray squirrel.
- (4) To use an artificial light for hunting any wildlife, except raccoon, bobcat, and opossum provided the light is not cast from or attached to a motor vehicle. This includes laser sights or any other sights which project a beam to the target, including scopes with electronic rangefinders and scopes that receive information from a rangefinder or any electronic device. This does not include battery operated sights which only light the reticle.
- (5) To hunt or locate or scout for the purpose of hunting any wildlife with infrared or any other "night vision" sight or equipment except trail cameras.
- (6) To cast from or within 500 feet of a motor vehicle an artificial light on game mammals, predatory animals or livestock while having in possession or immediate physical presence a weapon with which the game mammals or livestock could be killed.
- (7) To take any game mammals with trap or snare.
- (8) To use any poisoning, immobilizing, or tranquilizing drug or chemical to hunt or kill any game mammal.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-066-0000

RULE TITLE: Purpose and General Information

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

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

(2) OAR chapter 635, division 066 incorporates, by reference, the requirement and tag numbers for controlled and limited hunts for black bear hunting set out in the document entitled 2019 "Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the 2019 "Oregon Big Game Regulations" in addition to OAR chapter 635, to determine all applicable requirements for the hunting of black bear. The annual Oregon Big Game Regulations are available at authorized license agents and regional, district and headquarters offices and website of the Oregon Department of Fish and Wildlife

(3) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at [www.odfw.com](http://www.odfw.com).

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-066-0010

RULE TITLE: General Season Regulations

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) Open Area: The entire state is open, except that lands within one mile of the Rogue River between Grave Creek and Lobster Creek are closed to all black bear hunting.
- (2) No person shall use dogs to hunt or pursue black bear.
- (3) No person shall use bait to attract or hunt black bear.
- (4) The skull of any bear taken must be presented to an ODFW office or designated collection site. The person who took the animal is responsible to have it presented, within 10 days of the kill, to be checked and marked. Skull must be unfrozen when presented for check-in. Check-in at ODFW offices must occur during normal business hours (8-5, Mon-Fri.). Hunters are required to check in the skull only, for the purpose of inspection, tagging and removal of a tooth for aging.
- (5) When the bear skull is presented at check-in information that must be provided includes:
  - (a) Date of harvest and location of harvest including Wildlife Management Unit, and
  - (b) Complete hunter information including the issued date and time of a paper tag or the confirmation number of an electronic tag; a completed "Wildlife Transfer Record Form" as found in the current year's Oregon Big Game Regulations is an alternative for providing the required information.

STATUTORY/OTHER AUTHORITY: 496.138, 496.146, 496.162, ORS 496.012

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-066-0020

RULE TITLE: Controlled Seasons

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) Controlled hunt tags shall be issued by a controlled hunt drawing following the procedures established in OAR chapter 635, division 060. Controlled hunt tag numbers for 2019 are listed in the 2019 "Oregon Big Game Regulations" and are adopted and incorporated into OAR chapter 635, division 066 by reference.
- (2) The number of tags issued to nonresidents will be limited to no more than three percent of the total tags authorized for each hunt. Persons receiving a controlled black bear tag may also purchase a general season black bear tag and one SW Oregon additional bear tag and one "leftover" controlled spring bear tag.
- (3) No person shall use dogs to hunt or pursue black bear.
- (4) No person shall use bait to attract or hunt black bear.
- (5) The skull of any bear taken must be presented to an ODFW office or designated collection site. The person who took the animal is responsible to have it presented, within 10 days of the kill, to be checked and marked. Skull must be unfrozen when presented for check-in. Check-in at ODFW offices must occur during normal business hours (8–5, Mon–Fri.). Hunters are required to check in the skull only for the purpose of inspection, tagging and removal of a tooth for aging.
- (6) When the bear skull is presented at check-in information that must be provided includes: 1) date of harvest and location of harvest including Wildlife Management Unit, and 2) complete hunter information including the issued date and time of a paper tag or the confirmation of an electronic tag; a completed "Wildlife Transfer Record Form" as found in the current year's Oregon Big Game Regulations is an alternative for providing the required information.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-067-0000

RULE TITLE: Purpose and General Information

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

(1) The purpose of these rules is to establish season dates, bag limits, areas, methods, and other restrictions for hunting pronghorn antelope, cougar, bighorn sheep, and Rocky Mountain goat pursuant to ORS Chapter 496.

(2) OAR chapter 635, division 067 incorporates, by reference, the requirements and tag numbers for controlled hunts for hunting pronghorn antelope, cougar, bighorn sheep, and Rocky Mountain goat set out in the document entitled "2019 Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2019 Oregon Big Game Regulations" in addition to OAR chapter 635, to determine all applicable requirements for hunting pronghorn antelope, cougar, bighorn sheep, and Rocky Mountain goat. The annual Oregon Big Game Regulations are available at authorized license agents and regional, district and headquarters offices and website of the Oregon Department of Fish and Wildlife.

(3) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at [www.odfw.com](http://www.odfw.com).

(4) Controlled hunt tags shall be issued by a controlled hunt drawing following the procedures established in OAR chapter 635, division 060. Permitted weapons and ammunition are established in OAR chapter 635, division 065. Controlled hunt tag numbers for 2019 are listed in the "2019 Oregon Big Game Regulations" and are adopted and incorporated into OAR chapter 635, division 067 by reference.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162



AMEND: 635-067-0004

RULE TITLE: Cougar Hunting Regulations

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) Tag Requirement: Any person hunting cougar shall have on his/her person a general season cougar tag or an additional cougar tag. General season cougar tags may be purchased online or through any authorized license agent;
- (2) Hunt Area: Hunt zones, and harvest quotas for each hunt zone, are established in OAR 635-067-0015;
  - (a) Hunters may hunt within all hunt zones;
  - (b) Hunt zones will be closed to hunting when individual zone harvest quotas are reached.
- (3)(a) The person who took the animal is responsible to have it presented for check-in, within ten days of harvest, the hide with skull and proof of sex attached of any cougar killed at a Department of Fish and Wildlife office. Check-in must occur during normal business hours (8 a.m. to 5 p.m., Monday through Friday.) Hide and skull must be unfrozen when presented for check-in.
  - (b) Hunters are also required to submit the reproductive tract of any female cougar taken.
- (c) When the required parts in (3)(a) and (3)(b) are presented at check-in information that must be provided includes: 1) date of harvest and location of harvest including Wildlife Management Unit, and 2) complete hunter information including the issued date and time of a paper tag or the confirmation number of an electronic tag; a completed "Wildlife Transfer Record Form" as found in the current year's Oregon Big Game Regulations is an alternative for providing the required information.
- (4) No person shall hunt or assist another to hunt a cougar during an authorized cougar season unless in possession of an unused cougar tag or accompanied by the holder of a cougar tag which is valid for that area and time period.
- (5) No person shall use dogs to hunt or pursue cougar.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-067-0024

RULE TITLE: Controlled Pronghorn Antelope Youth Rifle Hunt Application

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

Hunters must be 12 to 17 years of age at the time they hunt. Youth 13 years of age and under must be accompanied by an adult 21 years of age or older while hunting on property other than land owned by their parent or legal guardian. The adult shall accompany not more than two juveniles. Juveniles must have a hunter education certificate or a Department document which includes their Hunter Education Certificate Number, a valid hunting license, and a controlled hunttag or permit valid for that area and time period in possession while hunting.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-067-0029

RULE TITLE: Controlled Pronghorn Antelope Raffle Tag

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) One pronghorn antelope tag will be raffled annually to an individual selected at a public drawing. The Department may contract with a sportsmen's group or organization to conduct the raffle.
- (2) The pronghorn antelope raffle tag shall be limited as follows:
  - (a) Bag Limit: One buck pronghorn antelope.
  - (b) Hunting Hours: One-half hour before sunrise to one-half hour after sunset.
  - (c) Open Season: The season shall begin on August 1 and shall end on November 30.
  - (d) Open Area: Any area where pronghorn antelope hunts and tags have been authorized for the current year.
- (3) Raffle Requirements:
  - (a) There is no limit on the number of chances in the drawing a person may purchase.
    - (A) One chance package at a cost of \$9.50 (plus a \$2.00 license agent fee).
    - (B) Six chance package at a cost of \$49.50 (plus a \$2.00 license agent fee).
    - (C) Thirteen chance package at a cost of \$99.50 (plus a \$2.00 license agent fee).
  - (b) Raffle chances will be available to the public during the dates specified in the current Big Game Regulations through the authorized license agents in the state or online. Chances may be sold by Department representatives at various gatherings of sportmen's groups.
  - (c) Residents and nonresidents shall be eligible to purchase chances.
  - (d) There shall be no refunds on any purchases of raffle chances.
  - (e) One winner and two alternate winners will be drawn at a public drawing; time and location to be announced by the Department.
  - (f) The Department will mail notification to the winner and two alternates. If the winner does not claim the tag by 5 p.m., July 1, the winner shall be disqualified and the Department will offer the tag to the first alternate. If the first alternate does not claim the tag within 10 business days of July 1, the second alternate will be contacted. If the tag is not claimed by 5 p.m., July 31, it will not be issued.
  - (g) License and Tag Requirements: A valid pronghorn antelope tag will be provided to the winner of the raffle and a valid hunting license will be provided if the winner has not already purchased one, so long as the winner is eligible to purchase an adult Oregon hunting license or a juvenile Oregon hunting license.
  - (h) The pronghorn antelope tag shall be issued in the name of the person who purchased the winning chance provided that person meets all criteria outlined above. The tag may not be sold, assigned, or otherwise transferred.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146

AMEND: 635-067-0034

RULE TITLE: Bighorn Sheep Raffle Tag

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) One bighorn sheep tag will be raffled during the current year to an individual selected at a public drawing. The Department may contract with a sportsmen's group or organization to conduct the raffle.
- (2) The bighorn sheep raffle tag shall be limited as follows:
  - (a) Bag Limit: One bighorn sheep ram.
  - (b) Hunting Hours: One-half hour before sunrise to one-half hour after sunset.
  - (c) Open Season: The season shall begin on August 1 and shall end on November 30.
  - (d) Open Area: Any area where bighorn sheep hunts and tags have been authorized for the tube current year. The remainder of the state is closed to bighorn sheep hunting.
- (3) Raffle Requirements:
  - (a) There is no limit on the number of chances in the drawing a person may purchase. Raffle chances shall be available for purchase in the following denominations:
    - (A) One chance package at a cost of \$9.50 (plus a \$2.00 license agent fee).
    - (B) Six chance package at a cost of \$49.50 (plus a \$2.00 license agent fee).
    - (C) Thirteen chance package at a cost of \$99.50 (plus a \$2.00 license agent fee).
  - (b) Raffle chances will be available to the public during the dates specified in the current Big Game Regulations through the authorized license agents in the state or online. Chances may be sold by Department representatives at various gatherings of sportmen's groups.
  - (c) Residents and nonresidents shall be eligible to purchase chances.
  - (d) There shall be no refunds on any purchases of raffle chances.
  - (e) One winner and two alternate winners will be drawn at a public drawing; time and location to be announced by the Department.
  - (f) The Department will mail notification to the winner and two alternates. If the winner does not claim the tag by 5 p.m., July 1, the winner shall be disqualified and the Department will offer the tag to the first alternate. If the first alternate does not claim the tag within 10 business days of July 1, the second alternate will be contacted. If the tag is not claimed by 5 p.m., July 31, it will not be issued.
  - (g) License and Tag Requirements: A valid bighorn sheep tag will be provided to the winner of the raffle and a valid hunting license will be provided if the winner has not already purchased one, so long as the winner is eligible to purchase an adult Oregon hunting license or a juvenile Oregon hunting license.
  - (h) The bighorn sheep tag shall be issued in the name of the person who purchased the winning chance provided that person meets all criteria outlined above. The tag may not be sold, assigned, or otherwise transferred.
  - (i) The winner of the bighorn sheep tag may be required to complete a bighorn sheep hunting orientation course prior to their hunt. The hunter shall inform the Department as to where and when the hunt will be conducted.
  - (j) If the holder of the raffle bighorn sheep tag is successful in taking a bighorn sheep ram, that person shall present the ram to the Department for permanent marking within five days of taking of the ram.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146

AMEND: 635-067-0041

RULE TITLE: Rocky Mountain Goat Raffle

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

(1) One Rocky Mountain goat tag will be raffled annually to an individual selected at a public drawing. The Department may contract with a sportsmen's group or organization to conduct the raffle.

(2) The Rocky Mountain goat raffle tag shall be limited as follows:

(a) Bag Limit: One Rocky Mountain goat.

(b) Hunting Hours: One-half hour before sunrise to one-half hour after sunset.

(c) Open Season: The season shall begin on August 1 and shall end on November 30.

(d) Open Area: Any area where Rocky Mountain goat hunts and tags have been authorized for the current year. The remainder of the state is closed to Rocky Mountain goat hunting.

(3) Raffle Requirements:

(a) There is no limit on the number of chances in the drawing that a person may purchase.

(A) One chance package at a cost of \$9.50 (plus a \$2.00 license agent fee).

(B) Six chance package at a cost of \$49.50 (plus a \$2.00 license agent fee).

(C) Thirteen chance package at a cost of \$99.50 (plus a \$2.00 license agent fee).

(b) Raffle chances will be available to the public during the dates specified in the current Big Game regulations through the authorized license agents in the state or online. Chances may be sold by Department representatives at various gatherings of sportmen's groups.

(c) Residents and nonresidents shall be eligible to purchase chances.

(d) There shall be no refunds on any purchases of raffle chances.

(e) One winner and two alternate winners will be drawn at a public drawing; time and location to be announced by the Department.

(f) The Department will mail notification to the winner and two alternates. If the winner does not claim the tag by 5 p.m., July 1, the winner shall be disqualified and the Department will offer the tag to the first alternate. If the first alternate does not claim the tag within 10 business days of July 1, the second alternate will be contacted. If the tag is not claimed by 5 p.m., August 31, it will not be issued.

(g) License and Tag Requirements: A valid Rocky Mountain goat tag will be provided to the winner of the raffle and a valid hunting license will be provided if the winner has not already purchased one, so long as the winner is eligible to purchase an adult Oregon hunting license or a juvenile Oregon hunting license.

(h) The Rocky Mountain goat tag shall be issued in the name of the person who purchased the winning chance provided that person meets all criteria outlined above. The tag may not be sold, assigned, or otherwise transferred.

(i) The winner of the Rocky Mountain goat tag will be required to complete a Rocky Mountain goat hunting orientation course prior to their hunt. The hunter shall inform the Department as to where and when the hunt will be conducted.

(j) If the holder of the Rocky Mountain goat raffle tag is successful in taking a Rocky Mountain goat, that person shall present the animal to the Department for permanent marking within five days of taking of the animal.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146

AMEND: 635-072-0000

RULE TITLE: Purpose and General Information

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

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

(2) OAR chapter 635, division 072 incorporates, by reference, the requirements for hunting western gray squirrel set out in the document entitled "2019 Oregon Big Game Regulations," into Oregon Administrative Rules. Therefore, persons must consult the "2019 Oregon Big Game Regulations" in addition to OAR chapter 635, to determine all applicable requirements for hunting western gray squirrel. The annual Oregon Big Game Regulations are available at hunting license agents and regional, district and headquarters offices of the Oregon Department of Fish and Wildlife.

(3) Additional regulation information is available on the Oregon Department of Fish and Wildlife website at [www.odfw.com](http://www.odfw.com).

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

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162

AMEND: 635-075-0005

RULE TITLE: Registration, Application and Tag Issuance Procedures and Limits for All Controlled Hunts

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) A landowner shall submit a landowner preference registration form to be eligible for a landowner preference tag. A one-time fee of \$33.50 is required at the time of registration for new program participants. A landowner can have only one registration form on file with the Department. However, an individual who owns (through business entities, in the individual's own name or a combination thereof) more than one property eligible for the landowner preference program may register each such property. The registration form is an affidavit certifying ownership, number of acres owned, the county and Wildlife Management Unit where the property is located. This registration form registers the individual and remains valid until the individual registered no longer qualifies as a landowner as defined under OAR 635-045-0002, writes to the Department requesting the registration form be deleted, or the Department notifies the landowner that a renewal is required.
- (2) In addition to having a landowner preference registration form on file with the Department, a landowner or an authorized designee identified by the landowner in writing to the Department shall submit a tag distribution form annually. The tag distribution form shall list the names of the landowner, stockholder(s), partner(s), and their immediate family members to receive tags for pronghorn antelope, and the names of the landowner, stockholder(s), partner(s), their immediate family members, and those persons of the landowners' choosing to receive landowner preference tags for deer and elk.
- (3) Landowners shall submit registration forms and landowners or their designee shall submit tag distribution forms prior to September 15 for all controlled 100 series buck deer and bull elk hunts, and through the day prior to the season openings for 600 series antlerless deer, antlerless elk, and either-sex or doe/fawn pronghorn antelope hunts. A Landowner Preference Tag Redistribution fee of \$16.50 will be charged per species for amendments made to the original tag distribution forms.
- (4) Registration forms and tag distribution forms are available at no charge online and in any office of the Department.
- (5) Registration forms, tag distribution forms, and applications shall be received at the Salem headquarters office of the Department prior to issuance of any landowner preference tag, except as provided for in OAR 635-075-0007. Landowners are not required to submit proof of ownership with their registration form. Landowners shall be required to submit proof of ownership at the request of the Department or the Oregon State Police acting on behalf of the Department.
- (6) A landowner, stockholder(s), partner(s), and immediate family and those persons of the landowners' choosing wishing to also apply for controlled hunt tags shall apply by the May 15 controlled hunt deadline. Listing a hunt choice other than a landowner preference choice is not required.
- (7) Everyone shall follow controlled hunt application procedures and regulations as described in OAR Division 060.
- (8) The number of landowner preference tags issued is based upon a landowner's acreage. Landowner Preference tags shall be allocated by the following minimum acreage requirements: [Table attached]
- (9) Landowner preference tags for the hunting of deer or elk may be issued to any person of the landowner's choosing, and shall be used for the taking of antlerless animals except as described in OAR 635-075-0005(10). Season dates of the transferred landowner preference tags shall be the same dates as the original tag.
- (10) Landowner preference tags for the hunting of antlered deer or elk may be issued to a person of the landowner's choosing who is not a member of the landowner's, partner's, or stockholder's immediate family as follows:
  - (a) A landowner who is issued only one tag may not transfer that tag.
  - (b) A landowner who is issued two or more tags may transfer not more than 50 percent of the tags to a person who is not

an immediate family member as defined in ORS 496.146 (4). If calculation of the number of tags eligible for transfer under the provisions of this paragraph results in a fraction, the Commission shall round up the number of tags to the next whole number.

(11) A landowner who is qualified to receive landowner hunting preference tags may request two additional tags for providing public access and/or two additional tags for wildlife habitat programs. This request shall be made to the Access and Habitat Board with supporting evidence that the access is significant and the habitat programs benefit wildlife. The board may recommend that the commission grant the request. These tags may not be applied to the options as defined in OAR 635-075-0005(8).

(12) No one shall receive both a controlled hunt tag and a landowner preference tag for the same type of hunt. Landowner hunting preference tags shall not be issued to any person successful in the controlled hunt drawing for the same type of hunt.

(13) Landowner preference tags, except as described in OAR 635-075-0007, 635-075-0010, and 635-075-0015 shall only be authorized by the headquarters office of the Department following the controlled hunt drawings.

STATUTORY/OTHER AUTHORITY: SB 247 (2015), ORS 496.012, 496.138, 496.146, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.162



**635-075-0005**

(8) The number of landowner preference tags issued is based upon a landowner's acreage.

Landowner Preference tags shall be allocated by the following minimum acreage requirements:

**TAGS — MINIMUM ACREAGE — HUNT TYPE**

2 —	40 —	all hunts except eastern Oregon buck deer, Eastern Oregon bull elk, either sex elk, and either-sex or doe/fawn pronghorn antelope hunts
2 —	160 —	all hunts
3 —	1,200 —	all hunts
4 —	2,500 —	all hunts
5 —	5,000 —	all hunts
6 —	10,000 —	all hunts
8 —	20,000 —	all hunts
10 —	40,000 —	all hunts
12 —	80,000 —	all hunts
14 —	160,000 and greater	all hunts

AMEND: 635-075-0011

RULE TITLE: Oregon Landowner Damage Program

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

(1) This rule implements HB 2027A, through which the 2013 Legislative Assembly directed the Department to implement an Oregon Landowner Damage Program to operate from January 1, 2014 until January 2, 2020. As directed by statute, the program addresses damage caused by elk on privately owned lands in Oregon by granting damage tags to qualifying landowners.

(2) A "qualifying landowner" is:

(a) An individual, partnership, corporation, unincorporated association or other nongovernmental entity which;

(b) Owns, leases or rents land in Oregon; and

(c) Whose land:

(A) Is (at the time of application) suffering damage from elk; or

(B) Has within the past five years suffered damage from elk and the Department has taken action to alleviate that damage; or

(C) Is in an area designated as an "elk de-emphasis zone" by the Department.

(3) "Damage" has the same definition as that in the "damage statute" (ORS 498.012): harm to land, livestock or agricultural or forest crops.

(4) This damage program operates in the same manner as the landowner preference tag program in OAR 635-075-0000 through 0030, except that:

(a) Damage program tags are limited to antlerless elk;

(b) Damage tags may be used to take elk only on property owned, leased or rented by the landowner or by a business entity that includes the landowner as a principal partner or shareholder;

(c) Qualifying landowners may exchange unused general season elk tags or controlled hunt tags for damage program tags;

(d) No more than five damage program tags may be valid at any one time on a particular property;

(e) Qualifying landowners may receive damage tags regardless of the size of their property. There is no minimum acreage requirement;

(f) Qualifying landowners may register for damage program tags at any time.

(g) The validity period (the time during which damage program tags may be used on a particular property) shall be negotiated between the Department's district biologist and the qualifying landowner;

(h) Each qualifying landowner receiving damage program tags must (within 10 days of a designated hunt period) report to the local Department district biologist the number of elk taken by the landowner with damage program tags;

(i) Damage program tags may be obtained from, and exchanged through, Department district biologists (rather than License Agents).

(j) Only persons who have not been successful in harvesting an elk in a general or controlled hunt season are eligible to receive one damage program elk tag in a fiscal year of July through June;

(k) The landowner and those receiving a transferred elk tag must surrender any original unfilled elk tag; or sign an affidavit stating the tag has been lost, stolen, or destroyed;

(l) Department personnel shall verify that the person(s) receiving tag(s) has a valid hunting license and has not been successful in harvesting an elk during current general or controlled seasons.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 497.112

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 497.112

AMEND: 635-075-0020

RULE TITLE: Landowner Hunting Preference Tags in Special Seasons

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

(1)(a) Landowner hunting preference tags are not available for Premium Hunts (series L, M, and N) or the long duration youth elk hunts (August 1–December 31) or the Melrose 223T (August 1–March 31, 2015) youth elk hunt.

(b) During controlled elk hunts with a bag limit of spike or better in units where the usual bag limit for bull elk is spike only, landowner hunting preference tags may be limited to five tags or 10 percent of the total controlled hunt tags whichever is greater; the bag limit for these elk tags shall be spike or better.

(2) If landowner preference tags remain from the controlled hunts described in 635-075-0020(1)(b) after the game mammal controlled hunt drawing, the Department will issue remaining tags to qualified landowners as described in 635-075-0024.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.151, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.151, 496.162

AMEND: 635-075-0022

RULE TITLE: Landowner Hunting Preference Tags for Mule Deer

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

- (1) This rule further implements HB 2027A whereby the 2013 Legislative Assembly directed the Department through the commission to specify a formula that bases the number of landowner preference tags available for mule deer on the management, research, and habitat needs set forth in the wildlife management plan for mule deer.
- (2) For purposes of this rule, the population management objectives (MOs) for each wildlife management unit that were adopted by the commission in August 2016 are considered representative of the management, research, and habitat needs for mule deer.
- (3) The formula to determine the number of landowner hunting preference tags available for buck deer in a unit is as follows:
  - (a) In those wildlife management units where the estimated mule deer population is less than 60% of the established population management objective, the number of landowner hunting preference tags available for buck deer in that unit may be limited to five tags or 10 percent of the total controlled buck tags authorized for the public for each hunt in that unit by the commission, whichever is greater.
  - (b) In those wildlife management units where the estimated mule deer population is equal to or more than 60% of the established population management objective, but less than 80% of the established population management objective, the number of landowner hunting preference tags available for buck deer in that unit may be limited to five tags or 15 percent of the total controlled buck tags authorized for the public for each hunt in that unit by the commission, whichever is greater.
  - (c) In the Biggs, Columbia Basin, and Mount Emily wildlife management units, and in the NE Owyhee 167A hunt area, and in those wildlife management units where the estimated mule deer population is equal to or more than 80% of the established population management objective, the number of landowner hunting preference tags available for buck deer in that unit may be issued based upon a landowner's acreage as set forth in 635-075-0005(8).
  - (d) If conditions such as but not limited to disease or harsh winter weather occur, resulting in adoption of a Temporary OAR to reduce 100 Series mule deer tags by equal to or more than 25% from the number authorized by the Commission in areas listed or described in 635-075-0022(3)(c), Limited Landowner Preference mule deer tags in those areas may be limited as described in 635-075-0022(3)(b).
  - (4) If landowner preference tags remain from the controlled hunts described in 635-075-0022(3)(a) or (b) after the game mammal controlled hunt drawing, the Department will issue remaining tags to qualified landowners as described in 635-075-0024.
  - (5) Landowner Hunting Preference Tag numbers for mule deer in 2019 are listed in Table 1 and are adopted and incorporated in OAR Chapter 635, Division 075 by reference. [Table attached]

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.151, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.151, 496.162

635-075-0022

**Landowner Hunting Preference Tags for Mule Deer**

<b>Table 1. Number of controlled mule deer buck LOP tags available in 2019.</b>		
<b>2019 Hunt #</b>	<b>2019 Hunt Name</b>	<b>2019 Tags</b>
131	Keno Unit	Per Acreage Limitation
131R	Keno Unit Bow	Per Acreage Limitation
132	Klamath Falls Unit	139
132M	Klamath Falls Muzzleloader	5
133	Sprague Unit	66
134	Upper Deschutes Unit	236
135	Paulina Unit	143
135M	Paulina Unit Muzzleloader	5
135R	Paulina Unit Bow	5
136	Maury Unit	56
136R	Maury Unit Bow	18
137	Ochoco Unit	242
138	Grizzly Unit	Per Acreage Limitation
139	Metolius Unit	Per Acreage Limitation
139M1	Metolius No 1 Muzzleloader	Per Acreage Limitation
139M2	Metolius No 2 Muzzleloader	Per Acreage Limitation
139R1	Metolius No.1 Bow	Per Acreage Limitation
139R2	Metolius No.2 Bow	Per Acreage Limitation
140	Maupin Unit	Per Acreage Limitation
141A	Hood-White Rvr	No LOP Tags
141B	White Rvr Unit No 1	247
141C	White Rvr Unit No 2	5
141M	Hood-White River	5
141T	The Dalles Watershed	No LOP Tags
142A	Hood Unit No 1	9
142B	Hood Unit No 2	Check
143A	E Biggs	Check
143B	W Biggs	Per Acreage Limitation
144	Columbia Basin	Check
145	Fossil Unit	330
145M	Flatiron	No LOP Tags
146	Murderers Cr Unit	132
147	Northside Unit	110
148	Heppner Unit	511
148M	Ditch Cr Muzzleloader	No LOP Tags
149	Ukiah Unit	Per Acreage Limitation
150	Desolation Unit	99
151	Sumpster Unit	82
151M	Baker Muzzleloader	N/A White-tailed Deer

**Table 1 continued. Number of controlled mule deer buck LOP tags available in 2019.**

<b>2019 Hunt #</b>	<b>2019 Hunt Name</b>	<b>2019 Tags</b>
152A	Starkey	Per Acreage Limitation
152B	Starkey Experimental Forest	No LOP Tags
153	Catherine Cr Unit	27
153M	Union Co Muzzleloader	N/A White-tailed Deer
154A	E Mt Emily	Check
154B	W Mt Emily	Check
154C	Mt. Emily	5
154R	Mt Emily Unit Bow	66
155A	Walla Walla Unit	Per Acreage Limitation
155R	Walla Walla Unit Bow	Per Acreage Limitation
156	Wenaha Unit	74
156M	N Wenaha-E Sled Springs	N/A White-tailed Deer
156R1	Wenaha Bow	41
156R2	North Wenaha Unit Late Bow	N/A White-tailed Deer
157	Sled Springs Unit	192
157A	Lower Wallowa Valley	N/A White-tailed Deer
158	Chesnimnus Unit	82
159	Snake Rvr Unit	33
160	Minam Unit	66
161	Imnaha Unit	82
162	Pine Cr Unit	19
163	Keating Unit	27
164	Lookout Mt Unit	16
165	Beulah Unit	178
165A	SE Beulah	44
165R	W Beulah Bow	5
166	Malheur Rvr Unit	181
166M	N Malheur Muzzleloader	8
167	Owyhee Unit	36
167A	NE Owyhee	Per Acreage Limitation
168A	Trout Cr Mountains	5
168B	E Whitehorse	27
168M	Ne Whitehorse Muzzleloader	5
168R1	Trout Cr Mtn. Traditional Bow	Per Acreage Limitation
168R2	Se Whitehorse Bow	5
169A	Steens Mt	26
170A	Beatys Butte	24
170M	Hart Mt Muzzleloader	No LOP Tags
170R1	Hart Mt No 1 Bow	No LOP Tags
170R2	Hart Mtn No 2 Bow	No LOP Tags
170R3	Hart Mt No. 3 Bow	No LOP Tags
171A	N Juniper	11
171B	S Juniper	11
171M	Juniper Muzzleloader	5

**Table 1 continued. Number of controlled mule deer buck LOP tags available in 2019**

<b>2019 Hunt #</b>	<b>2019 Hunt Name</b>	<b>2019 Tags</b>
172	Silvies Unit	113
172M	Silvies Unit Muzzleloader	7
173	Wagontire Unit	Per Acreage Limitation
174A	N Warner	7
174B	S Warner	37
174R1	N Warner Bow	7
174R2	S Warner Bow	12
174T	Warner Unit Youth	5
175	Interstate Unit	174
175M	Interstate Unit	5
175T	Interstate Youth	5
176	Silver Lake Unit	198
176M	Silver Lk E Ft Rock	5
177	Fort Rock Unit	275



AMEND: 635-075-0024

RULE TITLE: Issuing Leftover Limited Landowner Hunting Preference Tags

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

(1) If landowner preference tags remain from the controlled hunts described in 635-075-0020(1)(b) and 635-075-0022(3)(a) after the game mammal controlled hunt drawing, the Department will issue remaining tags to qualified landowners in the following manner:

(a) The tags shall be issued on a first-come, first-served basis.

(b) The Department will set the time, date, and any constraints (i.e., online or through License Agents only) for the sale of the tags.

(c) Only landowners who still have tags available for allocation on their property as set forth in 635-075-0005 (8) may apply for and receive tags remaining in the quota. Such a tag may be for the landowner or for someone other than the landowner listed on their tag distribution form.

(d) Limited landowner tags from the quota are not an additional hunting opportunity for the landowner or hunter.

(A) If the hunter has a general elk season or 200 Series controlled hunt tag, they are not eligible to receive a tag for a hunt described in 635-075-0020(1)(b) with limited landowner elk tags.

(B) If the hunter has a general deer season or 100 Series controlled hunt tag, they are not eligible to receive a tag for a hunt described in 635-075-0022(3)(a) with limited landowner deer tags.

(2) For the purposes of OAR 635-075-0020(2) and 635-075-0022(3), "qualified landowner" is a landowner who registered their land through the landowner preference program for the Wildlife Management Unit which includes the controlled hunt and who has a current tag distribution form filed with the Department.

(3) A hunter who received a tag of his or her choice through the original game mammal controlled hunt drawing process may exchange that tag for a remaining tag in the first-come, first-served process while tags remain available. Tag purchases and exchanges may be obtained only through ODFW Salem Headquarters and must be made before the start of the seasons for which the tags are issued. Tag exchange fees as provided in OAR 635-060-0046(1) apply. The tag being exchanged shall not be reissued.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.151, 496.162

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.151, 496.162

AMEND: 635-090-0140

RULE TITLE: Deer and Elk Tag Auction and Raffle

NOTICE FILED DATE: 07/16/2018

RULE SUMMARY: Set hunting season regulations and controlled hunt tag numbers for 2019 game mammal seasons. These changes include rule and regulation simplification to incentivize hunting participation and improve enforcement efficiency.

RULE TEXT:

(1) Notwithstanding ORS 496.146(10), upon the recommendation of the Access and Habitat Board, the commission may issue each year up to ten elk and ten deer tags to hunt deer or elk. Recommendations from the board shall include:

- (a) The land on which each tag shall be used;
- (b) The percentage of funds (not to exceed 50 percent) received from the tags that may revert to the landowner if the tag is limited to private land; and
- (c) A written agreement with the commission which provides public access and habitat improvements.

(2) The board may contract with a sportsman's group or other organization to conduct a raffle or an auction to issue the access and habitat deer and elk tags.

(3) The access and habitat raffle and/or auction deer and elk tags are in addition to all other tags and permits approved by the commission.

(a) In addition to the number of deer and elk tags legally available to an individual, an individual is allowed one additional elk and one additional deer tag annually, provided these tags are Access and Habitat auction or raffle tags.

(b) The board shall recommend season dates and open area specific to the tag.

(c) Bag limit: one deer or one elk.

(4) Access and habitat deer/elk tag raffle requirements:

(a) There is no limit on the number of chances a person may purchase. Raffle chances shall be available for purchase in the following denominations with the addition of a \$2.00 license agent fee:

(A) Deer Tags

- (i) One chance at a cost of \$2.50.
- (ii) Six chances at a cost of \$9.50.
- (iii) Fifteen chances at a cost of \$19.50.
- (iv) Forty chances at a cost of \$49.50.
- (v) One hundred chances at a cost of \$99.50.

(B) Elk tags

- (i) One chance at a cost of \$4.50.
- (ii) Six chances at a cost of \$19.50.
- (iii) Fifteen chances at a cost of \$39.50.
- (iv) Forty chances at a cost of \$99.50.

(C) Combination Elk and Deer Tags

- (i) One chance at a cost of \$9.50.
- (ii) Six chances at a cost of \$29.50.
- (iii) Fifteen chances at a cost of \$59.50.
- (iv) Forty chances at a cost of \$149.50.

(b) Raffle chances will be available to the public online and through authorized License Agents during the dates specified in the current Big Game Regulations. Chances may be sold by Department representatives at various public events or meetings of sportsmen and landowners.

(c) Residents and nonresidents shall be eligible to purchase chances.

(d) There shall be no refunds for any raffle chance purchases.

(e) One winner and a minimum of two alternate winners shall be drawn at a public drawing; time and location to be

determined by the board and Department.

(f) If a person is drawn as the winner of more than one hunt for the same species, the Department will issue the first Access and Habitat raffle deer/elk tag drawn by the person who meets all criteria specified herein.

(g) The order in which the winner and alternate winners for the deer/elk raffle hunts shall be drawn at the public drawing is as follows:

(A) Statewide Combination Elk and Deer — #AH002.

(B) Statewide Deer Hunt — #AH001.

(C) Southeast Oregon Deer Hunt — #AH004.

(D) Central Oregon Deer Hunt — #AH005.

(E) Northeast Oregon Deer Hunt — #AH003.

(F) Statewide Elk Hunt — #AH009.

(G) Northeast Oregon Elk Hunt — #AH006.

(H) Central/Southeast Elk Hunt — #AH007.

(I) Western Oregon Elk Hunt — #AH008.

(h) The Department will notify the winner and two alternates by mail. The winner must claim the tag during regular business hours within 30 days of the drawing or he/she shall be disqualified and the Department will offer the tag to the first alternate. The first alternate must claim the tag within 10 business days of notification or he/she shall be disqualified and the Department will notify the second alternate. The second alternate will be contacted in the same manner and with the same deadlines as the first alternate if the winner or first alternate have not claimed the tag as required. The tag will not be issued if not claimed during regular business hours within 90 days following the drawing.

(i) The access and habitat raffle deer/elk tag winners must have a valid hunting license before they will be issued the tag(s).

(j) The Department will issue an access and habitat raffle deer/elk tag to the person who purchased the winning chance and who meets all criteria specified herein. The tag is not transferable.

(5) Access and habitat deer/elk tag auction requirements:

(a) Residents and nonresidents shall be eligible to bid.

(b) The minimum acceptable bid for an access and habitat auction tag shall be \$2,000.00 for deer and \$5,000.00 for elk. The bid price includes the tag fee.

(c) Individuals, agents, corporations, or others that submit the highest bid shall provide the name, address, phone number, and affiliation of the individual to whom the access and habitat auction deer/elk tag shall be issued to a Department representative or a representative of the organization authorized to conduct the auction immediately upon the conclusion of the auction of such tag.

(d) Submittal of the winning bid shall be made to the Department by cashier's check or certified check within 20 working days of the date of the auction (whether conducted by the Department or by a sportsman's group or organization authorized to do so).

(e) If the full amount of the bid is not paid as required by OAR 635-090-140(5)(d), the Department may, at its discretion, reject the bid and offer the access and habitat auction deer/elk tag to the next highest bidder. Such next highest bidder must make payment to the Department by cashier's check or certified check within five working days of notification.

(f) The access and habitat auction deer/elk tag winner must have a valid hunting license before they will be issued the tag(s).

(g) The Department will issue an access and habitat auction deer/elk tag to the winner who meets all criteria specified herein. The tag is not transferable.

(h) The Department reserves the right to accept or reject any or all access and habitat auction deer/elk tag bids.

STATUTORY/OTHER AUTHORITY: ORS 496.012, 496.138, 496.146, 496.232, 496.242

STATUTES/OTHER IMPLEMENTED: ORS 496.012, 496.138, 496.146, 496.232, 496.242