

DIVISION 008
DEPARTMENT OF FISH AND WILDLIFE LANDS

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635-008-0120

Ladd Marsh Wildlife Area

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

(1) An entry permit is required except during the authorized upland game bird and waterfowl seasons and on that portion of Ladd Marsh Wildlife Area west of Foothill Road, the nature trail and Long Pine Viewpoint.

~~[(2) The area is closed to big game hunting except that portion of Ladd Marsh Wildlife Area West of Foot Hill Road.]~~

(2) All land north and east of Foot Hill Road is closed to big game hunting except for youth deer hunts 652T1 and 652T2.

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

(4) Camping is prohibited.

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

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

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

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

DIVISION 44
HOLDING, PROPAGATING, REHABILITATING, and
PROTECTED WILDLIFE

1 **635-044-0000**

2 **Purpose**

3 The purpose of these rules is to regulate the holding and propagation of game birds and native wildlife,
4 except those cervids regulated pursuant to OAR chapter 635, division 49, **to regulate the rehabilitation**
5 **of wildlife and to list species determined to be protected nongame wildlife.**

6
7 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
8 498.052, 498. 222 & 498.242

9 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
10 498.029, 498.052, 498. 222 & 498.242

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12 **635-044-0002**

13 **Taxonomy**

14 (1) Scientific taxonomic nomenclature reflects the following:

15 (a) Fish:

16 (A) Nelson, J. S., E. J. Crossman, H. Espinosa-Perez, L. T. Findley, C. R. Gilbert, R. N. Lea, and J. D.
17 Williams. 2004. Common and scientific names of fishes from the United States, Canada, and Mexico.
18 American Fisheries Society, Special Publication 29, Bethesda, Maryland.

19 (B) Moyle, P. B. 2002. Inland fishes of California. Revised and expanded. University of California Press.
20 Berkeley, California.

21 (C) Jelks, H.L., S.J. Walsh, N.M. Burkhead, S. Contreras-Balders, E. Diaz-Pardo, D.A. Hendrickson, J.
22 Lyons, N.E. Mandrak, F. McCormick J. S. Nelson, S. P. Platania, B. A. Porter, C.B. Renaud, J.J.
23 Schmitter-Soto, E. B. Taylor, and M. L. Warren, Jr. 2008. Conservation status of imperiled North
24 American freshwater and diadromous fishes. Fisheries. 33(8): 372-407.

25 (b) Amphibians and reptiles -- Crother, B. I., editor. 2008. Scientific and standard English names of
26 amphibians and reptiles of North America north of Mexico, with comments regarding confidence in our
27 understanding. 6th Edition. Society for the Study of Amphibians and Reptiles, Herpetological Circular
28 No. 37.

29 (c) **Birds** -- Chesser, R.T., R.C. Banks, F.K. Barker, C. Cicero, J.L. Dunn, A.W. Kratter, I.J. Lovette, P.C.
30 Rasmussen, J.V. Remsen, Jr., J.D. Rising, D.F. Stotz, and K. Winker. 2009. Fiftieth supplement to the
31 American Ornithologists' Union Check-List of North American Birds. The Auk. 126:705-714.

1 (d) Mammals -- Wilson, D. E. and D. M. Reeder, editors. 2005. Mammal species of the world. a
2 taxonomic and geographic reference. 3rd Edition. Johns Hopkins University Press.
3 (2) If the taxonomic status of individual species is changed through subsequent publications scientific
4 taxonomy shall remain as cited in 635-044-0002(1) and 635-044-0130 for the purposes of implementing
5 and enforcing 635-044-0000 through 635-044-0235.

6
7 Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029,
8 498.052, 498.222 & 498.242

9 Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022,
10 498.029, 498.052, 498.222 & 498.242

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12 **Wildlife Propagation License Regulations**

13 **635-044-0130**

14 **Nongame Wildlife Protected**

15 (1) Except as provided by 635-043-0030, 635-200-0040, 635-044-~~0015~~ 0015, 635-056-0080 and 635-044-
16 0200, it is unlawful for any person to hunt, trap, pursue, kill, take, catch, angle for, or have in possession,
17 either dead or alive, whole or in part, any:

18 (a) Threatened or Endangered animals as provided for in 635-100-0125; or

19 (b) Protected wildlife listed herein except as otherwise provided by the commission by permit, or with
20 respect to Pacific Lamprey, as authorized by a federally-recognized Indian tribe to which the Commission
21 has issued a permit authorizing that tribe to allow its members to take Pacific Lamprey at Willamette
22 Falls for personal use, with a tribal enrollment card in possession, within seasons and subject to
23 conditions established by the Commission, or with respect to non-threatened or non-endangered
24 migratory nongame birds, as authorized by a Migratory Bird Depredation Order, or in compliance
25 with all terms and conditions of a Migratory Bird Depredation Permit issued by the United States
26 Fish and Wildlife Service under Title 50 Code of Federal Regulations Part 21, Subpart D. Nothing
27 in this rule is intended to affect the provisions of ORS 610.002 to 610.990.

28 (A) Fish: (Protected fish are listed by common name and scientific name if consistently applied across
29 taxonomic references):

30 (i) Goose Lake lamprey (*Entosphenus* sp.);

31 (ii) Alvord chub;

32 (iii) Oregon lakes tui chub;

33 (iv) Sheldon tui chub;

34 (v) Pit roach (*Lavinia symmetricus mitrulus*);

35 (vi) Oregon chub (*Oregonichthys crameri*);

36 (vii) Millicoma longnose dace (*Rhinichthys cataractae* ssp.);

- 1 (viii) Lahonton redbreast (*Richardsonius egregius*);
- 2 (ix) Goose Lake sucker (*Catostomus occidentalis lacusanserinus*);
- 3 (x) Tahoe sucker (*Catostomus tahoensis*);
- 4 (xi) Malheur sculpin (*Cottus bendirei*);
- 5 (xii) Margined sculpin (*Cottus marginatus*);
- 6 (xiii) Pit sculpin (*Cottus pitensis*);
- 7 (xiv) Pacific lamprey (*Entosphenus tridentatus*);
- 8 (xv) Goose Lake tui chub;
- 9 (xvi) Klamath smallscale sucker, Jenny Creek population (*Catostomus rimiculus*);
- 10 (xvii) River lamprey (*Lampetra ayresii*);
- 11 (xviii) Western brook lamprey (*Lampetra richardsoni*);
- 12 (xix) Miller Lake lamprey (*Entosphenus minimus*);
- 13 (xx) Klamath River lamprey (*Entosphenus similis*);
- 14 (xxi) Pit-Klamath brook lamprey (*Entosphenus lethophagus*);
- 15 (B) Amphibians:
- 16 (i) Cope's giant salamander (*Dicamptodon copei*);
- 17 (ii) Clouded salamander (*Aneides ferreus*);
- 18 (iii) Black salamander (*Aneides flavipunctatus*);
- 19 (iv) California slender salamander (*Batrachoseps attenuatus*);
- 20 (v) Oregon slender salamander (*Batrachoseps wrightorum*);
- 21 (vi) Del Norte salamander (*Plethodon elongatus*);
- 22 (vii) Larch Mountain salamander (*Plethodon larselli*);
- 23 (viii) Siskiyou Mountains salamander (*Plethodon stormi*);
- 24 (ix) Rocky Mountain tailed frog (*Ascaphus montanus*);
- 25 (x) Coastal tailed frog (*Ascaphus truei*);
- 26 (xi) Northern red-legged frog (*Rana aurora*);
- 27 (xii) Foothill yellow-legged frog (*Rana boylei*);
- 28 (xiii) Cascades frog (*Rana cascadae*);
- 29 (xiv) Northern leopard frog (*Lithobates pipiens*);
- 30 (xv) Columbia spotted frog (*Rana luteiventris*);
- 31 (xvi) Oregon spotted frog (*Rana pretiosa*);
- 32 (xvii) Southern torrent salamander (*Rhyacotriton variegatus*);
- 33 (xviii) Columbia torrent salamander (*Rhyacotriton kezeri*);
- 34 (xix) Cascade torrent salamander (*Rhyacotriton cascadae*);
- 35 (xx) Western toad (*Anaxyrus boreas*);
- 36 (xxi) Woodhouse toad (*Anaxyrus woodhousei*);

- 1 (xxii) Blotched tiger salamander (*Ambystoma mavortium melanostictum*).
- 2 (C) Reptiles:
- 3 (i) Western painted turtle (*Chrysemys picta bellii*);
- 4 (ii) Western pond turtle (*Actinemys marmorata*);
- 5 (iii) Great Basin collared lizard (*Crotaphytus bicinctores*);
- 6 (iv) Long-nosed leopard lizard (*Gambelia wislizenii*);
- 7 (v) Pygmy short-horned lizard (*Phrynosoma douglassi*);
- 8 (vi) Desert horned lizard (*Phrynosoma platyrhinos*);
- 9 (vii) Sharp-tailed snake (*Contia tenuis*);
- 10 (viii) Common kingsnake (*Lampropeltis getula*);
- 11 (ix) California mountain kingsnake (*Lampropeltis zonata*);
- 12 (x) Western ground snake (*Sonora semiannulata*);
- 13 (D) Birds: All nongame birds except European starling, house sparrow, **and Eurasian collared-dove.**
- 14 [~~and rock pigeon.~~]
- 15 (E) Mammals:
- 16 (i) Fringed myotis (*Myotis thysanodes*);
- 17 (ii) Townsend's big-eared bat (*Corynorhinus townsendii*);
- 18 (iii) Pallid bat (*Antrozous pallidus*);
- 19 (iv) American pika (cony) (*Ochotona princeps*);
- 20 (v) Pygmy rabbit (*Brachylagus idahoensis*);
- 21 (vi) White-tailed jack rabbit (*Lepus townsendii*);
- 22 (vii) Chipmunk (*Tamias amoenus*, *T. minimus*, *T. senex*, *T. siskiyou* and *T. townsendii*);
- 23 (viii) Golden-mantled ground squirrel (*Spermophilus lateralis*);
- 24 (ix) Chickaree (Douglas's squirrel and red squirrel) (*Tamiasciurus douglasii* and *T. hudsonicus*);
- 25 (x) White-tailed antelope squirrel (*Ammospermophilus leucurus*);
- 26 (xi) Northern flying squirrel (*Glaucomys sabrinus*);
- 27 (xii) White-footed vole (*Arborimus albipes*);
- 28 (xiii) Ringtail (*Bassariscus astutus*);
- 29 (xiv) Fisher (*Martes pennanti*).
- 30 (xv) All marine mammals.
- 31 (xvi) Silver-haired bat (*Lasionycteris noctivagans*);
- 32 (xvii) Western small-footed myotis (*Myotis ciliolabrum*);
- 33 (xviii) Long-eared myotis (*Myotis evotis*);
- 34 (xix) Long-legged myotis (*Myotis volans*); (xx) Yuma myotis (*Myotis yumanensis*);
- 35 (xxi) Columbian white-tailed deer (*Odocoileus virginianus leucurus*) in the following Wildlife
- 36 Management Units: Saddle Mountain (10), Scappoose (11), Willamette (15), and Santiam (16).

1 (2) Notwithstanding section (1) of this rule, it shall be lawful to purchase, sell, or exchange, or have in
2 possession any pelt of wildlife listed therein which was lawfully taken in another state and transported
3 into Oregon. A bill of lading or freight bill from a common carrier or other documentary proof indicating
4 the state of origin of the pelt and the name and address of the person from whom the pelt was received
5 shall be sufficient.

6
Stat. Auth.: ORS 496.138, 496.146 & 506.119

Stats. Implemented: ORS 496.162 & 506.129

7 **DIVISION 045**

8 **DEFINITIONS**

9
10 **635-045-0000**

11 **Purpose**

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

14 (2) The documents entitled 2012 – 2013 [~~2011–2012~~] Oregon Game Bird Regulations”, and 2012 Oregon
15 Big Game Regulations”, are incorporated by reference into these rules. These documents are available at
16 hunting license vendors and regional, district and headquarters offices of the Oregon Department of Fish
17 and Wildlife.

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

19
20 Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162 Stats. Implemented: ORS 496.012, 496.138,
21 496.146 & 496.162

22
23 **635-045-0002**

24 **Definitions**

25 (1) "Adult hunting license" is a resident or nonresident hunting license, resident combination angling and
26 hunting license, disabled veteran's angling and hunting license, pioneer's angling and hunting license or
27 senior citizen's angling and hunting license.

28 (2) "Agricultural lands" are lands that are not less than ten acres in extent that have been cultivated and
29 planted or irrigated to domestic crops that are currently in use. Isolated home gardens, abandoned
30 farmsteads, logged lands, rangelands, and tree farms, are not included in this definition.

31 (3) "Antler Point" is a point at least one inch in length measured from tip of point to nearest edge of beam.
32 This definition applies only to the three-point elk and spike only elk bag limits.

- 1 (4) "Antlerless deer" means doe or fawn deer.
- 2 (5) "Antlerless elk" means cow or calf elk.
- 3 (6) "Application" means the electronic form completed and purchased to apply for a hunt where the
4 number or distribution of hunters is limited through a public drawing or other means. Mail order
5 applications sent to the Department along with the proper remittance are used to generate the electronic
6 form.
- 7 (7) "Bait" for hunting game mammals means any substance placed to attract an animal by its sense of
8 smell or taste, including but not limited to food items or minerals (such as salt). Applying a scent or
9 attractant to one's body or clothing while worn, is not baiting.
- 10 (8) "Baited Area" means an area where baiting has taken place.
- 11 (9) "Baiting" means the placing, exposing, depositing, distributing, or scattering of corn, wheat, salt or
12 other feed to constitute a lure or enticement to, on, or over an area where hunters are attempting to take
13 game birds.
- 14 (10) "Brace" is defined as an orthosis that is prescribed by a physician and fabricated by an orthotist
15 certified by the American Board for Certification in Orthotics and Prosthetics, Inc.
- 16 (11) "Brace Height" is the distance from the back of the bow's riser at the handgrip to the string when the
17 bow is at rest.
- 18 (12) "Buck Deer" means a male deer with at least one visible antler.
- 19 (13) "Buck Pronghorn" means a male pronghorn antelope with visible horns and a dark cheek patch
20 below the ear.
- 21 (14) "Bull elk" for the purposes of a bag limit definition, means a male elk with at least one visible antler.
- 22 (15) "Calendar year" means from January 1 through December 31.
- 23 (16) "Carcass" is the skinned or unskinned body, with or without entrails, of a game bird or game
24 mammal.
- 25 (17) "Cascade elk" means any live elk occurring in the Dixon, Evans Creek, Indigo, Keno, McKenzie,
26 Metolius, Rogue, Santiam and Upper Deschutes units and those parts of Fort Rock and Sprague units
27 west of Highway 97, and that part of Grizzly Unit west of Hwy 97 and south of Hwy 26.
- 28 (18) "Closed season" is any time and place when it is not authorized to take a specific species, sex or size
29 of wildlife.
- 30 (19) "Coast elk" means any live elk occurring in the Alsea, Applegate, Chetco, Melrose, Powers, Saddle
31 Mountain, Scappoose, Siuslaw, Sixes, Stott Mountain, Tioga, Trask, Willamette, and Wilson units.
- 32 (20) "Commission" means the Oregon Fish and Wildlife Commission.
- 33 (21) "Controlled hunt" is a season where the number or distribution of hunters is limited through a public
34 drawing or other means.
- 35 (22) "Department" means the Oregon Department of Fish and Wildlife.
- 36 (23) "Director" means the Oregon Fish and Wildlife Director.

- 1 (24) "Doe or fawn pronghorn" means a female pronghorn antelope without a dark cheek patch below the
2 ear or a pronghorn fawn (young of the year) of either sex.
- 3 (25) "Domestic partner" means, as provided in section 3 of the Oregon Family Fairness Act of 2007
4 (ORS Chapter 106), "an individual who has, in person, joined into a civil contract with another individual
5 of the same sex, provided that each individual is at least 18 years of age and is otherwise capable, and that
6 at least one of the individuals is a resident of Oregon."
- 7 (26) "Eastern Oregon" means all counties east of the summit of the Cascade Range including all of
8 Klamath and Hood River counties.
- 9 (27) "Eastern Oregon deer" means any live deer occurring east of the east boundaries of the Santiam,
10 McKenzie, Dixon, Indigo and Rogue units.
- 11 (28) "Eligible Hunter" means someone who will be 12 years of age by the time they hunt.
- 12 (29) "Entry permit" means a permit issued by the Department to be in an area where entry is restricted by
13 regulation.
- 14 (30) "Established airport" is one that the Oregon Department of Aviation has licensed as a public-use
15 airport, registered as a personal-use airport, or specifically exempted from either licensing or registration.
- 16 (31) "Feral Swine" means animals of the genus *Sus* as defined by the Oregon Department of Agriculture
17 in OAR 603-010-0055.
- 18 (32) "Fiscal year" means from July 1 through June 30.
- 19 (33) "Furbearers" are beaver, bobcat, fisher, marten, mink, muskrat, otter, raccoon, red fox, and gray fox.
- 20 (34) "Game Birds" are any waterfowl, snipe, band-tailed pigeon, mourning dove, pheasant, quail,
21 partridge, grouse, or wild turkey.
- 22 (35) "Game mammals" are pronghorn antelope, black bear, cougar, deer, elk, moose, Rocky Mountain
23 goat, bighorn sheep, and western gray squirrel.
- 24 (36) "General season" is any season open to the holder of a valid hunting license and appropriate game
25 mammal tag without restriction as to the number of participants.
- 26 (37) "Hunter certification" means to have met educational, safety or other requirements designated by
27 administrative rule for participation in a hunt.
- 28 (38) "Hunt" means to take or attempt to take any wildlife by means involving the use of a weapon or with
29 the assistance of any mammal or bird.
- 30 (39) "Husbandry" means the care given animals directly by their owners and managers, including but not
31 limited to:
- 32 (a) Nutrition;
- 33 (b) Breeding program;
- 34 (c) Veterinary medical care;
- 35 (d) Environmental cleanliness; and
- 36 (e) Humane handling.

- 1 (40) "Immediate family" for the purpose of Landowner Preference, means a landowner's spouse, children,
2 father, mother, brother, sister, stepchildren, and grandchildren.; for all other purposes, it means spouse,
3 domestic partner, children, father, mother, brother, sister, stepchildren, and grandchildren.
- 4 (41) "Inedible" means unfit for human consumption.
- 5 (42) "Juvenile hunting license" is a resident, nonresident hunting license or resident combination angling
6 and hunting license for persons 9 to 17 years of age to hunt wildlife.
- 7 (43) "Landowner", as used in OAR chapter 635, division 075, means:
- 8 (a) A person who holds title in trust or in fee simple to 40 or more contiguous acres of land; provided
9 however that a recorded deed or contract of ownership shall be on file in the county in which the land is
10 located; and/or
- 11 (b) A corporation or Limited Liability Company (LLC) holding title in fee simple to 40 or more
12 contiguous acres of land; provided however that the corporation or LLC shall be registered with the State
13 of Oregon; and/or
- 14 (c) A partnership holding title in fee simple to 40 or more contiguous acres of land; and/or
- 15 (d) Persons who hold title as part of a time share are not eligible for landowner preference.
- 16 (44) "Low Income" means a person who is "economically disadvantaged" as defined in Section 4(8) of the
17 Federal Job Training Partnership Act of 1982.
- 18 (45) "Mounted Wildlife" means any hide, head or whole body of wildlife prepared by a licensed
19 taxidermist for display.
- 20 (46) "Muzzleloader" is any single-barreled (shotguns may be double barreled) long gun meant to be fired
21 from the shoulder and loaded from the muzzle with an open ignition system and open or peep sights.
- 22 (47) "On or within" means a straight line distance measured on a map.
- 23 (48) "One deer" means a buck, doe, or fawn deer.
- 24 (49) "One elk" means a bull, cow, or calf elk.
- 25 (50) "Open Ignition" is an ignition system where the percussion cap, or frizzen, or flint is visible and
26 exposed to the weather at all times and is not capable of being closed or covered by any permanent piece
27 of the weapon.
- 28 (51) "Partner" means a person in an association of two or more persons formed to carry on as co-owners
29 for profit.
- 30 (52) "Point-of-Sale" (POS) is a computerized licensing system available at locations that sell Oregon's
31 hunting and angling licenses. Licenses and tags are generated and issued directly to customers from a
32 POS machine at the time of sale.

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- 1 (53) "Possession" means to have physical possession or to otherwise exercise dominion or control over
2 any wildlife or parts thereof, and any person who counsels, aids or assists another person holding such
3 wildlife is deemed equally in possession.
- 4 (54) "Postmark" means the date of mailing as stated in a mark applied by the U.S. Postal Service to a
5 piece of mail. Office postal machine meter marks are not valid application deadline postmarks.
- 6 (55) "Predatory animals" means coyotes, rabbits, rodents, and feral swine which are or may be destructive
7 to agricultural crops, products and activities.
- 8 (56) "Protected wildlife" means "game mammals" as defined in OAR 635-045-0002(34) "game birds" as
9 defined in 635-045-0002(33), "furbearers" as defined in 635-045-0002(32), "threatened and endangered
10 species" as defined in 635-100-0125, and "nongame wildlife protected" as defined in 635-044-0130.
- 11 (57) "Pursue" means the act of trailing, tracking, or chasing wildlife in an attempt to locate, capture, catch,
12 tree, or kill any game mammal or furbearer.
- 13 (58) "Raw pelt" means any pelt that has not been processed or converted to any usable form beyond initial
14 cleaning, stretching, and drying.
- 15 (59) "Resident" is any person who has resided in Oregon for a period of at least six months immediately
16 prior to the date of making application for a license or tag. Members of the armed forces assigned to
17 permanent duty status in Oregon including spouses and dependent children, and foreign exchange
18 students attending school in Oregon under a foreign student exchange program may purchase a resident
19 license and tags. All other persons are nonresidents.
- 20 (60) "Resident juvenile" is any "Resident" of Oregon 14 through 17 years of age.
- 21 (61) "River" is that portion of a natural water body lying below the level of bankfull stage. Bankfull stage
22 is the stage or elevation at which overflow of the natural banks of a stream or body of water begins to
23 inundate the upland.
- 24 (62) "Rocky Mountain elk" is any live elk occurring east of the following described line: Beginning at the
25 California line on Highway 97; north on Highway 97 to State Highway 26 at Madras; northwest on
26 Highway 26 to east boundary of Santiam Unit; north along east boundary of Santiam Unit to the
27 Columbia River.
- 28 (63) "Sabot" A carrier, bushing or device in which a projectile of a smaller caliber is centered so as to
29 permit firing the projectile within a larger caliber weapon. Cloth, paper or felt patches used with round
30 balls are not considered a sabot.
- 31 (64) "Shotgun" is a smoothbore firearm, designed for firing birdshot, and intended to be fired from the
32 shoulder, with a barrel length of 18 inches or more, and with an overall length of 26 inches or more.
33 Exception: Shotguns equipped with rifled slug barrels are considered shotguns when used for hunting
34 pronghorn antelope, black bear, cougar, deer, or elk when centerfire rifles or shotguns are legal weapons.
- 35 (65) "Sight bait" is exposed flesh bait within 15 feet of any foothold trap set for carnivores.

- 1 (66) "Spike deer" is a deer with spike (unbranched) antlers.
- 2 (67) "Spike-only bull elk" means a bull elk with at least one visible unbranched antler (brow tines are not
3 considered an antler branch under spike-only regulations).
- 4 (68) "Stockholder" is a person who owns stock within a corporation as defined in OAR 635-045-
5 0002(42)(b).
- 6 (69) "Tag" is a document authorizing the taking of a designated kind of mammal at a specified time and
7 place.
- 8 (70) "Take" means to kill or obtain possession or control of any wildlife.
- 9 (71) "Three point plus elk" for the purposes of a bag limit definition, means a bull elk having 3 points or
10 more on one antler including the brow tine.
- 11 (72) "Unbarbed broadhead" is a fixed position arrowhead where the rear edge of the blade(s) forms an
12 angle with the arrow shaft to which it is attached of 90° or greater.
- 13 (73) "Unprotected Mammals and Birds" are European starling, house sparrow, **Eurasian collared-dove**
14 ~~[rock pigeon]~~ and any mammal species for which there are no closed seasons or bag limits.
- 15 (74) "Valid certification permit" is a permit for the current season that has not become invalid after taking
16 a season limit or illegal game bird.
- 17 (75) "Visible Antler" means a velvet or hardened antler that is visible above the hairline on the skullcap
18 and is capable of being shed.
- 19 (76) "Wait period" means the length of time a successful controlled hunt applicant must wait before
20 reapplying for the species for which he was successful in drawing.
- 21 (77) "Waste" means to allow any edible portion of any game mammal (except cougar) or game bird to be
22 rendered unfit for human consumption, or, to fail to retrieve edible portions, except internal organs, of
23 such game mammals or game birds from the field. Entrails, including the heart and liver, are not
24 considered edible.
- 25 (78) "Waterfowl" means ducks, geese, mergansers and coots.
- 26 (79) "Weapon" is any device used to take or attempt to take wildlife.
- 27 (80) "Western Oregon" means all counties west of the summit of the Cascade Range except Klamath and
28 Hood River counties.
- 29 (81) "Western Oregon deer" is any live deer except the Columbian white-tailed deer occurring west of the
30 east boundaries of the Santiam, McKenzie, Dixon, Indigo, and Rogue units.
- 31 (82) "Wildlife" means fish, wild birds, amphibians, reptiles, wild mammals, and feral swine.
- 32 (83) "Wildlife" means for the purposes of harassment to relieve damage described in OAR 635-043-0096
33 through 635-043-0115, game mammals, game birds except migratory birds protected by Federal law,
34 furbearing mammals and wildlife declared protected by the commission.

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1 (84) "Wildlife" means for the purposes of scientific taking described in OAR 635-043-0023 through 635-
2 043-0045, wild birds, wild mammals, amphibians and reptiles, including nests, eggs, or young of same.

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

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

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

8
9 Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162 Stats. Implemented: ORS 496.012, 496.138,
10 496.146 & 496.162

11
12 **DIVISION 051**
13 **GENERAL GAME BIRD REGULATIONS**

14
15 **635-051-0000**

16 **Purpose**

17 (1) The purpose of these rules is to establish dates, areas and other restrictions for hunting game birds
18 pursuant to ORS Chapter 496.

19 (2) The document entitled "2012 – 2013 [~~2011–2012~~] Oregon Game Bird Regulations," is incorporated by
20 reference into these rules.

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

22
23 Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162 Stats. Implemented: ORS 496.012, 496.138,
24 496.146 & 496.162

25
26 **635-051-0048**

27 **Other Restrictions**

28 Except as provided in section (1)(a), (b), (c), (2) -(6) of this rule, it is unlawful: To hunt within the
29 corporate limits of any city or town, public park or cemetery, or on any campus or grounds of a public
30 school, college, or university or from a public road, road right-of-way, or railroad right-of-way.

31 (1) Migratory game bird hunting is permitted within the city limits of Warrenton in the following
32 described areas:

33 (a) Beginning at a point located at the west end of the Lewis and Clark Bridge (Alternate Highway 101) at
34 the southern boundary of the Warrenton city limits and west bank of the Lewis and Clark River, then
35 westerly along the common southern boundary of the Port of Astoria airport and the Warrenton City

1 limits to the west bank of Adams Slough (formerly Adair's Slough), then northerly along the west tracks,
2 then westerly along said railroad tracks to its intersection with Northeast King Avenue, then northerly
3 along Northeast King Avenue to the mouth of the Skipanon River, then generally northwesterly following
4 a contour line 100 yards inland from the shoreline at mean high water of the Columbia River, and on the
5 Columbia River side of the Burlington Northern Railroad tracks to its intersection with the
6 Warrenton/Hammond city limits at Tansy Point, then in a generally southeasterly direction upstream
7 along the Columbia River, Youngs Bay and Lewis and Clark River to the point of beginning.

8 (b) Beginning at a point of intersection with the low tide of the Pacific Ocean and the westerly extension
9 of Delaura Beach Road (County Road #34), then easterly along Delaura Beach Road
10 and Oceanview Cemetery Road (County Road #321) to the junction with Wild Ace Lake Drive to the
11 Warrenton School Dump Road (County Road #286), then easterly along the Warrenton School Dump
12 Road to the junction of Southwest Juniper Avenue, then northerly along Southwest Juniper Avenue to the
13 road's end, then continuing northerly along the common boundary of Section 16 and 17 to the
14 Warrenton/Hammond city limits, then westerly along the Warrenton/Hammond city limits to the low tide
15 of the Pacific Ocean, then southerly to the point of beginning.

16 (c) Beginning at a point of intersection with the most southerly boundary of the Warrenton city limits and
17 Oregon Coast Highway 101 and the west bank of the Skipanon River, then northerly along the west bank
18 of the Skipanon River to the bridge on (Crab Pot Way) Alternate Highway 101 (Fort Stevens Highway
19 #104), then in a generally easterly direction along Alternate Highway 101 to Southeast 14th Place, then in
20 a generally southeasterly direction along Southeast 14th Place and its easterly extension, crossing the
21 Oregon Coast Highway 101 to its intersection with the Warrenton city limits, then southerly and westerly
22 along the line of the Warrenton city limits to the point of beginning.

23 (2) Game bird hunting is permitted within the city limits of Dunes City.

24 (3) Game bird hunting is permitted within the boundary limits of the Klamath Falls Airport.

25 (4) Waterfowl hunting is permitted in the following portion of Miami Cove lying within the city limits of
26 Garibaldi: That land in the east one-half of the northwest quarter of Section 22, Township 1 North, Range
27 10 West, Willamette Meridian, lying south of Coast Highway 101, and in the east one-half of the
28 southwest quarter of Section 22, Township 1 North, Range 10 West, lying north and west of Coast
29 Highway 101, provided that no hunting be permitted within 100 yards of any residence or commercial
30 structure.

31 (5) Waterfowl hunting is allowed within a portion of Coos Bay City limits as described in Coos Bay City
32 Ordinance number 100, section 3(2)(a) as of August 3, 2007.

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

35

- 1 (7) No person shall take any **game bird** [~~wild bird without a permit~~] or destroy the eggs or nests of **any**
2 **game bird** [~~wild birds~~] **without a permit issued by the department.**
- 3 (8) Notwithstanding the prohibition in paragraph (7):
- 4 (a) If registered through the Resident Canada Goose Nest and Egg Registration Site of the U.S. Fish and
5 Wildlife Service (<https://epermits.fws.gov/eRCGR/geSI.aspx>), any person may destroy the eggs or nests
6 of resident Canada geese:
- 7 (A) Inside incorporated cities or urban growth boundaries; or
8 (B) On golf courses, parks or other highly developed recreational areas outside incorporated cities or
9 urban growth boundaries.
- 10 (b) The U.S. Fish and Wildlife Service, or anyone issued a depredation permit by the USFWS, may take
11 any [~~wild~~] migratory **game** bird, its eggs or nest for the purpose of protecting public health or safety, to
12 address public nuisance or to deal with crop depredation. Any [~~wild~~] **migratory game** bird captured for
13 the purpose of translocation must be reported to the department and the translocation site approved by the
14 department prior to release.
- 15 Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162 Stats. Implemented: ORS 496.012, 496.138,
16 496.146 & 496.162

17 **DIVISION 052**

18 **MIGRATORY UPLAND GAME BIRD REGULATIONS**

19
20 **635-052-0000**

21 **Purpose**

22
23 (1) The purpose of these rules is to establish season dates, areas and bag limits for migratory upland game
24 birds pursuant to ORS Chapter 496.

25 (2) The document entitled "**2012-2013** [~~2011-2012~~] Oregon Game Bird Regulations," is incorporated by
26 reference into these rules.

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

28 Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162 Stats. Implemented: ORS 496.012, 496.138,
29 496.146 & 496.162

1
2 **DIVISION 053**

3 **UPLAND GAME BIRD REGULATIONS**

4 **635-053-0000**

5 **Purpose**

6 (1) The purpose of these rules is to establish season dates, bag limits, areas and other restrictions for
7 hunting upland game birds pursuant to ORS Chapter 496.

8 (2) The document entitled "2012 – 2013 ~~2011-2012~~ Oregon Game Bird Regulations," is incorporated by
9 reference into these rules.

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

11 Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162 Stats. Implemented: ORS 496.012, 496.138,
12 496.146 & 496.162

13
14 **Upland Game Bird Stamp**

15 **635-053-0100**

16 **Purpose**

17 The purpose of these rules is to describe the procedures and necessary accompanying information for
18 submitting artwork for the 2013 – 2018 ~~2008-2013~~ upland bird stamps, the criteria for selection of the
19 winning designs, and the obligation of winning artists pursuant to ORS Chapter 496.

20 Stat. Auth.: ORS 496.012, 496.138, 496.146, 496.162, 496.558, 496.562, 496.566 & 496.570 Stats.

21 Implemented: ORS 496.012, 496.138, 496.146, 496.162, 496.558, 496.562, 496.566 & 496.570
22

23 **635-053-0105**

24 **Submission of Artwork: Requirements**

25 (1) Applicants shall submit artwork for the upland bird stamp to the Department headquarters office by
26 5:00 p.m. on the following deadline dates:

27 (a) ~~2013~~ ~~2008~~ upland game bird stamp deadline is **5:00 pm** December 31, ~~2012~~ ~~2007~~;

28 (b) **For the 2014 – 2018 upland game bird stamps the deadline is 5:00 pm on the last Friday of the**
29 **month of August in the calendar year preceding the year of the competition.** ~~2009 upland game bird~~
30 ~~stamp deadline is December 31, 2008;~~

31 ~~(c) 2010 upland game bird stamp deadline is December 31, 2009;~~

32 ~~(d) 2011 upland game bird stamp deadline is December 31, 2010~~

33 ~~(e) 2012 upland game bird stamp deadline is December 30, 2011; and~~

34 ~~(f) 2013 upland game bird stamp deadline is December 31, 2012.~~

35 (2) The 2013 – 2018 ~~2008 through 2013~~ upland game bird stamp artwork shall feature the following
36 species in their natural setting:

- 1 (a) 2013 – Chukar (*Alectoris chukar*); 2008 – Blue grouse (*Dendragapus obscurus*);
2 (b) 2014 – Mountain Quail (*Oreortyz pictus*); 2009 – Ruffed grouse (*Bonasa umbellus*);
3 (c) 2015 – Hungarian Partridge (*Perdix perdix*); 2010 – Greater Sage grouse (*Centrocercus*
4 urophasianus);
5 (d) 2016 – California Quail (*Callipepla californica*); 2011 – Spruce grouse (*Falcapennis canadensis*
6 franklinii);
7 (e) 2017 – Ring-necked Pheasant (*Phasianus colchicus*); and 2012 – Sharp-tailed grouse
8 (*Tympanuchus phasianellus columbianus*); and
9 (f) 2018 – Blue Grouse (*Dendragapus obscurus* or *D. fuliginosus*). 2013 – Chukar (*Alectoris chukar*).
10 (3) Each entry shall measure 13 inches by 18 inches (horizontal or vertical) and shall be in any full color
11 medium except any photographic process **provided:**
12 **(A) No photographs, sculptures, fabric art or carvings will be accepted.**
13 **(B) The artwork shall be original and not computer-generated or computer-enhanced.**
14 (4) The artwork shall be original and unsigned by the artist, and shall not have been used in production or
15 entered into any other state upland bird stamp competition. Any artwork signed by the artist will not be
16 accepted and will be returned to the artist without being judged.
17 (5) The entry may be mounted and/or matted, but it shall not be framed or under glass.
18 (6) Artists may submit more than one entry meeting the requirements herein.
19 (7) Each artist shall submit with his or her entry or entries a brief biographical description that includes
20 the artist's background, experience, and previous artistic accomplishments. The Department reserves the
21 right to use this information for publicity should the work be selected.
22 Stat. Auth.: ORS 496.012, 496.138, 496.146, 496.162, 496.558, 496.562, 496.566 & 496.570 Stats.
23 Implemented: ORS 496.012, 496.138, 496.146, 496.162, 496.558, 496.562, 496.566 & 496.570
24

25 **635-053-0111**

26 **Selection Process and Criteria**

- 27 (1) A **five** ~~four-member citizen~~ panel **including one Fish and Wildlife Commission member and four**
28 **citizens** chosen by the Director shall select the **winning entry** ~~top five artwork submissions~~. Panel
29 members may include representatives from the art community, wildlife profession, news media and
30 conservation organizations.
31 (2) The selection panel shall **make their selection** ~~choose the top five artwork submissions~~ based on:
32 (a) Artistic composition;
33 (b) Anatomical accuracy;
34 (c) General rendering;
35 (d) Background; and

1 (e) General appeal.
2 ~~(3) A subcommittee of the Commission shall select the winning entry from among the top five artwork~~
3 ~~submissions.~~

4 ~~(3)(4)~~ All artwork submissions shall be made available for public viewing following selection of the
5 winning entry.

6 Stat. Auth.: ORS 496.012, ORS 496.138, ORS 496.146, ORS 496.162, ORS 496.550 & ORS 496.555
7 Stats. Implemented: ORS 496.012, ORS 496.138, ORS 496.146, ORS 496.162, ORS 496.550 & ORS
8 496.555

9

10

11 **635-053-0125**

12 **Other Provisions**

13 (1) Sale of 2013 – 2018 ~~2008-2013~~ upland bird stamps by the department shall end at the close of
14 business on June 30, of the following year. Excess stamps at that time shall be shredded after auditing of
15 sales takes place.

16 (2) The Department shall award three thousand dollars (\$3,000) to the artist whose entry is selected for
17 the upland game bird stamp.

18 (3) The winning entry shall become the exclusive property of the Department.

19 (4) The Department shall retain all reproduction rights and may review proposals for limited edition
20 prints, posters, or other related art products.

21 (5) The artist shall sign, at no charge, up to two hundred (200) upland game bird stamps for sale by the
22 Department.

23

24 Stat. Auth.: ORS 496.012, 496.138, 496.146, 496.162, 496.558, 496.562, 496.566 & 496.570 Stats.

25 Implemented: ORS 496.012, 496.138, 496.146, 496.162, 496.558, 496.562, 496.566 & 496.570

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1 **DIVISION 054**

2 **WATERFOWL, WILSON'S SNIPE AND CROW REGULATIONS**

3
4 **635-054-0000**

5 **Purpose**

6 (1) The purpose of these rules is to establish season dates, bag limits, areas and other restrictions for
7 hunting ducks, geese, coots, Wilson's snipe and crow pursuant to ORS Chapter 496.

8 (2) The document entitled "2012-2013 [~~2011-2012~~] Oregon Game Bird Regulations," is incorporated by
9 reference into these rules.

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

11
12 Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162 Stats. Implemented: ORS 496.012, 496.138,
13 496.146 & 496.162

14 635-054-0001

15 **DIVISION 60**

16 **GAME MAMMAL AND GAME BIRD**
17 **CONTROLLED HUNT REGULATIONS**

18
19 **635-060-0000**

20 **Purpose and General Information**

21
22 1) The purpose of these rules is to describe the requirements and procedures for controlled hunts pursuant
23 to ORS 496.162.

24 (2) The documents entitled "2012-2013 [~~2011-2012~~] Oregon Game Bird Regulations", and "2012 Oregon
25 Big Game Regulations," are incorporated by reference into these rules. These documents are available at
26 hunting license agents and regional, district, and headquarters offices of the Oregon Department of Fish
27 and Wildlife.

28
29 [Publications: Publications referenced are available from the agency.]

30
31 Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162 Stats. Implemented: ORS 496.012, 496.138,
32 496.146 & 496.162