



AGENDA ITEM SUMMARY

BACKGROUND

The Burns Paiute Tribe is a federally recognized tribe of Northern Paiute Indians in Harney County. There are currently just over 400 enrolled tribal members. The Oregon Fish and Wildlife Commission (Commission) adopted permanent rules to provide the opportunity for ceremonial harvest of specific big game animals at the December 2018 meeting and has provided allowance for Burns Paiute Tribal members to fish for hatchery Chinook salmon released in the Malheur River using traditional methods as regulated by adopted tribal regulations.

PUBLIC INVOLVEMENT

Members of the public have had the opportunity to review the proposed rule change on the Department's website and provide comments. Interested parties may also provide public comment during the Commission meeting.

ISSUE 1:

Whether to amend the Burns Paiute Ceremonial Harvest Permits to include additional elk tags and extend season dates for all species.

ANALYSIS

OAR 635-043-0150 (3) establishes permits for the take of deer, elk, and pronghorn along with season dates and hunt area for ceremonial and cultural use by Burns Paiute Tribe members. The proposed rule amendment will provide for more elk hunting opportunity and extend the season dates through standard fall hunting seasons when tribal members have traditionally harvested the species. The Burns Paiute Tribe has been very communicative about their primary tribal use

period which was not included during the initial year of tag issuance, and their need for additional elk to meet their ceremonial and cultural use needs. Additionally, during the extended ceremonial permit season for elk, a restriction for using archery equipment only is included to prevent harvest with firearm during the elk rut when the non-tribal sport hunting season is restricted to archery equipment as well. The amended rules continue to allow the Burns Paiute Tribe to successfully harvest enough big game for ceremonial and cultural purposes during culturally significant periods.

The Department has other administrative rules that provide ceremonial tag opportunities for tribal members of federally recognized tribes in Oregon. The harvest of these limited numbers of additional animals is not likely to have a discernable effect on big game populations in the region or impact tag opportunities for non-tribal hunters.

OPTIONS

1. Amend OAR 635-043-0150 to increase the number of ceremonial elk harvest permits for enrolled members of the Burns Paiute Tribe and extend the season dates for all species.
2. Modify the staff proposal.
3. No action.

ISSUE 2:

Whether to allow harvest of spring Chinook salmon in a specific segment of the Malheur River from June 1 to August 31.

ANALYSIS

Since 2016, the Department had been working with the Burns Paiute Tribe to release spring Chinook salmon into a section of the Malheur River. This experimental fishery has become a popular and important opportunity to the Burns Paiute Tribe so that they can exercise their traditional and ceremonial fishing methods. In previous years, this fishery was authorized under temporary rules. This modification of OAR 635-21-0090 found in Attachment 3 will formalize this ongoing experimental fishery in the Malheur River with the Burns Paiute Tribe.

OPTIONS

1. Amend OAR 635-21-0090 to allow for the harvest of spring Chinook salmon in a section of the Malheur River from June 1-August 31.
2. Modify the staff proposal.
3. No action.

STAFF RECOMMENDATION

Issue 1: Option 1.

Issue 2: Option 1.

DRAFT MOTION:

I move to amend OAR Chapter 635, Divisions 043 and 021 for ceremonial hunting and fishing opportunities by the Burns Paiute Tribes as proposed by staff.

Effective Date: *Upon Filing*