

OFFICE OF THE SECRETARY OF STATE
TOBIAS READ
SECRETARY OF STATE

MICHAEL KAPLAN
DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION
DFW 94-2025
CHAPTER 635
DEPARTMENT OF FISH AND WILDLIFE

FILED
10/02/2025 3:33 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Authorize Sales for Columbia River Treaty Commercial Fall Gillnet Fishery

EFFECTIVE DATE: 10/06/2025 THROUGH 12/31/2025

AGENCY APPROVED DATE: 10/02/2025

CONTACT: Linda Spansel
503-947-6233
linda.d.spansel@odfw.oregon.gov

4034 Fairview Industrial Dr SE
Salem, OR 97302

Filed By:
Linda Spansel
Rules Coordinator

NEED FOR THE RULE(S):

Inseason monitoring indicates this fishery is within allowable harvest levels. Therefore, this rule is needed to authorize sales of fish caught in this Columbia River Zone 6 Treaty commercial gillnet fishery to state-licensed buyers.

JUSTIFICATION OF TEMPORARY FILING:

There is insufficient time to initiate the permanent rulemaking process to authorize sales for these Tribal fishing periods by the specified date and time.

Fisheries are managed to provide opportunity for recreational, commercial, and treaty fisheries while meeting species or stock-specific allocations while remaining within ESA guidelines.

Failure to adopt this rule would deny Tribal fishers the opportunity to harvest then sell their share of this valuable resource in Oregon.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

1. COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION; JOINT STAFF REPORT - FALL FACT SHEET NO. 6a; Columbia River Compact/Joint State Hearing; Dated October 1, 2025.
2. Columbia River Fishery Notice; Oregon Department of Fish and Wildlife; Dated October 1, 2025.

A copy of the rules and the other documents relied upon for this rulemaking [the above document(s)] are available from the Oregon Department of Fish and Wildlife, Fish Division, 4034 Fairview Industrial Drive SE, Salem, Oregon 97302-1142. Contact Linda Spansel at 503-947-6233 or linda.d.spansel@odfw.oregon.gov to view by appointment between the hours of 8:00 a.m. and 4:00 p.m., on normal working days, Monday through Friday.

AMEND: 635-041-0075

SUSPEND: Temporary 635-041-0075 from DFW 92-2025

RULE TITLE: Fall Salmon Season

RULE SUMMARY: These amended rules authorize the sales of fish caught in the Zone 6 treaty commercial gillnet

fishery. The open fishing periods are from 6 a.m. October 6 through 6 p.m. October 9 and 6 a.m. October 13 through 6 p.m. October 16.

Modifications are consistent with actions taken by the Departments of Fish and Wildlife for the States of Oregon and Washington at a Columbia River Compact hearing on October 1.

RULE TEXT:

(1) Salmon (all species), steelhead, shad, yellow perch, bass, catfish, carp, and walleye may be sold commercially or retained for subsistence purposes from the Zone 6 area of the mainstem Columbia River as follows:

(a) Effective 12:01 a.m. August 1 through 6:00 p.m. December 31, in the platform and hook-and-line fishery with gear restricted to hoop nets/bag nets, dip nets, and rod and reel with hook and line.

(b) The treaty Indian Columbia River gillnet fishery in Zone 6 is open as follows:

(A) Gear is restricted to set and drift gillnets with an 8-inch minimum mesh size.

(B) Standard sanctuaries applicable to gillnet gear are in effect including the Spring Creek Hatchery sanctuary as described in OAR 635-041-0045(11).

(C) The open fishing periods are as follows:

(i) 6:00 a.m. October 6 through 6:00 p.m. October 9; and

(ii) 6:00 a.m. October 13 through 6:00 p.m. October 16.

(c) Sturgeon may not be sold. Sturgeon from 38 to 54 inches fork length in the Bonneville Pool and sturgeon from 43 to 54 inches fork length in The Dalles and John Day pools may be kept for subsistence purposes.

(2) Effective 12:01 a.m. August 1 until further notice, commercial sales of fish caught by enrolled Yakama Nation members in Yakama Nation tributary fisheries are open during those days and hours when these tributaries are open under lawfully-enacted Yakama Nation subsistence fishery regulations as follows:

(a) The Yakama Nation tributary fisheries include the Klickitat River, Wind River, and Drano Lake.

(b) Allowable sales include salmon (all species), steelhead, walleye, shad, catfish, carp, bass, and yellow perch.

(c) Sturgeon may not be sold. Sturgeon between 38-54 inches in fork length may be kept for subsistence purposes.

(d) Gear is restricted to subsistence fishing gear which includes hoop nets, bag nets, dip nets, and rod and reel with hook-and-line.

(3) Fish caught during any open period may be sold after the period concludes as long as the fish were landed during the open period.

STATUTORY/OTHER AUTHORITY: ORS 506.119

STATUTES/OTHER IMPLEMENTED: ORS 506.109, ORS 506.129, ORS 507.030