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NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 635

DEPARTMENT OF FISH AND WILDLIFE

FILED

07/26/2025 8:54 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Amend Regulations for the 2025 Salmon Season and Bag Limit in the Coquille River.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 09/12/2025 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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4034 Fairview Industrial Dr SE
Salem, OR 97302

Filed By:
Michelle Tate
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 09/12/2025

TIME: 8:00 AM - 5:00 PM

OFFICER: Michelle Tate

IN-PERSON HEARING DETAILS

ADDRESS: Four Rivers Cultural Center , 676 SW 5th Ave. , Ontario, OR 97914

SPECIAL INSTRUCTIONS:

This hearing will be conducted as a hybrid meeting providing an opportunity to give testimony either in person or virtually. Additional information regarding participation will be posted on our website at www.dfw.state.or.us/agency/commission/minutes/. The meeting can be viewed at www.youtube.com/user/IEODFW. Any changes to the meeting format (to virtual only if emergency arises) will be posted to our website as soon as possible.

NEED FOR THE RULE(S)

Consistent with ODFW's mission and conservation and management plans, data and information are reviewed regularly to understand what fishing opportunities may be provided, while assuring naturally-produced populations are conserved. Fishing is restricted when it is expected to negatively impact populations of concern and it is expanded when it is not expected to impact populations of concern. Data and information review and resulting management adjustments are also conducted for hatchery programs relative to naturally-produced populations and to ensure fisheries are managed to meet hatchery program needs and objectives.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

Staff report prepared for the Oregon Fish and Wildlife Commission hearing on 09/12/2025, including the presentation and all provided materials.

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.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The Department has solicited input from representatives of underrepresented communities likely to be affected on whether the proposed rule will have a fiscal impact on the community, the extent of the fiscal impact, and whether the rules will have significant impact on underrepresented communities. <https://www.dfw.state.or.us/OARs/index.asp>

FISCAL AND ECONOMIC IMPACT:

The rules are expected to result in minimal fiscal impacts, with the potential for localized economic impacts in regions affected by changes to angling opportunities.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) State agencies that could be affected by the amendments to salmon fishing regulations in the Coquille River include the Oregon Department of Fish and Wildlife (ODFW) and the Oregon State Police (OSP). ODFW impacts include fisheries management costs and license sales, while OSP impacts stem from monitoring and enforcement costs. The proposed amendments may result in an increase in salmon fishing opportunities on the Coquille River, which in turn could result in a minimal increase in fishery management and enforcement workloads. Overall, the proposed rule amendments are not expected to result in significant changes to current levels of costs for ODFW or for OSP. Any potential changes to ODFW revenues from license sales would depend substantially on changes to participation rates and purchases from the sport angling community.

Units of local government which could be affected by the amendments to salmon fishing regulations in the Coquille river include port authorities and county governments. Port authorities and county governments may experience costs and derive revenues related to the provision of moorage and other support facilities for sport fishing. We do not have precise information on how much the proposed amendments will affect the units of local government in a fiscal sense. We are not able to project the magnitude of the fiscal effects, because the data required to link allowable harvests and local government revenues and expenditures are not available.

The public is affected by rules relating to angling regulations. Rule amendments impacting angling opportunities could result in increased angler trips to the Coquille River. Additional angler trips would mean more spending by anglers, which can have positive impacts on local communities near fishing areas. The cumulative magnitude of these effects cannot be forecast with any precision because a variety of factors, such as run sizes, weather, gas prices, etc. determine the number of angler trips in any given year.

ODFW is investigating the supply and condition of coastal salmon stocks and the Commission may further amend this rule to address the time, place, manner, bag limits and other restrictions as it determines necessary to carry out the provisions of wildlife laws. As such, the precise fiscal and economic impacts of the proposed rule amendments are quantitatively indeterminate at this time.

Although amendments to angling regulations which restrict harvests can be viewed as reducing positive economic impacts in the short run, conservation through the regulation of seasons and other factors is intended to perpetuate Oregon's fishery resources at optimal levels in the long run. Failure to restrict harvests of fish to allow escapement for reproduction would result in severe adverse economic impacts in the future. Harvest regulations attempt to strike a balance, which will provide optimal angling opportunities subject to the need to sustain fish population levels and to maintain future benefits.

(2) (a) The types of businesses that may be indirectly affected are those that supply goods or services to anglers. These may include fishing guides, private marinas, food and beverage stores, gasoline stations, sporting goods stores, general merchandise stores, accommodation businesses, and food services and drinking places. Given that angling occurs in myriad locations where these regulations are applicable, the number of small businesses subject to the rule cannot be estimated.

(b) There are no projected reporting, recordkeeping, or other administrative activities required for compliance with these amendments.

(c) There are no projected equipment, supplies, labor, or increased administration costs required for compliance with these amendments.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses have not been directly involved in the development of the rules proposed to the Commission. We do not believe that a less intrusive or less costly alternative adaptation to only small businesses is consistent with the proposed rule. Opportunity for the public to provide input and recommendations will be provided at the September 12th, 2025, Commission Hearing.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

An Administrative Rule Advisory Committee was not consulted. The rules are believed to be fully compatible with legislative direction on the goals of fishery management in Oregon.

At the Commission Hearing, public correspondence and testimony will be accepted into the record as part of the rulemaking process.

AMEND: 635-016-0510

RULE SUMMARY: The Oregon Fish and Wildlife Commission (Commission) will review and consider permanent fishing regulations for 2025 salmon angling in the Coquille River (Mainstem from the Hwy 101 bridge upstream to the Hwy 42S bridge at Sturdivant Park. This is a scheduled process in response to annually changing or newly available information on salmon population or stock status, such as adult spawner and hatchery broodstock abundance or forecasts, environmental conditions, and last year's fisheries performance. Department staff has worked to ensure that the available data supports the proposed regulation changes consistent with conservation and management plans and

guidance (e.g., the Coastal Coho Conservation Plan [ODFW 2007] and the Coastal Multispecies Conservation and Management Plan [CMP; ODFW 2014]). If the staff proposed seasons are adopted by the Commission, the proposed rules modify existing fishing regulations that are referenced in the 2025 Oregon Sport Fishing Regulations and posted on the Department's MyODFW website for the Coquille River (Mainstem) within the SW zone.

The Commission may decide to adopt staff recommended proposed rules and rule amendments, or they may decide not to adopt the proposed rules, or they may amend one or more of the proposed rules.

CHANGES TO RULE:

635-016-0510

Coos-Coquille District

(1) The current annual Oregon Sport Fishing Regulations provide requirements for the Southwest Zone. However, additional regulations may be adopted in this rule division from time to time and to the extent of any inconsistency, they supersede the current annual Oregon Sport Fishing Regulations. The Department is investigating the supply and condition of coastal salmon stocks and the Commission may further amend this rule to address the time, place, manner, bag limits and other restrictions as it determines necessary to carry out the provisions of wildlife laws.¶

(2) Effective July 1 through December 31, the following regulations apply in the Coos River, Coos Bay, South Fork Coos River, and Millicoma mainstem:¶

(a) No more than ten adult wild Chinook salmon may be retained for the period in aggregate; and,¶

(b) From September 14 through October 10, ~~2024~~, the following regulations apply:¶

(A) The daily adult wild coho salmon bag limit is one fish in aggregate;¶

(B) No more than three adult wild coho salmon may be retained for the period in aggregate; and¶

(C) The daily wild jack coho salmon bag limit is one fish.¶

(3) Effective June 1 through October 31, the following regulations apply in the Coquille River (Mainstem), East Fork Coquille River, Middle Fork Coquille River, North Fork Coquille River, and in the South Fork Coquille River from the mouth upstream to the USFS boundary near Powers:¶

(a) Spears and spear guns may be used to harvest smallmouth bass; and¶

(b) Use of bait is allowed.¶

(4) Effective September 14 through October 15, ~~2024~~, the following regulations apply in the Coquille River from ~~the mouth~~ upstream to the Highway 42S bridge at Sturdivant Park:¶

(a) The daily adult wild coho salmon bag limit is one fish;¶

(b) No more than three adult wild coho salmon may be retained for the period; and¶

(c) The daily wild jack coho salmon bag limit is one fish.¶

(5) All other permanent rules for the Southwest Zone, as stated in the current annual Oregon Sport Fishing Regulations, remain in effect.

Statutory/Other Authority: ORS 496.138, ORS 496.146

Statutes/Other Implemented: ORS 496.162