



Oregon Fish and Wildlife Commission

Date: August 23, 1996

EXHIBIT

SUBJECT Lower Deschutes River Fish Management Plans - Administrative Rules

PRINCIPLE STAFF PERSON Chip Dale **PHONE:** 541-388-6363

COMMISSION ACTION REQUESTED

- Approval of Oregon Administrative Rules which reflect Commission direction at their July 26 hearing on the Lower Deschutes River Fish Management Plan




DOCUMENTS INCLUDED

1. Agenda Item Summary
2. Hearing Notice
3. Fiscal Impact Statement
4. Motion from July 26 Commission Meeting
5. Draft Oregon Administrative Rules
6. Written Comments - *if any received*
7. *Note: Complete copies of the Plan were mailed under separate cover*

RELATED STATUTES ORS 496.138, 496.146, 506.109, 506.119 and 506.129

RELATED RULES OAR Chapter 635, Division 500

Final and
Approved by:

Division Chief		Date August 6, 1996
Attorney General		Date Aug 7, 1996
Director		Date 8/9/96

Agenda Item Summary

BACKGROUND

- On July 26, 1996 the Fish and Wildlife Commission reviewed the Lower Deschutes River fish management plan. Department staff were directed to develop Oregon Administrative Rules which reflect policies and the objectives contained in the plans and preferred alternatives selected on July 26 by the Commission (See also Executive Summary).

PUBLIC INVOLVEMENT

- The draft plan was developed by ODFW with extensive input from the Confederated Tribes of the Warm Springs Reservation. ODFW actively sought input from resource management professionals and others who have special interest in the lower Deschutes River subbasin. A public hearing on the plan, and adoption of the preferred alternatives was held by the Fish and Wildlife Commission in Burns, Oregon on July 26, 1996.

TABLE 1

Do the enclosed Oregon Administrative Rules accurately reflect Commission direction regarding adoption of the Lower Deschutes River Fish Management plan.

ANALYSIS

- The content of the Lower Deschutes River Fish Management plan was reviewed with the Commission on July 26 and public comments received. The rules reflect the policies and objectives contained in this plan as presented and with the alternatives selected by the Commission on July 26.

OPTIONS

1. Adopt administrative rules as proposed by staff.
2. Amend rules after considering any additional written public testimony.
3. Postpone a decision to a later date.

STAFF RECOMMENDATION

Adopt administrative rules as proposed.

DRAFT NOTION

I have to adopt OAR 635-600-2000 through 635-600-2090 as proposed by staff which define fish management policies and objectives of the Lower Deschutes River.

EFFECTIVE DATE

September 1, 1996

NOTICE OF PROPOSED RULEMAKING HEARING

(Statement of Need and Fiscal Impact must accompany this form.)

Oregon Department of Fish and Wildlife

Fish Division

(AGENCY NAME)

(DIVISION)

OAR CHAPTER 635

DATE: 8-23-96 TIME: 8:00 a.m. LOCATION: Oregon Department of Fish and Wildlife Commission Room 2501 SW First Avenue Portland, OR 97201

HEARINGS OFFICER(s): STATUTORY AUTHORITY: ORS 496.138, 496.146, and 506.119; or OTHER AUTHORITY: STATUTES IMPLEMENTED: ORS 496.162, 506.109, and 506.129

ADOPT: New Rules

AMEND: OAR Chapter 635, Division 500

REPEAL:

RENUMBR TO: (Prior approval from Secretary of State REQUIRED)

AMEND & RENUMBR TO: (Prior approval from Secretary of State REQUIRED)

- This hearing notice is the initial notice given for this rulemaking action. This hearing was requested by interested persons after a previous rulemaking notice. Auxiliary aids for persons with disabilities are available upon advance request.

SUMMARY:

Adoption of rules which implement fish management policies and objectives of the Lower Deschutes River Fish Management Plan. The Commission will have reviewed the plan and have taken public testimony on the plan at their July 26, 1996, meeting.

LAST DATE FOR COMMENT: 8-23-96

RULES COORDINATOR: Jan Ragni (Agency)

ADDRESS: Oregon Department of Fish and Wildlife P. O. Box 59 Portland, OR 97207

TELEPHONE: (503) 872-5270, Ext. 5458

Interested persons may comment on the proposed rules orally or in writing at the hearing. Written comments will also be considered if received by the date indicated above.

Signature: [Handwritten Signature]

Date: July 15, 1996

STATEMENT OF NEED AND FISCAL IMPACT
Before the Fish and Wildlife Commission

Chapter No.

635

In the matter of adoption of new rules and amendment of OAR Chapter 635 Division 500, relating to Fish Management Plans))))))	Statutory Authority, Statement of Need, Principal Documents Relied Upon and Statement of Fiscal Impact
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1. Citation of statutory authority: ORS 496.138, 496.146, and 506.119
2. Statutes being implemented: ORS 496.162, 506.109, and 506.129
3. Need for the rules:

The rules are needed to implement policies and objectives which guide fisheries management for the next several years in the Lower Deschutes River.

4. Documents relied upon:
 - a. The draft Lower Deschutes River Fish Management Plan, dated June 1996.
 - b. Staff Report prepared for the July 26, 1996, Commission meeting.
 - c. Staff Report prepared for the August 23, 1996, Commission meeting.

The above documents are available for public inspection in the Department of Fish and Wildlife, Fish Division, Third Floor, 2501 SW 1st Avenue, Portland, Oregon, between 8:00 a.m. and 4:30 p.m., on normal working days, Monday through Friday.

5. Fiscal and economic impact:

See attached.

6. Advisory Committee Used: A public advisory group including representatives of angling organizations, conservation groups, and other interested citizens; as well as a Technical Advisory Committee consisting of scientists from federal and state agencies, industry and tribes.

If not, why:

July 15, 1996
Date

Burnell R. Bohn
Signature

Fiscal and Economic Impact Statement for the August 23, 1996 Hearing in the Matter of Rules
Relating to the Lower Deschutes River Fish Management Plan

Fiscal and economic impact: The proposed rules will affect state agencies, units of local government and the public, respectively, as discussed below:

A. The only state agency which should be affected by adoption of these rules is the Oregon Department of Fish and Wildlife. No significant changes from the current levels of the department's operations or expenditures are expected as a result of the adoption of these rules.

B. No units of local government are expected to be affected by these rules. No significant changes from the current levels of any local agencies' operations or expenditures are expected as a result of the adoption of these rules.

C. The public could be affected by the adoption of these rules: Among the provisions of the proposed plan are those that concern the level of escapement goals for wild fall chinook salmon and summer steelhead in the lower Deschutes River and certain tributaries. These provisions would be the most likely of any in the plan to have an effect on angler use and associated economic activity.

The economic impact of salmon and steelhead fishing in Central Zone rivers and streams was measured in the Oregon Angler Survey and Economic Study (1991)¹. The table below shows the average trip expenditures in the Central Zone per angler day for salmon and steelhead angling by nonresidents of the zone, and the associated effect on total (direct, indirect and induced) personal income in the zone. Nonresident anglers are a source of new money for the economy of the zone. About two and one-half as many angler days (salmon and steelhead angling in Central zone rivers/streams) are taken by nonresidents of the zone as by residents.

Table 1. Angler expenditure for Central Zone Salmon & Steelhead Fishing in Rivers and Streams

Species	Angler Residency	Area Expenditure	Impact on Personal Income in the Area
Salmon	Non-resident of zone	\$32.52	\$20.43
Steelhead	Non-resident of zone	\$53.26	\$43.46

These estimates can be viewed as the per angler day impact of salmon and steelhead fishing on the economy of the zone.

Individual businesses that cater to anglers may be affected by the choice among the alternative levels of escapement mentioned above. We don't have information available to us to predict quantitatively what these effects might be.

Some of the alternatives in the proposed rules relating to the Lower Deschutes Fish Management Plan can be viewed as reducing positive economic impacts, particularly 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. The proposed plan is intended to

¹ Oregon Angler Survey and Economic Study. 1991. Prepared for the Oregon Department of Fish and Wildlife by The Research Group, Corvallis, Oregon.

strike a balance which will provide optimal angling opportunity subject to the need to sustain naturally-producing fish population levels and to maintain future benefits.

The plan is written to be fully compatible with legislative direction on the goals of fish and wildlife management in Oregon.

All businesses affected by these rules are believed to be "small business."

**THIS IS A VERBATIM TRANSCRIPT OF THE JULY 26, 1996 COMMISSION ACTION
RELATED TO THE THE LOWER DESCHUTES FISH MANAGEMENT PLAN**

Chair Habberstad: I will close public testimony and bring it back to the Commission. I guess my sense is that at least the testimony we've had, unless the Commission has any different feeling, is that we don't have a lot of a dispute about the staff alternative on trout. And well, I haven't heard any a dispute about Lake management or warmwater fisheries management testimony with regard to that. So unless somebody has a specific concern with regard to those components... Well, does anyone have any specific concerns in regard to those components? There have heard a concern about hatchery management of summer run steelhead and so that's certainly something that I would want to obtain comment from Commission members on. Commissioner Feldner?

Commissioner Feldner: Well, I would certainly prefer to see both of those alternatives passed, passed along for future consideration.

Commissioner McLennan: I think so.

Chair Habberstad: I think we are but we're going to, there's going to be a preferred alternative and another alternative to invite comment. And I think what the staff is saying, what is the preferred alternative we are suggesting, an acceptable preferred alternative to put out to the public. We're not, we're not closing any alternative as I understand it by the direction we give to staff today. But I think it's incumbent upon us to give the public some idea of a, and maybe it's incumbent on us to say we don't have a preferred alternative. And a, we're pinned at final resolution. Chip, your comments.

Chip Dale: Chair Habberstad, thank you. I think what we're pursuing is just direction from the Commission, inclination regarding first all the adequacy of both any of the alternatives presented. But, also, just generally the direction for which administrative rules we should at least be developing to bring back next time; whether or not we finalize those specific ones or not.

Chair Habberstad: So, we're going to have to have a draft of administrative rules to be presented to us at the meeting where we adopt these. Go ahead Jeff, you have first one.

Commissioner Feldner: Well, a, I'll kick it off by saying I prefer the staff's preferred alternative.

Chair Habberstad: On each of the three issues?

Commissioner Feldner: One each of the three issues.

Chair Habberstad: Yes, yes.

Chair Habberstad: I would echo your sentiments, Jeff. I guess my real concern is that if I see one area where we could have real problems with the Tribe without its specific input from them, and totally understanding their position. If we were to say, OK, our preferred alternative is to close down a hatchery, with the importance to the Tribe of that fishery at Shears Falls and their perceived need to have access to those fish, I think we would be in a position very susceptible to negative comment from the Tribe, even though grant you, they could have been here today and visited with us. But that would be a step that I, my suspicion would be an immediate adverse reaction from the Tribe.

Commissioner McLennan: Mr. Chairman, is that the Round Butte Hatchery or the Warm Springs Hatchery?

Chair Habberstad: Well, either hatchery, either hatchery. They, that hoop fishery is very important to them and they are accessing those summer steelhead that go over Shears Falls in that platform fishery at Shears Falls, and I would be extremely reluctant to a put that out as a preferred alternative without at least having the Tribe tell us yea or nay, and my suspicion is it would be a sharp nay.

Commissioner McCracken: Well, Jeff, Commission Feldner's recommendation takes care of that doesn't it?

Chair Habberstad: It does. It does. We're adopting this, we're saying the preferred alternative to be and one that be would in the draft administrative rules would be to continue Round Butte Pelton Hatchery.

Chip Dale: Chair Habberstad, if I may. Hopefully we have reflected in those preferred alternatives the amount of coordination that we have exercised with the Tribal staff. This has been an ongoing co-management situation now for quite some time, in that those preferred alternatives are basically a culmination of co-management and coordination with the Tribes for quite some time and should basically reflect that. Albeit we don't have any written letter from the Fish and Wildlife Committee nor from the Tribal Council itself, it does reflect our basic ongoing working relationship with the Tribal staff and basically the fisheries management we have fairly closely agreed to.

Chair Habberstad: Commissioner Spencer.

Commissioner Spencer: Is it possible to get comment, or get something in writing from them in the next?

Chair Habberstad: I would hope at the time of the draft rules are presented for final consideration that we could of had we could have further input from appropriate Tribal representatives. Now steelhead.

Commissioner McLennan: With respect, I understand you're not at this time requesting an exemption. I would be very chary based on what I know now of our entertaining that concept. I, I hope for an ability to comply with the Wild Fish Policy, and I hope for continuing ability to deal with and eliminate, or at least reduce significantly, the problem of these off-list, a river strays, hatchery strays. To give up at this point, or to anticipate giving up at this point, is not something I would support. Further, I do think that the Oregon Trout represent, a suggestion with respect to setting the standard, respecting water rights, is a good suggestion and should be incorporated in our document.

Chair Habberstad: Maybe we can institute an upriver barging plan; just catch 'em and haul 'em on the Rogue 'till long. Third comment. OK, issue about, any of the chinook issues that you want to give specific direction to spring, fall. They, there has been a suggestion of closure of the Warm Springs Hatchery. That would be a declaration of World War III, in my mind, since they're the only the only wild fish manager we have for spring chinook entirely upon their upon their nation.

Commissioner McCracken: We may have the only army in the cane, too.

Chair Habberstad: Yes, that's right, that's right. A, any, any what have we missed? Is there anything any other anything else you want to inform them. I'd entertain a motion.

Commissioner McCracken: I will move that we affirm Alternative 2 in each of the three issues.

Commissioner Foster: I would second that.

Chair Habberstad: All right, the motion is that we would go forth with the draft administrative rule setting forth the staff recommended alternatives for the management plan. Any further discussion? All in favor, say aye, opposed nay

Chair Habberstad: aye.

Commissioner Foster: aye.

Commissioner Feldner: aye.

Commissioner McCracken: aye.

Commissioner McLennan: aye.

Commissioner Perry: aye.

Commissioner Spencer: aye.

Chair Habberstad: It's unanimous.

Vote: unanimous in favor. Motion carried.



OREGON ADMINISTRATIVE RULES

OREGON DEPARTMENT OF FISH AND WILDLIFE

LOWER DESCHUTES RIVER FISH MANAGEMENT

Policies and Objectives

Applicability

635-500-2000 OAR 635-500-2000 through 635-500-3070 apply to the Lower Deschutes River Subbasin of the Deschutes River. The lower Deschutes River Subbasin is defined as the Deschutes River from the Pelton Reregulating Dam downstream to the Columbia River and all waters within that drainage area. The Confederated Tribes of the Warm Springs Reservation of Oregon is the modern-day successor to the seven bands of Wasco and Sahaptin speaking Indians of the mid-Columbia area whose representatives were signatories to treaties which established fishing rights within areas of the Lower Deschutes River Subbasin. It is the intention of the Department of Fish and Wildlife to work cooperatively with the CTWS to implement these rules and to co-manage the fisheries of the Lower Deschutes subbasin for the benefit of the CTWS and the public.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Organization of rules



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635-500-2010 Administrative rules for the lower Deschutes River Subbasin are organized as follows:

- (1) OAR 635-500-2020 covers policies and objectives for habitat protection and restoration management in the lower Deschutes River and its tributaries.
- (2) OAR 635-500-2030 covers policies and objectives for fish management in Cascade Mountain Lakes in the lower Deschutes River Subbasin.
- (3) OAR 635-500-2040 covers policies and objectives for fish management in the small ponds with public access in the lower Deschutes River Subbasin.
- (4) OAR 635-500-2050 covers policies and objectives for fish management in Badger Lake in the high lakes and reservoirs of the lower Deschutes River Subbasin.
- (5) OAR 635-500-2060 covers policies and objectives for fish management in Clear Lake in the high lakes and reservoirs of the lower Deschutes River Subbasin.
- (6) OAR 635-500-2070 covers policies and objectives for fish management in Frog Lake in the high lakes and reservoirs of the lower Deschutes River Subbasin.
- (7) OAR 635-500-2080 covers policies and objectives for fish management in Olallie Lake in the high lakes and reservoirs of the lower Deschutes River Subbasin.
- (8) OAR 635-500-2090 covers policies and objectives for fish management in Pine Hollow Reservoir in the high lakes and reservoirs of the lower Deschutes River Subbasin.
- (9) OAR 635-500-3000 covers policies and objectives for fish management in Rock Creek Reservoir in the high lakes and reservoirs of the lower Deschutes River Subbasin.
- (10) OAR 635-500-3010 covers policies and objectives for trout, whitefish, and miscellaneous species fish management in the lower Deschutes River Subbasin.



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(11) OAR 635-500-3020 covers policies and objectives for indigenous species fish management in the lower Deschutes River Subbasin.

(12) OAR 635-500-3030 covers policies and objectives for summer steelhead management in the lower Deschutes River Subbasin.

(13) OAR 635-500-3040 covers policies and objectives for spring chinook salmon management in the lower Deschutes River Subbasin.

(14) OAR 635-500-3050 covers policies and objectives for fall chinook salmon management in the lower Deschutes River Subbasin.

(15) OAR 635-500-3060 covers policies and objectives for warmwater gamefish management in the lower Deschutes River Subbasin.

(16) OAR 635-500-3070 covers policies and objectives for public access to waters in the lower Deschutes River Subbasin.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Habitat Management

635-500-2020 Policies and objectives for habitat management in the lower Deschutes River Subbasin.

(1) Policies for habitat management throughout the lower Deschutes River Subbasin are:



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(a) Habitat protection and restoration shall be given priority over supplementation to reach natural fish production goals.

(2) The objectives for habitat improvement in the lower Deschutes River Subbasin are:

(a) Improve the quality and quantity of aquatic and riparian habitat;

(b) Establish and maintain instream water rights on all streams in the lower Deschutes River Subbasin which exhibit fish and wildlife values;

(c) Maintain or improve upland watershed conditions to sustain the long-term production of high quality water;

(d) Maintain or improve water quality in the lower Deschutes River and tributaries;

(e) Improve fish passage at manmade barriers within the lower Deschutes River Subbasin.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Cascade Mountain Lakes

635-500-2030 Policies and objectives for fish management in the Cascade Mountain Lakes of the lower Deschutes River Subbasin.

(1) Policies for fish management in the Cascade Mountain Lakes:

(a) Cascade Mountain lakes addressed in the lower Deschutes River Subbasin shall be managed for natural and hatchery production consistent with the Basic Yield (OAR 635-500-0115(4)) or Featured Species (OAR 635-500-0115(2)) management alternative for trout;



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(b) Hatchery rainbow, cutthroat and/or brook trout shall be periodically stocked into the lakes listed.

(2) Objectives for fish management in the Cascade Mountain Lakes:

(a) Provide diverse angling opportunities for trout in the Cascade Mountain lakes in the lower Deschutes River Subbasin;

(b) Minimize the impacts of hatchery trout on the production and genetic integrity of adjacent populations of wild trout;

(c) Manage Cascade Mountain lake fisheries consistent with management plans developed jointly with the United States Forestry Service and the Confederated Tribes of the Warm Springs Reservation.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Small Ponds With Public Access

635-500-2040 Policies and objectives for fish management in small ponds with public access in the lower Deschutes River Subbasin.

(1) Policies for fish management in small ponds with public access:

(a) Small ponds with public access containing warmwater gamefish shall be managed for warmwater fish consistent with the basic yield management alternative for warmwater fish (OAR 635-500-0055(1(d)));



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(b) Small ponds with public access containing trout shall be managed for hatchery production of trout consistent with the basic yield alternative for trout (OAR 635-500-0115(4));

(c) To protect native species and desired introduced species, other fish, including but not limited to, non-indigenous salmonids, smallmouth bass, spotted bass, yellow perch, channel catfish and all other members of the catfish family, muskellunge, walleye, northern pike, striped bass, hybrid bass, and koi shall not be approved for use in public or private waters covered by this plan;

(d) Only rainbow trout, largemouth bass, bluegill and black crappie from sources approved by the Oregon Department of Fish and Wildlife may be considered for introductions into private ponds in the lower Deschutes River Subbasin.

(2) Objectives for fish management in small ponds with public access:

(a) Provide angler opportunity for a consumptive fishery by stocking legal-sized or fingerling rainbow trout or warmwater gamefish in the ponds listed for the lower Deschutes River Subbasin.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Badger Lake

635-500-2050 Policies and objectives for fish management in Badger Lake in the lower Deschutes River Subbasin.

(1) Policies for fish management in Badger Lake:



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(a) Brook trout shall be managed for natural production consistent with the Basic Yield Management Alternative for trout (OAR 635-500-0115(4)). No hatchery brook trout shall be stocked;

(b) Rainbow trout shall be managed for hatchery production consistent with the Basic Yield Management Alternative for trout (OAR 635-500-0115(4)).

(2) Objectives for fish management in Badger Lake:

(a) Provide a diverse, consumptive angling opportunity for hatchery rainbow trout and naturally produced brook trout;

(b) Minimize impacts of hatchery trout stocked in Badger Lake on the production and genetic integrity of downstream populations of wild redband trout in Badger Creek and the White River system;

(c) Minimize annual lake level fluctuations associated with irrigation drawdown at Badger Lake.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Clear Lake

635-500-2060 Policies and objectives for fish management in Clear Lake in the lower Deschutes River Subbasin.

(1) Policies for fish management in Clear Lake:



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(a) Legal-sized rainbow trout shall be managed for hatchery production consistent with the intensive use management alternative for trout (OAR 635-500-0115(5));

(b) Hatchery brood rainbow trout shall also be managed for hatchery production consistent with the trophy fish management alternative for trout (OAR 635-500-0115(3));

(c) Brook trout shall be managed for natural production consistent with the Basic Yield Management Alternative for trout (OAR 635-500-0115(4)). No hatchery brook trout shall be stocked.

(2) Objectives for fish management in Clear Lake:

(a) Provide a diverse, consumptive angling opportunity for hatchery rainbow trout and naturally produced brook trout;

(b) Minimize impacts of hatchery trout stocked in Clear Lake on the production and genetic integrity of downstream populations of wild redband trout in Clear Creek and the White River system;

(c) Enhance fish habitat for adult cover and juvenile rearing;

(d) Minimize annual lake level fluctuations associated with irrigation drawdown at Clear Lake;

(e) Provide additional or improved boat access at Clear Lake during low water conditions.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Frog Lake

635-500-2070 Policies and objectives for fish management in Frog Lake in the lower Deschutes River Subbasin.



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(1) Policies for fish management in Frog Lake:

(a) Legal-sized rainbow trout shall be managed for hatchery production consistent with the intensive use management alternative (OAR 635-500-0115(5));

(b) Hatchery brood rainbow trout shall also be managed for hatchery production consistent with the trophy fish management alternative (OAR 635-500-0115(3)).

(2) Objectives for fish management in Frog Lake:

(a) Provide a diverse, consumptive angling opportunity for hatchery produced fish;

(b) Minimize impacts of hatchery trout stocked in Frog Lake on the production and genetic integrity of downstream populations of wild redband trout in Frog Creek and the White River system.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Olallie Lake

635-500-2080 Policies and objectives for fish management in Olallie Lake in the lower Deschutes River Subbasin.

(1) Policies for fish management in Olallie Lake:

(a) Legal-sized rainbow trout shall be managed for hatchery production consistent with the intensive use management alternative (OAR 635-500-0115(5));

(b) Brood rainbow trout shall also be managed for hatchery production consistent with the trophy fish management alternative (OAR 635-500-0115(3)).



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(2) Objectives for fish management in Olallie Lake:

(a) Provide a diverse, consumptive angling opportunity for hatchery produced fish;

(b) Minimize impacts of hatchery trout stocked in Olallie Lake on the production and genetic integrity of downstream populations of wild redband trout in the Warm Springs and lower Deschutes Rivers.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Pine Hollow Reservoir

635-500-2090 Policies and objectives for fish management in Pine Hollow Reservoir in the lower Deschutes River Subbasin.

(1) Policies for fish management in Pine Hollow Reservoir:

(a) Fingerling and legal-sized rainbow trout shall be managed for hatchery production consistent with the Basic Yield Management Alternative (OAR 635-500-0115(4));

(b) Illegally introduced largemouth bass, brown bullhead, and green sunfish shall be managed for natural production consistent with the Basic Yield Management Alternative for warmwater fish (OAR 635-500-0055(1(d)));

(c) Pine Hollow Reservoir shall be managed primarily for trout production.

(2) Objectives for fish management in Pine Hollow Reservoir:



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(a) Provide diverse, consumptive angling opportunity for hatchery trout and warmwater game fish;

(b) Minimize impacts of hatchery trout stocked in Pine Hollow Reservoir on the production and genetic integrity of downstream populations of wild redband trout in the White River system and lower Deschutes River.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Rock Creek Reservoir

635-500-3000 Policies and objectives for fish management in Rock Creek Reservoir in the lower Deschutes River Subbasin.

(1) Policies for fish management in Rock Creek Reservoir:

(a) Fingerling, legal-sized, and surplus brood rainbow trout shall be managed for hatchery production consistent with the Basic Yield Management Alternative (OAR 635-500-0115(4));

(b) Illegally introduced largemouth bass, brown bullhead and bluegill shall be managed for natural production consistent with the Basic Yield Management Alternative for warmwater game fish (OAR 635-500-0055(1(d)));

(c) Rock Creek Reservoir shall be managed primarily for trout production.

(2) Objectives for fish management in Rock Creek Reservoir:



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- (a) Provide a diverse, consumptive angling opportunity for hatchery trout and warmwater game fish;
- (b) Minimize impacts of hatchery trout stocked in Rock Creek Reservoir on the production and genetic integrity of wild redband trout populations above and below the reservoir;
- (c) Enhance fish habitat for adult production and juvenile rearing;
- (d) Minimize annual lake level fluctuations associated with irrigation drawdown at Rock Creek Reservoir;
- (e) Provide additional or improved boat access at Rock Creek Reservoir during low water conditions.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Trout, Whitefish and Miscellaneous Species in Flowing Waters

635-500-3010 Policies and objectives for trout, whitefish and miscellaneous species in flowing waters fish management in the lower Deschutes River Subbasin.

(1) Policies for trout, whitefish and miscellaneous species in flowing waters fish management in the lower Deschutes River Subbasin:

(a) Wild rainbow and bull trout, whitefish and introduced brook trout shall be managed for natural production consistent with the Wild Fish alternative of Oregon's Trout Plan. No hatchery trout or whitefish shall be stocked in the lower Deschutes River and tributaries.



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(2) Objectives for trout, whitefish and miscellaneous species in flowing waters fish management in the lower Deschutes River Subbasin:

(a) Maintain the genetic diversity, adaptiveness, and abundance of the wild indigenous rainbow trout, bull trout, and mountain whitefish in the lower Deschutes River and in the tributaries of the lower Deschutes River;

(b) Provide the opportunity for consumptive harvest of wild trout in the lower Deschutes River Subbasin;

(c) Maintain a population of rainbow trout of 1,500 to 2,500 fish per mile larger than 8 inches in length in the lower Deschutes River from Pelton Reregulating Dam to Sherars Falls. Maintain a population of rainbow trout of 750 to 1,000 fish per mile larger than 8 inches in length in the lower Deschutes River below Sherars Falls;

(d) Maintain a population size distribution in the lower Deschutes River such that 30% of the population (fish >8 inches in length) is larger than 12 inches in length, as measured at the Jones study section, the Nena Creek study section and in a study section upstream from White Horse Rapids;

(e) Releases of hatchery reared salmonids into Lake Simtustus shall not impact indigenous species in the lower Deschutes River downstream from the Reregulating Dam.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96



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Indigenous Species

635-500-3020 Policies and objectives for indigenous species fish management in the lower Deschutes River Subbasin.

(1) Policies for indigenous species fish management in the lower Deschutes River

Subbasin:

(a) Manage all indigenous species of fish in the lower Deschutes River and its tributaries to sustain the tribal cultural and subsistence needs, while providing the structural, functional and biological requirements to insure ecosystem viability.

(2) Objectives for indigenous species fish management in the lower Deschutes River

Subbasin:

(a) Protect populations of all indigenous species of fish in the lower Deschutes River Subbasin.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Summer Steelhead

635-500-3030 Policies and objectives for summer steelhead fish management in the lower Deschutes River Subbasin.

(1) Policies for summer steelhead fish management in the lower Deschutes River Subbasin:

(a) Hatchery reared summer steelhead shall continue to be released in the lower Deschutes

River Subbasin;



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(b) Angler induced hooking mortality of wild lower Deschutes River summer steelhead shall be reduced or eliminated when estimated escapement levels of 1,000 wild summer steelhead or less over Sherars Falls occur for three consecutive years.

(2) Objectives for summer steelhead fish management in the lower Deschutes River

Subbasin:

(a) Maintain an estimated escapement of 6,575 wild adults over Sherars Falls annually;

(b) Provide a recreational fishery based on wild summer steelhead, out-of-Subbasin stray hatchery summer steelhead and lower Deschutes River origin hatchery summer steelhead returns.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Spring Chinook Salmon

635-500-3040 Policies and objectives for spring chinook salmon fish management in the lower Deschutes River Subbasin.

(1) Policies for spring chinook salmon fish management in the lower Deschutes River

Subbasin:

(a) The lower Deschutes River Subbasin shall be managed for wild and hatchery spring chinook salmon.

(2) Objectives for spring chinook salmon fish management in the lower Deschutes River

Subbasin:



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(a) Achieve a spawning escapement level between an optimum of 1,300 and a minimum of 1,000 adult wild spring chinook salmon above the barrier dam at Warm Springs National Fish Hatchery;

(b) Provide the opportunity to harvest wild spring chinook salmon when returns are greater than the optimum wild adult spawning escapement of 1,300 adults and Round Butte Hatchery and Warm Springs National Hatchery origin spring chinook salmon that are excess to brood stock needs;

(c) Increase harvest opportunity of hatchery spring chinook salmon within existing hatchery production levels.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Fall Chinook Salmon

635-500-3050 Policies and objectives for fall chinook salmon fish management in the lower Deschutes River Subbasin.

(1) Policies for fall chinook salmon fish management in the lower Deschutes River Subbasin:

(a) No hatchery fall chinook salmon shall be released into the lower Deschutes River and its tributaries.

(2) Objectives for fall chinook salmon fish management in the lower Deschutes River Subbasin:



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(a) Achieve a minimum annual spawning escapement of 3,000 adult fall chinook in the lower Deschutes River;

(b) Provide the opportunity to harvest wild fall chinook when the return is greater than the minimum spawning escapement objective of 3,000 adults.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Warmwater Gamefish

635-500-3060 Policies and objectives for warmwater gamefish management in the lower Deschutes River Subbasin.

(1) Policies for warmwater gamefish management in the lower Deschutes River Subbasin:

(a) Warmwater fish in the lower Deschutes River Subbasin shall be managed for natural production consistent with the Basin Yield Management Alternative for warmwater fish (OAR 635-500-0055 (1(d)));

(b) Largemouth bass, bluegill and black crappie are the only species of warmwater fish that shall be considered for introductions in small ponds within the Subbasin;

(c) To protect native species and desired introductions, such as largemouth bass, bluegill and black crappie, other species of exotic fish, including but not limited to smallmouth bass, spotted bass, yellow perch, channel catfish and all other members of the catfish family, walleye, northern pike, striped



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bass, muskellunge, hybrid bass, koi and grass carp shall not be approved for new introductions in public or private ponds in the lower Deschutes River Subbasin.

(2) Objectives for warmwater gamefish management in the lower Deschutes River

Subbasin:

(a) Promote warmwater fisheries as a recreational alternative in isolated waters in the lower Deschutes River Subbasin in locations that do not harm indigenous species;

(b) Minimize illegal introductions of undesirable warmwater species into the lower Deschutes River Subbasin;

(c) Regularly inventory public water bodies that support warmwater fish;

(d) Maintain or develop public access at water bodies managed for warmwater fisheries.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96

Public access

635-500-3070 Policies and objectives for public access management in the lower Deschutes River Subbasin.

(1) Policies for public access management in the lower Deschutes River Subbasin:

(a) The Oregon Department of Fish and Wildlife (ODFW) shall recognize other resource and recreation plans in effect in the lower Deschutes River Subbasin. ODFW shall work cooperatively with



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other agencies to maintain or increase boat access and shoreline angler access that will satisfy public need for a variety of angling opportunities and a dispersion of angling effort throughout the Subbasin;

(b) Acquisition and development of angler access sites shall be consistent with the guidelines and objectives for management of fish and their habitat;

(c) ODFW shall attempt to maintain public access at all existing public access sites in the White River system;

(d) ODFW shall pursue possible easements or land purchases to create new public access at key sites throughout the planning area, on a willing seller-willing buyer basis.

(2) Objectives for public access management in the lower Deschutes River Subbasin:

(a) Improve the distribution of people angling on the lower Deschutes River by supporting other agencies in the development of new parking areas and the improvement of designated launch sites and foot trails;

(b) ODFW shall continue to work with other agencies and landowners to both maintain existing public access sites and to develop new ones;

(c) ODFW shall not pursue increased public angling access to Buck Hollow, Bakeoven, or Trout creeks;

(d) ODFW shall work with other agencies and private landowners to develop new reservoirs or ponds, or public access to existing reservoirs and ponds for additional public angling opportunity.

Stat. Auth.: ORS 496.138, 496.146, and 506.119

Stats. Implemented: ORS 506.109 and 506.129

Hist.: Adopted 8-23-96, ef. 9-1-96