

Oregon Parks and Recreation Commission

November 17, 2021

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| Agenda Item: | 9c | Action |
| Topic: | Request to open rulemaking of OAR 736-010-0055 Park Resources to clarify hunting boundaries | |
| Presented by: | Helena Kesch | |

Background:

Hunting is permitted in several state parks within Oregon Department of Fish and Wildlife (ODFW) rules and regulations. Access to hunt on OPRD lands is provided in state parks where public safety is low risk and the activities meet agency wildlife goals.

The current rule specifies each area within a park that is open to hunting. For the Willamette River Greenway, some of those properties have changed management or are inaccurately described.

The proposed rule change will clarify hunting boundaries within state parks by referring to an OPRD hunting map that will be located on the agency website. The rule will direct people to adhere to ODFW rules and regulations when hunting on park properties.

Clarifying the hunting boundaries within this rule will help protect visitors and hunters alike. A hunting map will be created and made available on the agency website for hunters to refer to in identifying hunting boundaries at each park where hunting is available per this rule.

OPRD will convene a Rules Advisory Committee (RAC) to help inform the discussion around clarifying hunting boundaries within state parks. The RAC will include members of the hunting community that frequently hunt in permissible state park locations as well as conservationists. The RAC will also include ODFW, Oregon State Police Fish and Game Division and OPRD park managers and staff members to add expertise on the operational implication of this clarification. The committee will discuss clarifying hunting boundaries within state parks and the creation of an OPRD hunting map that will clearly identify hunting areas within park boundaries.

Prior Action by Commission: July 2013, Commission adopted rule broad rule changes to OAR 736 Division 10 that included minor amendments to hunting rules.

Action Requested: Staff requests approval to open rulemaking to amend OAR 736-010-0055 to clarify hunting boundaries within state parks and also refer hunters to OPRD's hunting map on the agency website. Hunters are required to comply with ODFW rules and regulations regarding hunting of game species.

Prepared by: Helena Kesch

Attachments: Attachment A marked copy

Chapter 736
Parks and Recreation Department

736-010-0055
Park Resources

(1) A person may not excavate, injure, disturb, destroy, alter or remove any archaeological, cultural, or historical site, object, or material from a park property, unless authorized by the director as defined in ORS 390.235 and OAR 736-051-0060 to 736-051-0080.

(2) A visitor may only conduct the following activities with the written permission of the director, manager, or designated park employee unless the activity is specifically allowed by other sections of this rule:

- (a) Dig up, or remove any sand, soil, rock, historical, or fossil materials;
- (b) Place, remove, roll, or move any stones, logs or other objects that may endanger a person or damage park resources;
- (c) Pick, cut, mutilate, trim, uproot, or remove any living vegetation;
- (d) Harass, disturb, pursue, injure or kill wildlife; or
- (e) Introduce or release animals onto the park property.

(3) A person may remove small quantities of natural materials from a park property for personal use without written permission of the department, but only if done in accordance with the following provisions:

- (a) Collection is done at a park property or portion of a park property at which the department has not specifically prohibited the removal of natural products either by location or time of year through the posting of signs, publishing of maps or brochures, or indicating on the state park website; and
- (b) Collection is for souvenirs that may serve as a reminder of a person's park visit and includes only a small quantity of agates and other rocks, driftwood, or similar non-living items collected for non-commercial, personal use.

(4) Notwithstanding section (2) or (3), a person must comply with existing state and federal rules and regulations concerning mining or the protection of public archeological features or artifacts on state and federal lands.

(5) Unless otherwise posted a person may gather for personal consumption berries, fruits, mushrooms, or similar edibles in quantities not to exceed ~~five-one~~ gallons per person per day.

(6) A person may not uproot living plants or collect roots, tubers, flowers, and stems except with written permission of the park manager or designated park employee and only for scientific collection or research purposes, or by a member of a federally recognized Oregon tribe for personal consumption as part of their traditional religious, medicinal, or other customary cultural heritage practices.

Driftwood may be taken in small amounts in accordance with OAR 736-026-0010.

(7) A person may only give or offer food items to wildlife within a park property when authorized by the park manager.

(8) Hunting is not allowed in any area closed by the director or designee for public safety or park resource protection purposes. The department shall post safety zone signs at designated park entrances.

~~(98) Discharging of firearms is prohibited in park properties except while A person or handler may only hunting and trapping ,pursue, trap, kill, injure, molest, or remove any wildlife or disturb their habitats within a park property _~~ under the following provisions:∴

(a) In compliance with Oregon Department of Fish and Wildlife (ODFW) hunting rules and regulations, and

(b) ~~(a)~~ In those park properties where hunting of game species and unprotected species and trapping is specifically allowed by this rule, but and

(c) Trapping is permitted only at Willamette Greenway parcels open to hunting with written authorization by the park manager, and

(d) Unprotected species can only be hunted during authorized hunting season, except as authorized by the park manager, and

(e) ~~In areas only~~ In areas identified on OPRD Hunting Map found at the department website.

(f) Hunting shall be permitted with shotguns or bows and arrows only during ODFW authorized seasons in designated parks. Refer to OPRD Hunting Map for location and details on game species permitted for hunting at each park location.

(g) Hunting shall be permitted with rifle in LaPine State Park only during ODFW authorized seasons. Refer to OPRD Hunting Map for location and details on game species permitted within the park.

~~(d) Hunting is not allowed in any area closed by the director or designee for public safety or park resource protection purposes. The department shall post safety zone signs at designated park entrances. in compliance with the rules and regulations of the Oregon Department of Fish and Wildlife. In ~~(d)~~ (e) Hunting waterfowl is allowed in a portion of the following park boundaries: parks that allow hunting in a portion of the boundaries include:-~~

(A) Benson State Recreation Area

(B) Bowers Rock State Park

(C) Elijah Bristow State Park

(D) Fort Stevens State Park

(E) Government Island State Recreation Area

(F) Mayer State Park

(G) Rooster Rock State Park

(H) Starvation Creek State Park

(I) Succor Creek State Park

(J) Grand Island in Yamhill County

(f) Hunting of game species and unprotected species is allowed in a portion of the following park boundaries:

(A) Willamette River Greenway

(B) Luckiamute State Natural Area

(C) Cottonwood Canyon State Park

(D) Deschutes River State Recreation Area

(E) LaPine State Recreation Area

~~(g) In those park areas where hunting is allowed, dogs being used for hunting game birds or unprotected wildlife or being trained for hunting or tracking shall be in the handler's control at all times. Dogs used for hunting shall be kept on a leash, except:~~

~~(A) While accompanied by and in control of a licensed hunter when being used to hunt game birds, including going to or coming from hunting locations;~~

~~(B) In a posted dog training area.~~

~~(e) While seasonally hunting waterfowl at the following park properties:~~

~~(A) Bowers Rock State Park;~~

~~(B) That portion of Elijah Bristow State Park located north of the main channel of the Middle Fork of the Willamette River;~~

~~(C) Portions of Fort Stevens State Park adjacent to Trestle Bay as posted;~~

~~(E) That portion of Government Island State Recreation Area including the perimeter of both Government and Lemon Islands, not above the mean high water mark as posted;~~

~~(F) That portion of Rooster Rock State Park which includes Sand Island as well as the bank which runs parallel to the south of the island, except during the special waterfowl hunting season which starts in September, as posted;~~

~~(G) That portion of Benson State Recreation Area at Dalton Point, north of I 84, starting 300' east of the boat ramp running to the eastern most tip of the property at river mile 134 as posted;~~

~~(H) That portion of Starvation Creek State Park, north of I 84, river mile 159.6 to 160.2 as posted;~~

~~(f) That portion of Mayer State Park including the entire Salisbury Slough area and the pond 800' Northwest of the boat ramp as posted.~~

~~(d) Seasonal hunting of game wildlife is allowed within Deschutes River State Recreational Area south of the stream gauge cable crossing line and parallel extensions of the cable crossing line to the east and west park boundaries.~~

~~(e) Seasonal hunting of deer, upland birds, and waterfowl is allowed within Luckiamute State Natural Area, except within 500 feet of parking lots and posted Safety Zones.~~

~~(fe) Seasonal hunting of deer is allowed in portions of La Pine State Recreation Area north of the east-west power line road, approximately one mile north of the campground booth.~~

~~(gf) Seasonal hunting of game wildlife and upland game birds is allowed on department property at Cottonwood Canyon State Park except:~~

~~(A) Hunting is not allowed within the 200 yard area surrounding the boat launch at the J.S. Burres site at Cottonwood Bridge, and~~

~~(B) Hunting is not allowed in any area closed by the director or designee for public safety or park resource protection purposes. The department will post such closures at designated park entrances.~~

~~(hg) Seasonal hunting of upland game birds is allowed in Succor Creek State Park, except within 500 feet of camping areas located near the Succor Creek Bridge and posted Safety Zones.~~

~~(i) Hunting is not allowed in any area closed by the director or designee for public safety or park resource protection purposes. The department will post Safety Zones signs around such areas.~~

~~(hj) Trapping is allowed only by special permit from the department in Bowers Rock State Park, Deschutes State Recreation Area, Elijah Bristow State Park, and Willamette Mission State Park.~~

~~(ki) Hunting is allowed permitted for deer, upland birds and waterfowl with shotguns or bows and arrows only, during authorized seasons in parks.all Willamette River Greenway on game species permitted for hunting at each park location parcels, except in those parcels described below, where all hunting is prohibited:~~

~~(h) OPRD Hunting Map will detail species open to hunting at each park location.~~

~~(A) Wapato Access (Virginia Lake), River Mile 17.0-18.0, Multnomah Channel, Right bank when facing downstream;~~

~~(B) Oswego Creek Outlet Access, River Mile 21.3, Main Channel, Left Bank when facing downstream;~~

~~(C) Merrell OPRD W07 (Mary S. Young State Park), River Mile 23.6, Main Channel, Left Bank when facing downstream;~~

~~(D) Willamette Shores, Inc. OPRD W07 (Mary S. Young State Park), Main Channel, River Mile 24.0, Main Channel, Left Bank when facing downstream;~~

~~(E) Rock Island Landing, River Mile 29.75-30.2, Main Channel, Left Bank when facing downstream; hunting prohibited due to lease agreement with METRO, a portion of the property is a designated State Natural Area Reserve under OAR 736-045-XXX and proximity to development~~

~~(FH) Coalea Landing, River Mile 30.67, Main Channel, Right Bank when facing downstream;~~

~~(GJ) Pete's Mountain Landing, River Mile 30.68, Main Channel, Left Bank when facing downstream;~~

~~(KH) Peach Cove Landing, River Mile 301.85, Main Channel, Left Bank when facing downstream;~~

~~(I) OPRD W12 River Mile 31.5, Main Channel, Left Bank when facing downstream;~~

~~(JL) OPRD W13, River Mile 312.80, SideMain Channel, Left Bank when facing downstream;~~

~~(KM) OPRD W15, River Mile 34.1, Main Channel, Left Bank when facing downstream;~~

~~(L) OPRD W16, River Mile 34.4, Main Channel, Left Bank when facing downstream;~~

~~(M) OPRD W17, River Mile 34.6, Main Channel, Left Bank when facing downstream;~~

~~(NN) Molalla River State Park, River Mmile 34.6–36.1, Main Channel, Right Bank when facing downstream NOTE: hunting is not allowed along the Molalla River within the park property.~~

~~(O) Molalla Landing, River Mile 35.5, Main Channel, Left Bank when facing downstream; hunting prohibited due to proximity of adjacent homes and small size~~

~~(OP) Willamette Meridian Landing, River Mile 37, Main Channel, Left Bank when facing downstream;~~

~~(PQ) French Prairie Access, River Mile 41.0, Main Channel, Right Bank when facing downstream;~~

~~(R) OPRD W22, River Mile 41.7, Main Channel, Left Bank when facing downstream;~~

~~(SQ) Parrett Mountain Access, River Mile 45.5–46.0, Main Channel, Left Bank when facing downstream;~~

~~(RT) Hess Creek Landing, River Mile 53, Main Channel, Left Bank when facing downstream;~~

~~(U) OPRD W26, River Mile 56.4, Main Channel, Left Bank when facing downstream;~~

~~(V) Spring Valley Access, River Mile 74.7, Main Channel, Left Bank when facing downstream;~~

~~(SW) Lincoln Access, River Mile 76.2–77.0, Main Channel, Left Bank when facing downstream;~~

~~(XT) Doak's Ferry Access, Mile 77.6, Main Channel, Left Bank when facing downstream;~~

~~(YU) Darrow Bar Access, River Mile 78.1, Main Channel, Left Bank when facing downstream; hunting prohibited due to developed trails, proximity to adjacent homes and small size;~~

~~(Z) Darrow Rocks Landing, River Mile 78.7, Main Channel, Left Bank when facing downstream; hunting prohibited due to small size;~~

~~(AA) McLane Island Landing, River Mile 82.8, Main Channel, Middle of River when facing downstream;~~

~~(WBB) Hall's Ferry Access, River Mile 91.3, Main Channel, Right Bank when facing downstream;~~

~~(CC) Springhill Access, River Mile 113.8, Main Channel, Left Bank when facing downstream;~~

~~(DD) OPRD W52, River Mile 119.9, Main Channel, Left Bank when facing downstream;~~

~~(EE) OPRD W53, River Mile 120.1, Main Channel, Left Bank when facing downstream;~~

~~(FF) OPRD W54, River Mile 120.3, Main Channel, Left Bank when facing downstream;~~

~~(GG) Truax Island Access, River Mile 128, Main Channel, Right Bank when facing downstream
(closed only for 500 feet west of parking area);~~

~~(HH) River Jetty Landing, River Mile 135.9, Main Channel, Left Bank when facing downstream;
hunting prohibited due to the fact that it is less than 3 acres above water, it is about 300 feet across,
and is within shooting distance of a Corvallis neighborhood;~~

~~(II) Browns Landing, River Mile 167.25, Main Channel, Left Bank when facing downstream;~~

~~(KK) Marshall Island Access (Banton), River Mile 168.7, Main Channel, Left Bank when facing
downstream;~~

~~(LL) Christensen Landing, River Mile 168.7, Main Channel, Right Bank when facing downstream;
hunting prohibited due to its size of less than 3 acres. Also, if you examine the properties that allow
hunting most of them are boat in only. Christensen has a road in and a boat ramp;~~

~~(MM) Glassbar Island: River Mile 187.2, Main Channel, Left Bank when facing downstream:-~~

~~(NN) Log Jam Landing, River Mile 194, Middle Fork, Left Bank when facing downstream;~~

~~(OO) Log Jam Access, River Mile 194.4-194.8, Middle Fork, Left Bank when facing downstream;~~

~~(ZPP) Jasper Bridge Access, River Mile 195.2, Middle Fork, Right Bank when facing downstream;~~

~~(AA) OPRD W52, River Mile 119.9, Main Channel, Left Bank when facing downstream;~~

~~(BB) OPRD W53, River Mile 120.1, Main Channel, Left Bank when facing downstream;~~

~~(CC) OPRD W54, River Mile 120.3, Main Channel, Left Bank when facing downstream;~~

~~(DD) Browns Landing, River Mile 167.25, Main Channel, Left Bank when facing downstream;~~

~~(EE) Truax Island Access, River Mile 128, Main Channel, Right Bank when facing downstream
(closed only for 500 feet west of parking area);~~

~~(FF) Marshall Island Access (Banton), River Mile 168.7, Main Channel, Left Bank when facing
downstream;~~

~~(GG) Log Jam Access, River Mile 194.4-194.8, Middle Fork, Left Bank when facing downstream;~~

~~(HHQQ) Pengra Access, River Mile 195-200.2, Middle Fork, Right Bank when facing downstream;~~

~~(HRR) Cougar Mountain Access, River Mile 15.5, Coast Fork, Right Bank when facing downstream;~~

~~(JJSS) Lynx Hollow Access, River Mile 16.5, Coast Fork, Left Bank when facing downstream;~~

~~(i) Glassbar Island: hunting prohibited due to its proximity to housing, the interstate, and the Eugene/Springfield UGB;~~

~~(j) Christensen Landing: hunting prohibited due to its size of less than 3 acres. Also, if you examine the properties that allow hunting most of them are boat in only. Christensen has a road in and a boat ramp;~~

~~(k) River Jetty (downstream parcel): hunting prohibited due to the fact that it is less than 3 acres above water, it is about 300 feet across, and is within shooting distance of a Corvallis neighborhood;~~

~~(l) Spring Valley: hunting prohibited due to designated trail development throughout the property and adjacent homes;~~

~~(m) Molalla Landing: hunting prohibited due to proximity of adjacent homes and small size;~~

~~(n) OPRD W26, W22, W17, W16, W12: hunting prohibited due to proximity to adjacent homes and small size. Some properties under lease with METRO; and~~

~~(o) Rock Island Landing: hunting prohibited due to lease agreement with METRO, a portion of the property is a designated State Natural Area Reserve under OAR 736-045-XXX and proximity to development~~

~~(p) Trapping is allowed only with written authorization from the department in the Willamette River Greenway parcels closed to hunting, as listed above. Trapping is allowed in all other Willamette River Greenway parcels.~~

~~(q) When hunting on those properties allowed by this rule hunters Hunters may not erect structures or blinds with the exception of portable blinds and tree stands that must be removed daily.~~

Statutory/Other Authority: ORS 390.124

Statutes/Other Implemented: ORS 390.111, 498.002, 498.006