

SILETZ HUNTING, FISHING, TRAPPING AND GATHERING PLAN

5/22/24

The following is the implementation plan (“Plan”) for the Memorandum of Agreement to Define Exercise of Hunting, Fishing, Trapping and Gathering of the Siletz Tribe and Its Members and Setting Out Principles of Cooperative Management of Wildlife Resources (“MOU”) between the Confederated Tribes of Siletz Indians (“Siletz”) and the State of Oregon by and through the Oregon Department of Fish and Wildlife (“ODFW” and collectively, “Parties”). This Plan does not alter, enlarge, diminish, or further define any rights or privilege outlined in the MOU. This Plan memorializes negotiated items agreed to by the Parties at their annual meeting held on April 25, 2024. This Plan remains effective until superseded by a subsequent version.

I. GEOGRAPHIC SCOPE OF AGREEMENT AND PLAN

This Plan shall be implemented across the same geographic scope outlined in the MOU. This includes the original Siletz Coast Reservation established by Executive Order on November 9, 1855. *See* 1 Kappler’s Indian Affairs: Law and Treaties 890-91 (GPO), as modified by the map attached to the MOU as Appendix A to include cohesive watersheds and other resource features which impact the wildlife resources within the original reservation area.

This area is described by ODFW in terms of its Wildlife Management Units, 14 (Trask), 17 (Stott Mountain), 18 (Alesa), and 20 (Siuslaw), and also includes the adjacent territorial sea areas claimed by Oregon where applicable (“Siletz Wildlife Management Units”).

II. HUNTING

This Plan includes tribal regulation of all species for which ODFW requires state licensees to have a hunting license and/or tag.

Tribal hunting seasons shall be as follows:

Elk:

- Bag Limit: 1 elk may be harvested between August 1 and December 31. Sex and weapon restrictions are as follows:
 - August 1 through day prior to start of ODFW early archery season: cow or spike elk; any legal weapon
 - ODFW early archery season: any elk; archery only
 - Day after end of ODFW early archery season through November 30: any elk; any legal weapon
 - December 1 through December 31: any bull elk; any legal weapon
- Antlerless elk controlled hunts in which ODFW issues a limited number of tags per hunt: see below

Deer:

- Bag Limit: 3 buck deer with a visible antler may be harvested between August 1 and December 31. Weapon restrictions are as follows:

- August 1 through day prior to start of ODFW early archery season: any legal weapon
- ODFW early archery season: archery only
- Day after end of ODFW early archery season through December 31: any legal weapon
- Antlerless deer controlled hunts in which ODFW issues a limited number of tags per hunt: see below

Bear:

- Bag Limit: 1 bear may be harvested between January 1 and December 31; any legal weapon
- No harvest of cubs less than one year old or sows with cubs less than one year old

With the exception of the elk, deer and bear regulations listed above, Siletz agrees to use hunting regulations substantially similar to those of ODFW, including regulations calling for mandatory checks and inspections of bears or bear parts and cougars or cougar parts, with the exception that Siletz Tribal member hunters, if issued a valid hunting tag, may give their tag to another licensed Siletz Tribal member to hunt for them without limitation, however, each Tribal member may have only two tags per species hunted in their possession at a time.

For hunts in which ODFW does not limit the number of tags issued, Siletz will also not limit the number of tags issued. For Controlled Hunts in which ODFW issues a limited number of tags per hunt, Siletz will issue 10% of the number ODFW makes available to state hunters; where Controlled Hunt tag numbers are calculated by ODFW based on a number of tags across all Wildlife Management Units, including those outside the scope of the MOU and this Plan, Siletz will issue 10% of the total number of state tags divided by number of total Wildlife Management Units included in the Controlled Hunt area, times the number of Siletz Wildlife Management Units in the Controlled Hunt area. Territorial Youth hunt 620T2 for antlerless deer will not be included in this Plan and Siletz will not issue specific regulations or tags for said hunt until a subsequent meeting with ODFW commences and the Parties agree to a Plan for said hunt.

III. GAME BIRDS

Siletz shall regulate hunting of game birds for itself and will require hunting licenses for all hunting of any species of game birds for which ODFW requires state game bird hunters to have a hunting license. Siletz shall observe the same game bird hunting seasons as ODFW and shall use the same bag limits as ODFW bag limits. Siletz Tribal members shall be required to obtain a federal waterfowl stamp when hunting goose, brant or duck (including merganser). Neither this Plan nor any Siletz regulations displace or substitute federal laws regarding hunting, fishing, or trapping generally.

IV. FISHING

Siletz shall regulate fishing for itself and will require fishing licenses for all fishing of any species of fish for which ODFW requires the state fishers to have a fishing license. Siletz shall observe the same fishing seasons as ODFW and shall use the same bag limits as ODFW bag limits.

Siletz agrees to use ODFW fishing regulations, including regulations regarding fishing method, except that Siletz will continue to use its three cultural fishing sites (Dewey Creek, Euchre Creek, Little Rock Creek) where fishing will be allowed using a spear, gaff hook or dip net. ODFW bag limits will not apply at these sites. Tribe may look at other tributary sites on its properties in the future.

V. TRAPPING

Siletz shall allow trapping for and regulate the trapping of all species which ODFW regulates the trapping of, with the exception that Siletz will not allow trapping of beaver or marten under its regulations. Siletz trapping regulations shall be identical to those of ODFW, including mandatory ODFW bobcat and river otter checks.

VI. GATHERING

Siletz shall allow gathering of and regulate the gathering of all species which ODFW regulates and allows the gathering of except that Siletz shall not allow the gathering of abalone, native oysters, or sea stars. Siletz allowable size limits and harvest methods shall be the same as those allowed by ODFW.

Siletz regulations of gathering shall allow Siletz Tribal members to harvest and gather clams, freshwater mussels, sand and mole crabs, kelp and sand worms, mud and ghost shrimp, and squid in any amount that can reasonably be gathered and used without waste. For all other species, including crayfish, sea anemones, Dungeness crab, red rock crab, European green crab, scallops, saltwater mussels, shrimp, urchins, snails, shore crabs, and octopus, Siletz Tribal members may gather and harvest two times the ODFW limits or what can reasonably be gathered and used without waste, whichever is less.

VII. CEREMONIAL HARVESTS

Siletz shall allow the ceremonial harvest and gathering of any species named in Sections II through VI above independent of regular ODFW seasons. Siletz will notify both ODFW and OSP when ceremonial harvest is anticipated outside of normal ODFW seasons. Advance notice will include who will be harvesting, where, what species, and during what time period.

VIII. STATE LICENSES AND TAGS

Siletz Tribal members may possess State hunting, fishing, trapping and gathering licenses and tags in addition to their Siletz Tribal tags and licenses. However, where there are federal limits on the number of animals that can be harvested by an individual, the Tribal member's total harvest of those animals may not exceed the State limits for those animals. This includes the following:

- Coastal rivers wild coho
- Salmon and steelhead caught in the Oregon Sport Fishing Regulations "Marine Zone"
- Pacific halibut, lingcod, General Marine Species, and flatfish as defined in Oregon Sport Fishing Marine Zone Regulations

Current regulations by zone, including any in-season changes, may be found at <https://myodfw.com/articles/oregon-fishing-hunting-regulations-and-updates>

IX. REPORTING

Siletz Tribal members must report all harvest to the Natural Resources Department by January 31 of each year and must turn in their completed Fish Harvest Tags by the same date. Failure to report harvest may result in denial of future hunting, fishing, trapping and gathering licenses, tags and permits.

Siletz shall provide ODFW with a detailed annual report summarizing the previous hunting, fishing, trapping and gathering seasons' harvest by Tribal members no later than April 15 of each year.

X. NOTICE AND COMMUNICATION

The Parties agree to keep in communication through the hunting, fishing, and gathering seasons so as to facilitate the cooperative implementation of this Plan. Contact information for the Parties' preferred points of contact are below:

TRIBE:

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This Plan may be amended by and through consultation and negotiation of the Parties subject to the terms and conditions of the MOU. This Plan is executed in good faith and cooperation between the Parties and effective immediately.