

Secretary of State

**NOTICE OF PROPOSED RULEMAKING HEARING\***

A Statement of Need and Fiscal Impact accompanies this form.

Oregon Department of Fish and Wildlife (ODFW) – Wildlife	635
Agency and Division	Administrative Rules Chapter Number

Casaria Tuttle	3406 Cherry Ave. NE, Salem, OR 97303	(503) 947-6033
Rules Coordinator	Address	Telephone

**RULE CAPTION**

Amendments to the Fern Ridge, Jewell Meadows and Wenaha Wildlife Area management plans

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

April 13, 2007	8:00 AM	3406 Cherry Ave N, Salem, OR 97303	Oregon Fish and Wildlife Commission
Hearing Date	Time	Location	Hearings Officer

Hearing Date	Time	Location	Hearings Officer
<i>Auxiliary aids for persons with disabilities are available upon advance request.</i>			

**RULEMAKING ACTION**

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

**ADOPT:**

AMEND: OAR Chapter 635, Division 008

**REPEAL:****RENUMBER:****AMEND & RENUMBER:**

Stat. Auth. : ORS 496.012, 496.138, 496.146, 496.992

Other Auth.:

Stats. Implemented: ORS 496.012, 496.138, 496.146, 496.992

**RULE SUMMARY**

Amendments to the Fern Ridge, Jewell Meadows and Wenaha Wildlife Area management plans, amendments will guide management activities for the next 10 years.

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

April 13, 2007

Last Day for Public Comment (Last day to submit written comments to the Rules Coordinator)



Michelle Tate

2/14/07

Signature

Printed name

Date

\*Hearing Notices published in the Oregon Bulletin must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, upon which the deadline is 5:00 pm the preceding workday. ARC 920-2005

**STATEMENT OF NEED AND FISCAL IMPACT**

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Oregon Department of Fish and Wildlife – Wildlife Division  
Agency and Division

635  
Administrative Rules Chapter Number

In the Matter of: Amendment of	)	Statutory Authority,
OAR Chapter 635, Division 008 in	)	Statutes Implemented,
regards to Fern Ridge, Jewell Meadows	)	Statement of Need,
and Wenaha Wildlife Area	)	Principal Documents Relied Upon,
Long Range Management Plans	)	Statement of Fiscal Impact
	)	
	)	

Amendments to Fern Ridge, Jewell Meadows and Wenaha Wildlife Area management plans

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Statutory Authority: ORS 496.012, 496.138, 496.146, 496.992

Other Authority:

Stats. Implemented: ORS 496.012, 496.138, 496.146, 496.992

Need for the Rule(s): The Department has initiated a review and update of its twelve wildlife area long range management plans. The purpose of the wildlife area management plans is to offer a comprehensive vision and action plan for the next ten years. The three proposed wildlife area plans currently under consideration Fern Ridge, Jewell Meadows and Wenaha Wildlife Areas.

Documents Relied Upon, and where they are available: Staff analysis, written and oral presentations presented by experts and public.

Fiscal and Economic Impact, including Statement of Cost of Compliance: See Attached

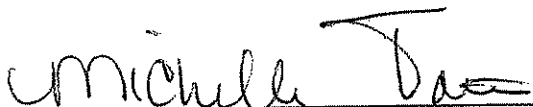
How were small businesses involved in the development of this rule?

Small businesses potentially impacted by these management plans were in many cases directly contacted by the wildlife area managers to urge their participation in the current review period. The public review process consisted of holding two public meetings per wildlife area, held at local venues. These meetings were announced via press releases sent to local radio and news outlets.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

The draft administrative rules were developed without a committee of interested or affected persons. The wildlife area managers and watershed district managers held informal meetings with key stakeholder and interest groups at the beginning of the management plan process, to ask for their participation. A total of seven formal public meetings were held through out the months of January and February 2007.

  
Signature

Michelle Tate  
Printed name

2-14-07  
Date

Fiscal and Economic Impact Statement for the April 13, 2007 Hearing in the Matter of Rules  
Relating to Long Range Wildlife Area Management Plans

Fiscal and economic impact: The Department has initiated a review and update of its twelve wildlife area long range management plans. The purpose of the wildlife area management plans is to offer a comprehensive vision and action plan for the next ten years. The three proposed wildlife area plans currently under consideration include the Fern Ridge, Wenaha and Jewell Meadows Wildlife Areas. The primary goals for each area are to provide habitat for fish and wildlife, and recreational and educational opportunities for the public.

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. Two of the three wildlife areas are funded through the Federal Aid to Wildlife Restoration Act (Pittman-Robertson) (75%) and hunting license receipts (25%). Annual funding for these wildlife areas recently has averaged approximately \$267,000 for the Fern Ridge Wildlife Area, \$216,000 for the Wenaha Wildlife area. The Jewell Meadows Wildlife Area has been funded (~\$200,000 annually) with Other Funds. Actions are identified for the life of the plan, but are subject to funding and personnel availability. Additional revenue would enhance planned actions and associated benefits to wildlife and the general public. Current funding will also need to increase during this period to maintain the status quo due to inflation and other factors. Therefore, no immediate changes from the current levels of the department's operations or expenditures are required 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: Significant levels of wildlife related activities and recreation occur in all three wildlife areas including hunting, wildlife viewing, and angling.

Estimated annual use days for general activity recreational categories in wildlife areas

Wildlife Area	Hunting	Angling	Viewing	Hiking	Other
Fern Ridge *	6,000		6,000		
Wenaha	1,300	4,000	2,000	1,000	22,000
Jewell Meadows	460	100	75,000	200	7,000

\*note: The U.S. Army Corps of Engineers estimates 800,000 visitor days annually to Fern Ridge Lake. A large percentage of these visitors are believed to receive benefits from direct access or proximity to the wildlife area.

The economic impact of these activities depends primarily on direct expenditures by participants for equipment, and services provided by restaurants, hotels, food stores and outfitters. These effects are best measured by estimating the number of days in the field, expenditures per day, and the associated effects on personal income (wages and salaries). Through the "multiplier process", economic activity and personal income in the general economy near the wildlife area and the entire state are affected positively. In addition, public benefits are gained directly through the satisfaction derived by participating in the activity. This is defined as the recreational value, the level of net benefits in excess of the costs required to participate in a given activity.

Estimates of expenditures, personal income and value by activity and wildlife area are not available. However, statewide general estimates indicate that economic impacts are likely to be

significant, especially for rural communities adjacent to these areas. Residents from adjacent communities also benefit directly from these areas. The recreational values associated with participation in these activities are often revealed in choices related to where people decide to live and their overall quality of life.

Commercial activities related to forestry, farming, grazing and trapping also provide economic benefits to local communities. Although these activities may not be as extensive or on the same scale as those occurring on private and federal lands, they can be important to individuals and the community.

Since no specific proposals are made that would directly affect commercial uses, no significant economic impacts are anticipated. Actions to conserve and enhance wildlife may increase recreational use and related benefits.

The plans are written to be fully compatible with legislative direction on the goals of wildlife management in Oregon.

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

We do not believe that a less intrusive or less costly alternative adaptation to only small business is consistent with the purpose of the rule.