

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 Division		635
Agency and Division		Administrative Rules Chapter Number
Teri Kucera	3406 Cherry Ave N Salem, OR 9730	(503) 947-6033
Rules Coordinator	Address	Telephone

RULE CAPTION

Amend Rules Relating to Wildlife Rehabilitation permits

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

June 2, 2011	1:00 PM	3406 Cherry Ave NE, Salem OR 97303	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 635-044, 056 and 435

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

Other Auth.:

Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222 & 498.242

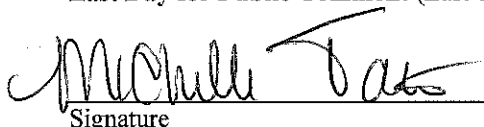
RULE SUMMARY

Review, update and amend rules relating to wildlife rehabilitation. Specific rule changes include but are not limited to: definition of terms; requirements and conditions; restricted species; department notification; disposition of wildlife; Federal Rehabilitation Permit; facility requirements; record keeping and reporting requirements; and cancellation or non renewal of permit.

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.

June 2, 2011

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



Michelle Tate

04/14/11

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 (ODFW) Wildlife Division

635

Agency and Division

Administrative Rules Chapter Number

Amend Rules Relating to Wildlife Rehabilitation Permits

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

In the Matter of: Wildlife Rehabilitation Permits
 Amendments of OAR Chapter 635,
 Division 044, 056, 435

) Statutory Authority,
) Statues Implemented,
) Statement of Need,
) Principal Documents Relied Upon,
) Statement of Emergency Justification

Statutory Authority: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222, 498.242

Other Authority:

Stats. Implemented: ORS 496.012, 496.138, 496.146, 497.298, 497.308, 497.312, 497.318, 498.022, 498.029, 498.052, 498.222, 498.242

Need for the Rule(s): The wildlife rehabilitation permit rules establish controls necessary to regulate wildlife rehabilitation. These amendments are needed because it is exceedingly difficult to provide clear, consistent standards for the public and law enforcement.

Documents Relied Upon, and where they are available:

Fiscal and Economic Impact:

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):
2. Cost of compliance effect on small business (ORS 183.336):
 - a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule:
 - b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:
 - c. Equipment, supplies, labor and increased administration required for compliance:

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

Administrative Rule Advisory Committee consulted?: No

If not, why?:

The department staff consulted with internal and external advisory groups consisting of scientific experts and current rehabilitation permit holders. The department also consulted with Oregon Department of Agriculture, US Fish and Wildlife Service, and district biologists in the development of these rules. Correspondence from and testimony by interested and affected persons has been considered in developing the administrative rules.


 Signature

Michelle Tate
 Printed name

04/14/11
 Date

Fiscal and Economic Impact Statement for the June 2, 2011 Amend Rules Relating to Wildlife Rehabilitation Permits

Fiscal and economic impact: Rule changes are being proposed to update existing rules to clarify the rules and procedures for new and existing rehabbers'.

A. The only state agencies that might be affected by adoption of these rules are the Department of Fish and Wildlife. No major changes from the current levels of these agencies' operations or expenditures are expected as a result of adoption of these particular 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 will not be affected by the adoption of these rules.

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

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.