

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
 A Statement of Need and Fiscal Impact accompanies this form

<p>FILED 6-12-14 3:23 PM ARCHIVES DIVISION SECRETARY OF STATE</p>

Department of Fish and Wildlife	635
Agency and Division	Administrative Rules Chapter Number
Therese Kucera	(503) 947-6033
Rules Coordinator	Telephone
Department of Fish and Wildlife, 4034 Fairview Industrial Dr. SE, Salem, OR 97302	
Address	

RULE CAPTION

Amend Rules Pertaining to ODFW Lands

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

Hearing Date	Time	Location	Hearings Officer
8-1-14	8:00 a.m.	4034 Fairview Industrial Dr SE, Salem, OR 97304	Oregon Department of Fish

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

OAR Chapter 635, Divisions 008 and 065

REPEAL:

RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

ORS 496.012, ORS 496.138, ORS 496.146, ORS 496.162

Other Authority:

Statutes Implemented:

ORS 496.012, ORS 496.138, ORS 496.146, ORS 496.162

RULE SUMMARY

Amend Rules to Update and Consolidate Rules Pertaining to ODFW Lands

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

08-01-2014 Close of Hearing	Therese Kucera	Teri.Kucera@state.or.us
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
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Department of Fish and Wildlife
Agency and Division

635
Administrative Rules Chapter Number

Amend Rules Pertaining to ODFW Lands

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

In the Matter of:

Amendment of OAR Chapter 635, Divisions 008 and 065, related to ODFW Lands

Statutory Authority:

ORS 496.012, ORS 496.138, ORS 496.146, ORS 496.162

Other Authority:

Statutes Implemented:

ORS 496.012, ORS 496.138, ORS 496.146, ORS 496.162

Need for the Rule(s):

Currently, land rules are listed in two divisions (Division 08 and Division 065). These amendments will update and consolidate rules pertaining to ODFW lands to make the rules more transparent and easier for public to understand.

Documents Relied Upon, and where they are available:

Draft rules are available from the division's rules coordinator, located at 4034 Fairview Industrial Drive, SE, Salem, Or 97302. Rules are also on the ODFW website at <http://www.dfw.state.or.us/OARs/index.asp>.

Fiscal and Economic Impact:

Rules are proposed to consolidate and clarify regulations for Oregon Department of Fish & Wildlife Lands, which are mostly Wildlife Areas. The standard regulations will be found in one place (Division 008) rather than in many and all references to the regulations will be based on the language found in Division 008.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

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

A. State agencies which could be affected by proposed rules are the Oregon Department of Fish and Wildlife (ODFW) for parking permit sales revenue and the Oregon State Police for enforcement costs. The consolidation and clarification of ODFW Lands regulations would likely be a small benefit to some ODFW staff and some OSP troopers when doing their daily work. Overall, the rule changes are not expected to have significant effects on the levels of costs or revenues for either ODFW or OSP.

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 these particular rules.

C. The public would be affected by proposed rules consolidating the ODFW lands regulations in one place. The change will reduce confusion regarding regulations and make accessing the regulations more convenient for the public.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

The types of business affected by the rule are those that supply goods or services to users of ODFW lands, most of which are Wildlife Areas. These users may be hunters, anglers, wildlife watchers, or general recreationists. Services may include food and beverage stores, gasoline stations, sporting goods stores, general merchandise stores, accommodation businesses, food services and drinking places. ODFW lands are located in many places throughout the state and thus the number of small businesses affected by the rule cannot be estimated.

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.

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

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

None expected.

c. Equipment, supplies, labor and increased administration required for compliance:

None expected.

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

Not applicable.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

The draft administrative rules were developed without a rule advisory committee. However, staff consulted with other departments regarding the amendment of the rules to adopt a consistent method for listing ODFW land rules.

<u>08-01-2014 Close of Hearing</u>	<u>Therese Kucera</u>	<u>Teri.Kucera@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address