

Secretary of State

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

In the Matter of Amendment of Rules:)	Statutory Authority,
OAR 635 Division 008;)	Statutes Implemented,
Relating to St. Louis Ponds)	Principal Documents Relied Upon
)	Statement of Fiscal Impact

Amend rules to allow angling from personal float tubes on specified St Louis Ponds

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

Statutory Authority: ORS 496.138, 496.146 & 496.162

Other Authority:

Stats. Implemented: ORS 496.138, 496.146 & 496.162

Need for the Rule(s):

In September of 2008, the 2009 Oregon Sport Fishing Regulations were adopted by the Fish and Wildlife Commission. A rule change was adopted for St. Louis Ponds that allowed angling from a personal float tube on all St. Louis ponds with the exception of ponds 1 and 3.

OAR 635-008-0145(2)(b), St. Louis Ponds: Marion County, prohibit use of any floating craft on any of the St. Louis Ponds it is therefore necessary to amend this rule to reflect the adopted 2009 Oregon Sport Fishing Regulation.

Documents Relied Upon, and where they are available:

1. Staff report prepared for Oregon Fish and Wildlife Commission meeting of September 12, 2008.
2. Staff report prepared for Oregon Fish and Wildlife Commission meeting of August 8, 2008.
3. Summary of Proposals for the 2009 Angling Regulations.

The above documents are available for public inspection in the Department of Fish and Wildlife, Fish Division, Third Floor, 3406 Cherry Avenue NE, Salem, Oregon, between 8:00 a.m. and 4:00 p.m., on normal working days, Monday through Friday.


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

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

Administrative Rule Advisory Committee consulted?: No

If not, why?:

The public involvement process began in late 2007 to develop the 2009 Oregon Sport Fishing Regulations. Department staff and Oregon State Police Officers began drafting proposed changes. Members of the public were invited to submit their proposals throughout 2007 and early 2008. More than 330 proposed regulation changes, including 265 submitted by members of the public, were considered by a 10 member review board comprised of representatives from ODFW working groups, task forces, the general public and one Fish and Wildlife Commission member. In addition, 11 public meetings were held throughout Oregon in May of 2008. Comments received at those public meetings were presented to the Oregon Fish and Wildlife Commission when it considers changes to the angling regulations at its August meeting in Salem.


Signature

Michelle Tate
Printed name

11/14/08
Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2005

Fiscal and Economic Impact Statement for the January 9, 2009 Hearing
in the Matter of Rules Relating to the Use of Float Tubes in the St. Louis Ponds

Fiscal and economic impact: Rule changes are being proposed to allow the use of float tubes in the St. Louis Ponds in all ponds except pond 1 and pond 3. The proposed rules will affect state agencies, units of local government and the public, respectively, as discussed below:

A. The only state agency that should be affected by adoption of these rules is the Oregon Department of Fish and Wildlife and the Oregon State Police for enforcement costs. No significant changes from the current levels of these agencies' operations or expenditures are expected 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: This rule change does allow an increase in opportunity for anglers to use float tubes. Information on the value of this additional opportunity is not available, but it is likely that the opportunity has some positive value to those who would choose to angle from float tubes.

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

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.