

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. NE, Salem, OR 97303	(503)947-6033
Rules Coordinator	Address	Telephone

RULE CAPTION

Rules regarding furbearer harvest, seasons and bag limits for the 2010-2011 and 2011-12 seasons

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

June 4, 2010	8:00 AM	3406 Cherry Ave NE 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, Divisions 043, 045, 048, 050, and 200

REPEAL:

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 496.012, 496.138, 496.146, 496.162

Other Auth.:

Stats. Implemented: ORS 496.012, 496.138, 496.146, 496.162

RULE SUMMARY

Amend rules regarding seasons and bag limits for the 2010-2011 and 2011-2012 furbearer harvest and pursuit seasons.

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 4, 2010

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

	Michelle Tate	April 15, 2010
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

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- Wildlife Division (ODFW)

635

Agency and Division

Administrative Rules Chapter Number

In the Matter of Amendment of Rules)	Statutory Authority,
Relating to Furbearer Harvest and Pursuit)	Statutes Implemented,
Seasons)	Statement of Need,
)	Principal Documents Relied Upon,
)	Statement of Fiscal Impact
)	
)	

Rules regarding furbearer harvest, seasons and bag limits for the 2010-2011 and 2011-2012 seasons

Statutory Authority: ORS 496.012, 496.138, 496.146, 496.162

Other Authority:

Stats. Implemented: ORS 496.012, 496.138, 496.146, 496.162

Need for the Rule(s):

This action is necessary to establish harvest and pursuit seasons for furbearers to maintain their numbers at optimum levels and provide optimum recreational and aesthetic benefits for citizens of this state.

Documents Relied Upon, and where they are available:

Census data, staff analysis, written and oral presentations by experts and the public.

The above documents are available for public inspection at the Department of Fish and Wildlife, Wildlife Division, Third Floor, 3406 Cherry Ave NE, Salem, OR 97303, 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? :

These Rules are amended biennially and reviewed annually to administer an existing program; interested and affected persons are generally aware of this rulemaking schedule.

Michelle Tate

April 15, 2010

Signature

Printed name:

Date

**Economic Impact Statement for the June 4, 2010 Hearing in the Matter of Rules
Relating to the 2010-2011 and 2011-2013 Furbearer Harvest and Pursuit Seasons**

Fiscal and economic impact: 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 rules relating to furbearer seasons are the Oregon Department of Fish and Wildlife (wildlife management costs) and the Oregon State Police (enforcement costs). However, no significant changes from the current levels of these agencies' operations or expenditures are expected as a result 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 agency's operations or expenditures are expected as a result of these particular rules.

c. The public is affected by rules relating to furbearer seasons. Various sectors of the public economy (trappers and their suppliers, purchasers of furs, livestock producers, and the general economy) will experience different impacts. The economic impact of possible changes in furbearer harvest rules depends primarily on the effects on (a) furbearer harvesters through changes in harvest levels, (b) livestock producers through changes in the level of predator control and (c) other parties through changes in predator control. An Oregon State University economic report by Gum and O'Connor (1987) contained a discussion of these effects that is still useful as background information.

In 2009, Oregon licensed 1,198 furtakers and 1,289 fur hunters. Estimated harvest levels and associated harvest revenues for 2008-09 are shown below. Updated information may be available before the July hearing date. (Skunk prices are not differentiated for striped and spotted skunk and bobcat are not differentiated for Eastern and Western Oregon harvest.)

Oregon Furbearer Harvest Estimates 2008-09			
Species	Harvest Level (2008-2009)	Average Price	Revenues
Badger	185	\$18.34	\$3,393.52
Beaver	2,545	\$16.54	\$42,102.78
Bobcat	2,344	\$134.18	\$314,517.92
Coyote	4,118	\$15.16	\$62,442.61
Weasel	25	\$2.50	\$62.58
Grey Fox	612	\$17.38	\$10,634.52
Red Fox	157	\$18.21	\$2,858.45
Marten	128	\$30.96	\$3,962.88
Mink	380	\$8.89	\$3,376.93
Muskrat	5,236	\$3.20	\$16,755.20
Nutria	3,199	\$1.69	\$5,406.31
Otter	365	\$51.05	\$18,633.25
Opossum	584	\$1.29	\$753.36
Coon	2,848	\$7.99	\$22,755.52
Skunk	1082	\$5.36	\$5,795.91
TOTAL			\$513,451.74

At the time this statement was drafted, data from the most recent season and proposed rules had not been finalized. Therefore, it is not possible to determine if and to what degree furbearer harvesters and related sectors may be impacted.

We expect no significant changes in the level of predator harvest that could affect livestock producers.

Although the rules relating to wildlife regulations can be generally viewed as reducing positive economic impacts in the short run, conservation through the regulation of seasons and other factors is intended to conserve Oregon's natural resources at optimal levels in the long run. Failure to restrict harvests of furbearers to allow for adequate reproduction and growth would result in adverse economic effects in the future. The regulations attempt to strike a balance that will provide opportunities and associated benefits subject to the need to conserve these wildlife populations.

The rules are believed to be fully compatible with legislative direction on the goals of fish and 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.

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

Reference

1. Gum, Russell L. and Carl W. O'Connor. *Economic Value of the Fur Trapping Industry in Oregon*. Special Report 812. Oregon State University, Agricultural Experiment Station. September, 1987.