

## Agenda Item Summary

### BACKGROUND

The Oregon Department of Fish and Wildlife (department) manages sixteen major wildlife areas throughout the state. Most of these areas were purchased with federal Pittman-Robertson Act funds (an excise tax on arms and ammunition). The cost of operation and management of these wildlife areas continues to be predominantly borne by the hunting public. While hunting use days in Oregon have been decreasing over the decades, wildlife viewing and other non-hunting recreational activities have seen a dramatic increase, putting strain on wildlife area infrastructure and resources. The department is proposing to expand its successful Sauvie Island Wildlife Area parking permit program statewide so all visitors will contribute to the operation and maintenance of department wildlife areas.

Staff presented a draft Oregon Administrative Rule (OAR) to the Commission at the December 3<sup>rd</sup> hearing in Portland. After hearing public testimony and discussing the draft OAR among themselves, the Commission decided not to adopt the draft but instructed staff to revise several sections.

Staff has completed these revisions and will present the latest draft OAR to the Commission for potential adoption at the January 7<sup>th</sup> hearing in Salem.

### PUBLIC INVOLVEMENT

The public comment period has been extended to January 7, 2011. One written comment has been received as of December 22, 2010.

Beginning in 2011, the department's Information and Education Division will begin implementing a public outreach campaign. The goal of this outreach is to communicate the benefits of a statewide wildlife area parking permit program to all constituents and to encourage acceptance and support among the visiting public. Outreach components will include developing talking points, media notification, key stakeholder meetings and adding content to ODFW Visitor and Viewer webpages.

### ISSUE

Adopt the revised draft Wildlife Area Parking Permit Oregon Administrative Rule (OAR). The staff proposal would replace the existing Sauvie Island Parking Permit OAR effective January 1, 2012.

### ANALYSIS

#### **How Achieved:**

Beginning January 1, 2012, the department will expand the parking permit program, in a three-year phased approach, to include Sauvie Island, Denman, EE Wilson, Ladd Marsh, and Summer Lake wildlife areas.

On January 1, 2013, a permit will be required at an additional four wildlife areas (Klamath, Fern Ridge, White River, and Phillip W. Schneider).

On January 1, 2014, additional wildlife areas (Elkhorn, Columbia Basin

and Jewell Meadows) will be included.

The remaining wildlife areas (Bridge Cr., Riverside, Wenaha, and Lower Deschutes) are too remote for enforcement, have marginal wildlife viewing use or no parking and thus do not warrant inclusion in this program.

The department will review the parking permit program annually to identify implementation issues, compliance rates and assess the viability, and cost effectiveness of the program.

**General Rules:**

- The permit will cover all people traveling in the vehicle and the permit can be transferred to another vehicle.
- Permit requirement could be suspended for special events (Free Fishing Weekend, Outdoor Days, etc.).
- An annual permit will be free to hunters, with initial license purchase (general, combination or Sports Pac) - attached to the bottom of the license.
- Annual permit (a \$22.00 fee based annual permit) and daily permit (a \$7.00 fee based daily permit)
- Permits will be available through POS agents and ODFW's website.
- All access points and parking areas will be posted with recognizable program signs.

**Draft OAR Revisions:**

Following Commission instructions and to address concerns from public testimony, staff was instructed to amend several sections of the draft OAR. These revisions were also based on review of the draft OAR by Captain Jeff Samuels, Oregon State Police and William Cook, ODFW Legal Counsel. The revisions are shown in gray shading in Attachment 3.

These proposed revisions are as follows:

Section (4) was revised to specify that, effective January 2012, any hunting license would include a free annual parking permit.

Section (7) was revised to clarify that individuals arriving in private vehicles would not require a parking permit when addressing fire, health or safety emergencies.

Subsection (8)(b) was deleted in its entirety as a housekeeping matter, to remove language that duplicates and is inconsistent with subsection (8)(a).

Subsection (8)(c) was revised to change 'police' officer to 'peace' officer and 'notice' to the more accurate term 'citation'. Text was also added to allow enforcement capability to any individual authorized to enforce fish and wildlife laws.

Staff proposes that the Commission adopt the revised draft OAR which will expand the current Sauvie Island Parking Permit Program statewide, over a three year phased approach, beginning in January 2012.

**OPTIONS**

1. Approve staff recommendation.
2. Modify staff recommendation.
3. Reject staff recommendation.

**STAFF**

**RECOMMENDATION**

Option 1.

**DRAFT MOTION**

I move to adopt the Wildlife Area Parking Permit Program and amend OAR Chapter 635, Division 008, as proposed by staff.

**EFFECTIVE DATE**

Upon Filing