

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

Oregon Department of Fish and Wildlife, Fish division	635
Agency and Division	Administrative Rules Chapter Number
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Rules Coordinator	Telephone
3406 Cherry Avenue NE, Salem, OR 97303	
Address	

RULE CAPTION

Corrections to 2012 Oregon Sport Fishing Regulations

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

		Comfort Suites 1730 NW 9 th Street Corvallis, Oregon 97330	Oregon Fish and Wildlife Commission
March 9, 2012	08:00 a.m.		Hearings Officer
Hearing Date	Time	Location	

Auxiliary aids for persons with disabilities are available upon advance request.

RULEMAKING ACTION

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT: OAR Chapter 635, Divisions 017 & 018 as determined justified.

AMEND: OAR Chapter 635, Divisions 017 & 018 as determined justified.

REPEAL: OAR Chapter 635, Divisions 017 & 018 as determined justified.

RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 496.138, 496.146, 496.162, 497.121 and 506.119

Other Auth.:

Stats. Implemented: ORS 496.004, 496.009, 496.138, 496.146, 496.162 and 506.129

RULE SUMMARY

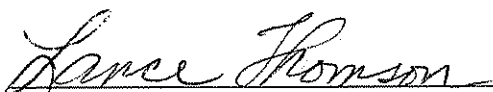
Amended rules correct unintended errors in 2012 Oregon Sport Fishing Regulations booklet.

Housekeeping and technical corrections to the regulations may occur to ensure rule consistency.

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.

March 9, 2012

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


Signature

Lance Thomson
Printed name

January 13, 2012
Date

*Rulemaking 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. A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Rulemaking Notice in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

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, Fish Division
Agency and Division

635

Administrative Rules Chapter Number

In the Matter of: Amendment of OAR Chapter 635, Divisions 017 & 018 relating to 2012 Sport Fishing Regulations.

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

Corrections to 2012 Oregon Sport Fishing Regulations.

Statutory Authority: ORS 496.138, 496.146, 496.162, 497.121 and 506.119

Other Authority:

Stats. Implemented: ORS 496.004, 496.009, 496.138, 496.146, 496.162 and 506.129

Need for the Rule(s):

These rule amendments are necessary to correct errors in the 2012 sport fishing regulations that became effective January 1, 2012 and to perform housekeeping and technical corrections to ensure rule consistency.

Documents Relied Upon, and where they are available:

1. Staff report prepared for Oregon Fish and Wildlife Commission meeting of March 9, 2012.

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?

Not involved.

Administrative Rule Advisory Committee consulted?: No.

If not, why?:

The proposed rule modifications correct unintended errors within rules already adopted by the Oregon Fish & Wildlife Commission in 2011 to be effective beginning January 1, 2012.


Signature

Lance Thomson
Printed name

January 13, 2012
Date

**Fiscal and Economic Impact Statement for the March 9, 2012
Hearing on Error Corrections to 2012 Sport Fishing Regulations**

Fiscal and economic impact: Amended rules are being proposed to correct errors in the *2012 Oregon Sport Fishing Regulations*. The season for steelhead angling in the Sandy River mainstem and tributaries upstream from ODFW markers at the mouth of Salmon River, including the Santiam River, will be amended from "open the entire year" to "open July 1 to August 31." Under special regulations for the Hood River Basin mainstem and tributaries not listed, a bullet allowing use of bait for salmon and steelhead and part of rule language "the confluence with the West Fork" in the previous bullet were inadvertently omitted and will be restored.

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

A. The only state agency that might be affected by adoption of these rules is the Oregon Department of Fish and Wildlife (ODFW). There are no additional costs to ODFW associated with these rule changes.

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. Temporary rules amending these errors were adopted in December 2011 and therefore the public's experience of the 2012 fishing season will not be impacted.

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.

Most businesses affected by this rule are believed to be "small businesses."