

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

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

Modify 2014-2016 Furbearer Trapping and Hunting Regulations
 Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
6-5-14	8:00 a.m.	4034 Fairview Industrial Dr SE, Salem, OR 97302	Oregon Fish and Wildlife
6-6-14	8:00 a.m.	4034 Fairview Industrial Dr SE, Salem, OR 97302	Oregon Fish and Wildlife

RULEMAKING ACTION

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

ADOPT:

AMEND:

OAR Chapter 635, Divisions 008, 043, 045, 048, 050 and 200

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, 496.138, 496.146 & 496.162

Other Authority:

Statutes Implemented:

ORS 496.012, 496.138, 496.146 & 496.162

RULE SUMMARY

Amend rules regarding seasons and bag limits for the 2014-2015 and 2015-2016 furbearer harvest and pursuit seasons and general furbearer trapping and hunting regulations.

NOTE:

Commission hearing dates for June are June 5 and 6, 2014 beginning at 8:00 a.m. Exhibits for the Wildlife Division are expected to be completed on June 5, 2014. However, should additional time be needed, the Commission reserves the right to carry over Wildlife Division exhibits on June 6, 2014

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.

06-05-2014 8:00 a.m. Therese Kucera Teri.Kucera@state.or.us
 Last Day (m/d/yyyy) and Time Rules Coordinator Name Email Address
 for public comment

FILED
 4-14-14 4:15 PM
 ARCHIVES DIVISION
 SECRETARY OF STATE

*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
A Notice of Proposed Rulemaking Hearing accompanies this form.

Department of Fish and Wildlife
Agency and Division

635
Administrative Rules Chapter Number

Modify 2014-2016 Furbearer Trapping and Hunting Regulations

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 Rules Relating to Furbearer Harvest and Pursuit Seasons and General Furbearer Trapping and Hunting Regulations

Statutory Authority:

ORS 496.012, 496.138, 496.146 & 496.162

Other Authority:

Statutes 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:

Oregon Administrative Rules, fur taker season results, staff analysis, written and oral presentations by experts and the public, 4034 Fairview Industrial Drive SE, Salem, OR 97302.

Fiscal and Economic Impact:

Furtaker licenses are required to trap and hunt furbearing mammals in Oregon. These include bobcat, muskrat, river otter, beaver, and raccoon, among others. Record cards are required to take western bobcat, eastern bobcat, and river otter. As of the writing of this fiscal impact statement, there are no proposed rule changes that would be expected to have a significant fiscal impact.

Statement of Cost of Compliance:

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

See attached

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:

See attached

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

See attached

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

See attached

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

Not Applicable

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. Department staff met with interested stakeholders and members of the public. Correspondence from and testimony by interested persons is accepted onto record and is part of the rulemaking process.

06-05-2014 8:00 a.m.
Last Day (m/d/yyyy) and Time
for public comment

Therese Kucera
Printed Name

Teri.Kucera@state.or.us
Email Address

FILED 4-14-14 4:15 PM ARCHIVES DIVISION SECRETARY OF STATE
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**Fiscal and Economic Impact Statement for the June 5, 2014 Hearing
In the Matter of Rules Relating to the 2014-15 and 2015-16 Furbearer Harvest
and Pursuit Seasons**

Furtaker licenses are required to trap and hunt furbearing mammals in Oregon. These include bobcat, muskrat, river otter, beaver, and raccoon, among others. Record cards are required to take western bobcat, eastern bobcat, and river otter. As of the writing of this fiscal impact statement, there are no proposed rule changes that would be expected to have a significant fiscal impact.

Statement of Cost of Compliance

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

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 agencies' operations or expenditures are expected as a result of the adoption of these 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.

Table 1 contains a summary of license sales and revenues for the for the 2012-13 furtaking season. Oregon licensed 1,138 furbearer hunters and 1,253 furtakers who can both trap and hunt. There were 2,737 record cards sold. Overall license revenues were about \$154,000.

Table 1. 2012-13 sales for furtaker and furbearer licenses in Oregon

License Type	#	Fee	Revenues
RESIDENT FUR TAKERS	1073	\$45	\$48,285
NON-RESIDENT FUR TAKERS	82	\$350	\$28,700
RES JUVENILE FUR TAKERS (UNDER 18)	98	\$15	\$1,470
W. BOBCAT RECORD CARD	810	\$20	\$16,200
E. BOBCAT RECORD CARD	1492	\$20	\$29,840
RIVER OTTER RECORD CARD	435	\$15	\$6,525
FUR BEARER (HUNTING ONLY)	1138	\$20	\$22,760
TOTAL			\$153,780

Estimated harvest levels in Table 2 are drawn from the 2012-2013 mandatory harvest report and include both trapping and hunting. These harvest numbers are considered “minimum” because the mandatory reporting does not have 100% compliance and thus the actual total harvest is underestimated. Under statute, species defined as predatory, such as beavers and coyotes, may be taken on private property without reporting. Therefore, the reported harvest of these species are likely underestimated (especially coyotes). The average pelt values are from the OTC 2013 Prineville fur sale results (OTC = Oregon Territorial Council on Furs). Harvest estimates and pelt values are multiplied to estimate the associated harvest revenues for 2012-13 furtaking season. Total revenues were about \$1.3 million.

Table 2. Estimated harvest and associated revenues for 2012-3 furtaking season

	Min. Harvest	Avg Pelt Value	Harvest Revenues
Badger	227	\$8.70	\$1,975
Beaver	2,631	\$16.68	\$43,885
Bobcat - Eastern OR	1,144	\$665.06	\$760,829
Bobcat - Western OR	502	\$158.47	\$79,552
Coyote	3,761	\$36.57	\$137,540
Grey Fox	557	\$36.17	\$20,147
Marten	70	\$66.90	\$4,683
Mink	381	\$97.90	\$37,300
Muskrat	12,670	\$9.97	\$126,320
Nutria	2,416	\$3.94	\$9,519
Opossum	566	\$2.26	\$1,279
Otter	466	\$70.01	\$32,625
Raccoon	1,586	\$9.22	\$14,623
Red Fox	238	\$56.09	\$13,349
Skunks	1,054	\$0.23	\$242
Total	28,269		\$1,283,867

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.

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

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

Businesses that buy pelts would be affected by the rules. The number of Oregon small businesses buying pelts is not known, though there were seven Oregon businesses that purchased pelts or antlers at the 2013 OTC 2013 Prineville fur sale, so that could serve as a lower bound estimate.

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.

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.

Reference

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.