

Secretary of State

NOTICE OF PROPOSED RULEMAKING HEARING*

A Statement of Need and Fiscal Impact accompanies this form

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ARCHIVES DIVISION
SECRETARY OF STATEDepartment of Fish and Wildlife

Agency and Division

635

Administrative Rules Chapter Number

Michelle Tate

(503) 947-6044

Rules Coordinator

Telephone

Department of Fish and Wildlife, 4034 Fairview Industrial Dr. SE, Salem, OR 97302

Address

RULE CAPTIONLimited Landowner Preference Tags for Mule Deer

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

Hearing Date	Time	Location	Hearings Officer
3-17-17	8:00 a.m.	Benton County Fairgrounds, 110 SW 53rd St, Corvallis, OR 97333	ODFW Commission

RULEMAKING ACTION

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

ADOPT:**AMEND:**

OAR 635, Division 075

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, 496.151 & 496.162

Other Authority:**Statutes Implemented:**

ORS 496.012, 496.138, 496.146, 496.151 & 496.162

RULE SUMMARY

Change the formula used to allocate Landowner Preference tags for mule deer in Wildlife Management Units where the mule deer population is below the population Management Objective.

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.

<u>03-17-2017 Close of Hearing</u>	<u>Michelle Tate</u>	<u>michelle.l.tate@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.

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Limited Landowner Preference Tags for Mule Deer

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

In the Matter of:

Rules Relating to: Chapter 635, Division 075, Limited Landowner Preference Tags for Mule Deer

Statutory Authority:

ORS 496.012, 496.138, 496.146, 496.151 & 496.162

Other Authority:

Statutes Implemented:

ORS 496.012, 496.138, 496.146, 496.151 & 496.162

Need for the Rule(s):

The purpose of these rules is to modify the procedures and requirements used to allocate landowner preference hunting tags for mule deer. Rule revision continues to implement HB 2027A whereby the 2013 Legislative Assembly authorized the Department, through the Commission, to specify a formula that bases the number of landowner preference tags available for mule deer on the management, research, and habitat needs set forth in the wildlife management plan for mule deer.

Documents Relied Upon, and where they are available:

Draft rules are available from the division's rules coordinator, located at 4034 Fairview Industrial Drive, SE; Salem, Or 97302. Rules are also on the ODFW website at <http://www.dfw.state.or.us/OARs/index.asp>.

Fiscal and Economic Impact:

The proposed rule is to change the formula used to allocate Landowner Preference tags for mule deer in Wildlife Managements Units where the mule deer population is below the population Management Objective. Fiscal and economic impacts discussed below pertain to the proposed rules at the time of the writing of this FIS.

Statement of Cost of Compliance:

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

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

- A. The only state agency that could be affected by these rules is the Oregon Department of Fish and Wildlife (wildlife management costs). The proposed rules are unlikely to change significantly the number of Landowner Preference tags allocated annually and therefore impacts to agency revenues from tag sales are not expected. Overall, no significant changes from the current levels of these agencies' operations or expenditures are expected as a result of adoption of these particular rules.
- B. No units of local government are affected by the proposed rules.
- C. The public is affected by the proposed rules. Adoption of these rules may result in a somewhat difference distribution of Landowner Preference tags for mule deer among participants in the Landowner Preference Program. However, it cannot be determined what that distribution will look like and thus impacts on individual participants in the Landowner Preference Program cannot be predicted. Overall, the number of Landowner Preference tags available is unlikely to change significantly and no aggregate impacts on Landowner Preference participants are anticipated.

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:

None

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

None

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

None

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

A work group was undertaken by Department to discuss potential adaptations to the allocation of mule deer tags through the landowner preference program. Work group included landowner representatives from ranch and farm businesses as well as membership representatives from Oregon Cattlemen's Association and Oregon Farm Bureau.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

A work group was undertaken by Department to discuss potential adaptations to the allocation of mule deer tags through the landowner preference program. Work group included landowner representatives from ranch and farm businesses as well as membership representatives from Oregon Cattlemen's Association and Oregon Farm Bureau.

<u>03-17-2017 Close of Hearing</u>	<u>Michelle Tate</u>	<u>michelle.l.tate@state.or.us</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address