

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 STATE

Department of Fish and Wildlife

Agency and Division

635

Administrative Rules Chapter Number

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Rules Coordinator

Telephone

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

Address

RULE CAPTIONAmend Rules for Issuing Leftover Limited Landowner Preference Tags

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

Hearing Date	Time	Location	Hearings Officer
4-21-17	8:00 a.m.	Running Y Ranch, 5500 Running Y Road, Klamath Falls, OR 97601	ODFW Commission

RULEMAKING ACTION

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

ADOPT:

635-075-0023

AMEND:

Chapter 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 & 496.162

Other Authority:**Statutes Implemented:**

ORS 496.012, 496.138, 496.146 & 496.162

RULE SUMMARY

The current process for issuing leftover Limited Landowner Preference (LOP) elk tags limits each landowner to one tag. These rules will make the process consistent for issuing leftover tags for Limited LOP deer and elk hunts. This change is necessary to make leftover Limited LOP elk tags available to landowners who have not received all of the tags their property qualifies for based on acreage as set forth in 635-075-0005 (8).

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.

04-21-2017 Close of Hearing	Michelle Tate	michelle.l.tate@state.or.us
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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635
Administrative Rules Chapter Number

Amend Rules for Issuing Leftover Limited Landowner Preference Tags

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

In the Matter of:

OAR Chapter 635, Division 075, Issuing Leftover Limited Landowner Preference Tags

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):

The current process for issuing leftover Limited Landowner Preference (LOP) elk tags limits each landowner to one tag. Limited LOP mule deer tags do not have the same constraint. A landowner may be issued more than one Limited LOP deer tag for themselves or hunters on their LOP Tag Distribution Form. These rules will make the process consistent for issuing leftover Limited LOP tags for mule deer and elk hunts. This change is necessary to make leftover Limited LOP elk tags available to landowners who have not received all of the tags their property qualifies for based on acreage as set forth in 635-075-0005 (8).

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 rules would make the process of issuing leftover Limited Landowner Preference Tags consistent for deer hunts and elk hunts.

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 (ODFW). No significant changes from the current level of the agencies' staffing, expenditures, or revenues are expected to result from the adoption of these particular rules.
- B. No units of local government would be affected by the proposed rules.
- C. The public is affected by the proposed rules. Landowners who have not received all of the tags their property qualifies for could be affected.

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:

No small businesses are subject to the rule.

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.

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

Not applicable.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

The draft administrative rules were developed in consultation with Fish and Wildlife staff. Correspondence from and testimony by interested and affected persons is accepted into record as part of the rulemaking process.

<u>04-21-2017 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

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

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