

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

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ARCHIVES DIVISION
SECRETARY OF STATE

Department of Forestry
Agency and Division

629
Administrative Rules Chapter Number

Recreational- and commercial-use of State Forests lands.

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

In the Matter of:

Proposed amendments to Rules in Oregon Administrative Rule Chapter 629, Division 25 pertaining to recreational- and commercial-use of State Forest Lands.

Statutory Authority:

ORS 530.050

Other Authority:

Statutes Implemented:

ORS 530.010 to 530.040, 530.990

Need for the Rule(s):

The proposed rules are intended to address challenges faced by the Department in implementing its recreation program on State Forest lands. Increases in use of facilities and changes in the types of uses have resulted in conflicts between recreating publics. Increased use has also created issues with sanitation, safety, and vandalism. Proposed changes are intended to reduce conflict and provide the Department with tools to address issues.

The proposed rules also include new rules regarding permitting, and health and safety standards for large commercial events, as directed by the passage of House Bill 2453 in 2015.

Documents Relied Upon, and where they are available:

House Bill 2453 (15-17 Regular Session) - available from the Oregon State Legislature
Oregon Revised Statute 530.050 - available from the Oregon State Legislature
Oregon Revised Statute 530.990 - available from the Oregon State Legislature
Oregon Revised Statute 433.735 - 433.770 - available from the Oregon State Legislature
Oregon Revised Statute 174.100 - available from the Oregon State Legislature
Oregon Revised Statute 801.305 - available from the Oregon State Legislature
Oregon Revised Statute 164.245 - available from the Oregon State Legislature

Fiscal and Economic Impact:

This statement takes into account fiscal impacts on: (a) the public, (b) state agencies, and (c) local government.

(a) The Public. The proposed rules will increase fees for camping on State Forest Lands by approximately 50%. Currently, there are approximately 30,000 campers annually using the camping facilities on State Forest Lands. It is expected that current demand exceeds supply and raising the price may reduce demand, but that the use of the facilities will still be at a saturated level. It is expected that each camping group will pay \$3-\$5 more per trip.

(b) State Agencies. There is no fiscal impact expected to any agency except for the Department of Forestry. The Department is expected to be impacted through the receipt of additional revenues from camping fees. There may also be a reduction in costs of management of the facilities due to a change in the perception of the value of the resource when fees are increased (i.e., price indicated the value of the resource, so visitors are less likely to mistreat higher priced resources due to the perception that the resource has higher value). The Department will also be impacted through changes that allow for the removal of visitors that are causing disturbances or issues, reducing law enforcement costs.

(c) Local Government. Counties and local taxing districts may have a fiscal impact due to revenue sharing of campground fees with these entities. The Department of Forestry has a statutory requirement to share approximately 66% of its revenues to the Counties and local taxing districts. These groups are not expected to have increased fees associated with these rule changes.

Statement of Cost of Compliance:

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

There is no cost of compliance expected from state agencies or units of local government. Members of the public are expected to have an increased cost of compliance as it relates to the payment of recreation-related fees. Approximately 30,000 visits

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 fiscal impact is expected on small businesses.

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

No reporting, recordkeeping or other administrative activities are required under these rules.

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

No additional resources are anticipated for compliance.

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

Small businesses will be given the opportunity to comment at any of the 3 public hearings to be held (December 17, 2015; January 7, 2016; January 15, 2016).

Administrative Rule Advisory Committee consulted?: No

If not, why?:

The Department used two standing committees of stakeholders that are consulted on State Forests business to provide feedback and advice on the proposed rules. A committee composed of public membership will also be convened to discuss the proposed recreation fees found in the rules.

02-08-2016 5:00 p.m.	Sabrina Perez	sabrina.perez@state.or.us
_____	_____	_____
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address