

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

FILED
8-15-16 3:37 PM
ARCHIVES DIVISION
SECRETARY OF STATE

Parks and Recreation Department
Agency and Division

736
Administrative Rules Chapter Number

Amend Scenic Waterway Rules Adding the Chetco and Molalla Rivers

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

In the Matter of:

Adoption of management rules for the Chetco and Mollala scenic waterways

Statutory Authority:

ORS 390.124, ORS 390.805 to 390.925

Other Authority:

Statutes Implemented:

ORS 390.805 to 390.925

Need for the Rule(s):

These rules are needed to provide management standards for two newly designated scenic waterways, the Chetco River and the Molalla River. Once the rivers were designated, the general scenic waterway rules applied, but these additional rules outline specific management practices for each of the new sections.

Documents Relied Upon, and where they are available:

Scenic Waterway assessments which are available on the Oregon State Parks website.

Fiscal and Economic Impact:

The fiscal and economic impact of these management rules is estimated to be minimal. There will be a review needed for projects that are within 1/4 mile of the river and are visible from the water. In some cases screening may be required, which is an added cost. We are unable to estimate specific costs as they will vary depending on the scope of each project. There will be a minor cost to State Parks for administering the program.

Statement of Cost of Compliance:

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

The department anticipates this rule will have a minimal impact on state agencies or units of local government. State Parks will have costs associated with administering the program and other state and local governments will be required to review any projects they do on lands they own within the scenic waterway boundary.

Properties owned by the public within the state scenic waterway boundaries will be required to conform to scenic waterway guidelines and there may be a small cost, both in dollars and time, associated with a project review. If a project is visible from the river screening may be required and there will be a cost associated with that.

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:

The impact on small business is minimal as the rules apply to development projects within 1/4 mile of the river that are visible from the river. Logging is a business that could be impacted but the Oregon forest practices act places restrictions on logging near waterways which minimize any further impacts of scenic waterway rules.

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

There are no reporting, record keeping or other administrative activities required of small businesses.

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

There are no equipment, supplies, labor, record keeping or additional administrative costs for small businesses unless they have a development project visible from the river. In that case, screening may be required that would have associated costs.

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

Representatives of the community, including small business owners were involved in the steering committee and rules advisory committee used to develop these rules.

Administrative Rule Advisory Committee consulted?: Yes
If not, why?:

<u>09-30-2016 5:00 p.m.</u>	<u>Claudia Ciobanu</u>	<u>claudia.i.ciobanu@oregon.gov</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address