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NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 635
DEPARTMENT OF FISH AND WILDLIFE

FILED
01/27/2026 11:10 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Minam River Wildlife Area Management Plan

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 03/20/2026 5:00 PM

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.

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4034 Fairview Industrial Drive SE
Salem, OR 97302

Filed By:
Roxann Borisch
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 03/20/2026

TIME: 8:00 AM - 5:00 PM

OFFICER: ODFW Commission

IN-PERSON HEARING DETAILS

ADDRESS: Roxy Ann Grange, 1850 Spring Street, Medford, OR 97504

SPECIAL INSTRUCTIONS:

This hearing will be conducted as a hybrid meeting, providing an opportunity to give testimony either in person or virtually. Additional information regarding participation will be posted on our website at www.dfw.state.or.us/agency/commission/minutes/. The meeting can be viewed at www.youtube.com/user/IEODFW. Any changes to the meeting format (to virtual only if emergency arises) will be posted to our website as soon as possible.

NEED FOR THE RULE(S)

- 1) The Minam River Wildlife Area began with the purchase of 441 acres along the Minam River south of the Minam State Recreation Area in 1967. In 2021, the state purchased an additional 4,609 acres of land. In 2023 and 2024, additional 10,964 and 1,073 acres of land were acquired respectively. Wildlife area management plans are developed by the Department to guide the management of the property and are adopted into rule to provide transparency.
- 2) Rule changes proposed are consistent with the goals and management strategies with the plan.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

1. Staff report prepared for the Oregon Fish and Wildlife Commission hearing on 03/20/2026, including the presentation and all provided materials.
2. Minam River Wildlife Area Management (<https://myodfw.com/articles/minam-river-wildlife-area-visitor-guide>)

A copy of the rules and the other documents relied upon for this rulemaking [the above document(s)] are available from the Oregon Department of Fish and Wildlife, Fish Division, 4034 Fairview Industrial Drive SE, Salem, Oregon 97302-1142. Contact Roxann.B.Borisch@odfw.oregon.gov at 503-947-6314 to view by appointment between the hours of 8:00 a.m. and 4:00 p.m., on normal working days, Monday through Friday.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

The Department has solicited input from representatives of underrepresented communities likely to be affected on whether the proposed rule will have a fiscal impact on the community, the extent of the fiscal impact, and whether the rules will have significant impact on underrepresented communities. <https://www.dfw.state.or.us/OARs/index.asp>

FISCAL AND ECONOMIC IMPACT:

Wildlife Areas have a positive economic impact on Oregon, as these sites provide habitat connectivity and ecological benefits, as well as recreational and educational opportunities to the public. The adoption of the Minam River Wildlife Area (MRWA) Management Plan establishes goals and objectives that will promote the long-term sustainable accrual and use of these benefits.

Fiscal and economic impacts discussed in this document pertain only to the proposed rules at the time of writing this fiscal impact statement.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s).

A. The only state agencies that have the potential to be affected by the adoption of the MRWA Plan are the Oregon Department of Fish and Wildlife (wildlife and property management costs) and the Oregon State Police (enforcement costs).

The operation and maintenance of MRWA is largely federally funded through the U.S. Fish and Wildlife Service's Wildlife Restoration Program (Pittman-Robertson funding). Additional sources of funding for the MRWA are possible through volunteers, grants (state, federal, and private), timber receipts, and grazing fees. While it is likely that ODFW staff from other programs will contribute to fulfilling actions covered in the MRWA plan such as habitat enhancement efforts this work would be absorbed by current ODFW staff and it is not expected that additional staff beyond the Wildlife Area Program Manager (full-time), Senior Fish and Wildlife Technician (full-time), seasonal Fish and Wildlife Technician (May-September), would be needed for MRWA at this time.

For impacts to the Oregon State Police, it is not anticipated that these rules will result in major changes from the current levels of operations and expenditures. There could be some enforcement benefits, as the proposed revisions clarify the MRWA rules, including rules on: discharging firearms (allowed only for hunting within seasons), camping and trail access, campfires (prohibited except at campsites and must adhere to designated fire closures), public entry season (closed January 1 – March 31), ODFW Wildlife Area Parking Permit requirement, and the prohibition of domestic sheep and goats (for prevention of the spread of disease and pathogens to wild sheep).

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 adoption of the MRWA Plan.

C. The public could be affected by the rules, as there are ecological and recreational benefits from implementing wildlife area plans. The vision of MRWA is to protect, enhance, and promote landscape level connectivity and ecological functions that provide high-quality, resilient habitats for terrestrial and aquatic species for use and enjoyment by present and future generations of Oregonians.

Potential for expanded recreation opportunities at this site include hunting, fishing, hiking, horseback riding, wildlife viewing/photography, and traditional foraging. Research conducted in 2019 by Earth Economics concluded that there was over \$33 million in outdoor recreation spending in the region, which generated 379 jobs in Union and Wallowa Counties (Mojica et al. 2021). While ODFW is currently unable to estimate the increase in trips to this region and the economic impact of MRWA, it is very likely that these expenditure and induced employment figures will increase overtime with effective management of the property by the Department given the quality recreation opportunities that the MRWA offers. Public use surveys show that hunting constitutes the largest use activity on the MRWA. Visitors to MRWA are required to obtain an ODFW Wildlife Area Parking Permit which costs \$10 for a daily permit and \$30 for an annual permit. This permit is included for free with an annual Oregon hunting license, combination hunting and fishing license, or Sports Pac. It is intended that ODFW will ensure recreation activities are balanced with wildlife and habitat protection; administrative decisions by the Department will balance managing public use both temporally and spatially to minimize impacts on wildlife and their habitats.

There would also be positive benefits to the public from MRWA due to the increased habitat connectivity and ecosystem services the area provides (e.g. enhanced air/water quality, pollination, carbon storage). These benefits and other nonuse economic values, such as option value, the value of passing on a natural resource to future generations, can be difficult to monetize, but these are real benefits that accrue. While we cannot estimate these benefits at this time, it is worth recognizing through the Wildlife Value Framework (Gomez et al. 2022) that there are many public benefits from adopting and implementing a management plan for quality habitat areas such as MRWA.

References:

Gomez, J., N. van Vliet, and N. Canales 2022. The values of wildlife revisited. *Ecology and Society* 27(4):23.
Mojica, J. Cousins, K. Madsen, T., 2021. *Economics Economic Analysis of Outdoor Recreation in Oregon*. Earth Economics. Tacoma, WA.

(2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s);

It is not expected that there would be negative impacts to small businesses that would result from adoption of a wildlife area management plan for the MRWA. Impacts to affected businesses, many located in rural areas within Wallowa and Union Counties in the vicinity of La Grande, would likely be positive in nature.

The type of businesses that could potentially experience spillover economic benefits from increased outdoor recreation in the area include businesses that supply goods and services to outdoor recreationists. These may include accommodation businesses, hunting and fishing guides, tourism activities, food and beverage stores, gas stations, bars and restaurants. ODFW is unable to estimate the exact number of these businesses that may be affected by increased recreation and additional spending on habitat restoration efforts in the region.

(b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s);

These types of compliance costs are not anticipated at the time of writing this fiscal impact statement.

(c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

These types of compliance costs are not anticipated at the time of writing this fiscal impact statement.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

A presentation of the draft Minam River Wildlife Area management plan was given by ODFW staff on September 17, 2025. Public comments were received in addition to meetings with public and interest groups. The management plan and video of the presentation are available on ODFW <https://myodfw.com/articles/minam-river-wildlife-area-visitor-guide>.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

No, an Administrative Rule Advisory Committee was not consulted. However, department staff received input from the public, as well as individual landowners, hunting and conservation groups during the development of the management plan. Additionally, at the Commission hearing, public correspondence and testimony is accepted into the record as part of the rulemaking process. Once the Minam River Wildlife management plan is adopted it will go through the review process within five years and subsequently at least every 10 years allowing for future necessary changes.

AMEND: 635-008-0126

RULE SUMMARY: The proposed rule changes involve the adoption of the goals and objectives of the Minam River Wildlife Area (MRWA) Management Plan. This plan will guide management activities at MRWA over the next five years, during which time restoration plans and plans for developing a public use program will be implemented. The department's management planning process for Wildlife Areas involves the development of broad goals for the areas, and formulation of specific objectives and management strategies to achieve those goals. Proposed rule changes reflect the management strategies outlined in the management plan.

CHANGES TO RULE:

635-008-0126

Minam River Wildlife Area (Union/Wallowa Counties) ¶

The Minam River Wildlife Area is open to wildlife-oriented public use compatible with the goals and objectives in the 2026 Minam River Wildlife Area Management Plan unless otherwise excluded or restricted by the following rules:¶

- (1) Discharging of firearms is prohibited except while hunting during authorized game bird and game mammal seasons.¶
- (2) Camping is prohibited.¶
- ~~(3) Open fires are prohibited~~ except at Wildlife Flat for Minam River Trail access, which shall not exceed 48 hrs, and at 2-Mile Flat on Big Canyon Rd, which is allowed April 1 through December 31 and shall not exceed 14 days during any 30-day period.¶
- ~~(4) The wildlife area is closed to the public between 10 pm and 4 am~~ Open fires are prohibited except at campsites. All open fires are prohibited on all lands during designated fire closures.¶
- ~~(5) The wildlife area lands are closed to public entry from December~~ January 1 through March 31. Exception: Year-round public access is permitted on the Minam River Trail and associated parking area along highway 82.¶
- ~~(6) ATV and snowmobile use is prohibited on all area lands except for administrative use.~~¶
- (6) ODFW Wildlife Area Parking Permit is required. Vehicle parking at Wildlife Flat for Minam River Trail access shall not exceed 14 days during any 30-day period.¶
- (7) Domestic sheep and goats are prohibited.

Statutory/Other Authority: ORS 496.012, 496.138, 496.146

Statutes/Other Implemented: ORS 496.012, 496.138, 496.146