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TEMPORARY ADMINISTRATIVE ORDER

INCLUDING STATEMENT OF NEED & JUSTIFICATION

OSMB 11-2020

CHAPTER 250
OREGON STATE MARINE BOARD

FILED
09/08/2020 12:21 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Removes temporary boating closure on the Siuslaw River near Mapleton

EFFECTIVE DATE: 09/09/2020 THROUGH 09/13/2020

AGENCY APPROVED DATE: 09/08/2020

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Filed By:
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NEED FOR THE RULE(S):

The fires that necessitated the temporary boating closures are now 100% contained. The temporary rule is no longer needed.

JUSTIFICATION OF TEMPORARY FILING:

(1) Without this temporary rule, fire crews may be less efficient in their work to mitigate the impacts of these fires, which may lead to additional destruction of forest and to private and public property. If boaters are allowed to continue to occupy this stretch of river, they may risk being in harm's way due to fire suppression activities. By temporarily restricting boating, boaters will be protected and fire crews can proceed with their work unhindered.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Emails between the Lane County Sheriff's Office and OSMB dated 9/7/20.

Rulemaking documents are available for public inspection at the State Marine Board, Director's Office, between 8:30 am - 4:00 pm on regular work days, Monday-Friday.

AMEND: 250-020-0221

SUSPEND: Temporary 250-020-0221 from OSMB 10-2020

RULE TITLE: Boat Operations on Certain Waters in Lane County

RULE SUMMARY: Removes temporary boating restrictions on the Siuslaw River

RULE TEXT:

(1) No person shall operate a motorboat in excess of a “slow-no wake” speed in the following areas:

(a) Triangle Lake: Within 200 feet of a marked swimming area or a designated public launching ramp;

(b) Fern Ridge Lake:

(A) Within 200 feet of a marked swimming area or a designated public launching ramp;

(B) In the Coyote Creek Channel;
(C) Between shore and buoy line which extends southerly from the north shore to a point approximately 200 feet of the northern most Eugene Yacht Club mooring dock thence generally south and west approximately 200 feet of the docks to a point approximately 200 feet south of the Tri Pass Club mooring dock thence generally west to the southern tip of the Tri Pass Club dock as buoyed except for the buoyed corridor immediately south of the Eugene Yacht Club southernmost dock;
(D) South of the buoy line which extends easterly from a point approximately 100 yards north of the Perkins Boat Ramp to the adjacent shoreline;
(E) In the Main Long Tom River Channel.
(c) Dexter Dam Reservoir:
(A) Within 200 feet of a marked swimming area or a designated public launching ramp;
(B) Within 50 feet of the causeway crossing the reservoir.
(d) Lookout Point Reservoir:
(A) Within 200 feet of a marked swimming area or a designated public launching ramp;
(B) East of the Southern Pacific Railroad bridge.
(e) Dorena Dam Reservoir:
(A) Within 200 feet of a marked swimming area or a designated public launching ramp.
(B) Southeast of a line between markers on Humphrey Point and the northeast shore.
(f) Cottage Grove Reservoir:
(A) Within 200 feet of a marked swimming area or a designated public launching ramp;
(B) South of a line between a marker on the east shore, near the Wilson Creek area, and on the west shore near Cedar Creek.
(g) Hills Creek Reservoir:
(A) Within 200 feet of a marked swimming area or a designated public launching ramp;
(B) On Packard Creek arm west of Rigdon Road (USFS Road #21);
(C) On Hills Creek south of the Hills Creek Crossing Bridge;
(D) On the Middle Fork, Willamette River south of the Rigdon Road (USFS #21) (Upper Crossing) Bridge;
(E) No person shall operate a motorboat for any purpose on Larison Creek arm west of Rigdon Road (USFS Road #21).
(h) Collard Lakes;
(i) Picket Lake
(j) Munsel Lake — west of the line of marker buoys;
(k) Fall Creek Lake:
(A) Within 200 feet of a designated public launching ramp or marked swimming area;
(B) On Fall Creek upriver from the buoys located approximately 200 feet downstream of the Big Fall Creek Road;
(C) On Winberry Creek upriver from the buoys located approximately 1800 feet downstream of the Winberry Creek Road Bridge.
(l) Siltcoos Lake:
(A) Within 200 feet of a designated public launching ramp or marked swimming area;
(B) Between shore and buoy line at the mouth if Kiechle Arm beginning at a point at the east shoreline of Arrowhead Point and extending northerly approximately 900 yards to a point approximately 100 yards off shore of Camp Baker during the period of June 1 through September 30.
(C) In Miller Arm north of the buoy line, located at the entrance near Nightingales' Fishing Camp, during the period of May 1 through September 31.
(2) No person shall operate a motorboat in excess of 5 MPH on Leaburg Reservoir and the McKenzie River from the dam upstream to Good Pasture Bridge.
(3) No person shall operate a motorboat in excess of a "slow-no wake" speed within 300 feet of a boat launching ramp or a boat moorage on the following bodies of water:

(a) Cougar Reservoir;
(b) Blue River Reservoir;
(c) Siuslaw River — between the river entrance and the highway bridge at Mapleton.
(4) No person shall operate a motorboat for any purpose on the following lakes: Scott, Melakwa, Hidden, Blair, Upper Erma Bell, Middle Erma Bell, Lower Erma Bell, Torrey, Whig, Wahanna, Rigdon, Lower Rigdon, Kiwa, Upper Eddeeleo, Round, Betty, and Alameda.
(5) No person shall operate a motorboat for any purpose in excess of 10 MPH on Munsel Lake east of the line of marker buoys, except from June 1 through September 30, between the hours of 10 a.m. and 5 p.m.
(6) No person shall operate a motorboat on the McKenzie River above Good Pasture Bridge, except a representative of the Oregon State Police or the County Sheriff's Office pursuant to a criminal investigation or search and rescue operation.
(7) No person shall operate a motorboat, except with an electric motor:
(a) In the Old Long Tom River Channel;
(b) On Fern Ridge Reservoir south of State Highway 126;
(c) On Hult Reservoir.
(d) On Gold Lake, provided the boat is operated at slow-no wake speed.
(8) No person shall operate a propeller-driven airboat or non-displacement hull type hovercraft in the following areas on Fern Ridge Reservoir where there is emergent vegetation present:
(a) Coyote Creek area — east of a line beginning at the West Coyote Creek bridge at Highway 126 extending north approximately one mile to a point near the mouth of Coyote Creek, then extending north approximately 1.4 miles to a point located approximately 100 yards off shore of the northwest corner of Gibson Island;
(b) Amazon Bay area — east of a line beginning at a point located approximately 100 yards off shore of the northwest corner of Gibson Island extending northeast approximately one mile to the Shore Lane access;
(c) South Marsh area — west of a line extending from a point on the shoreline at the southern boundary of Zumwalt Park near the end of Vista Drive extending southeast approximately one mile to a point on the shoreline at the tip of Perkins Peninsula;
(d) Long Tom Area — southwest of a line beginning at a point on the shore line at the end of Moyer Lane extending southeast approximately 0.9 miles to a point on the west shoreline of the Jeans Peninsula at the north end of Winter Lane.
(9) No person shall operate a motorboat north and east of a line across the entrance of Bannister Cove on Lookout Point Reservoir, as marked.

STATUTORY/OTHER AUTHORITY: ORS 830.110, ORS 830.175

STATUTES/OTHER IMPLEMENTED: ORS 830.175, ORS 830.180