



TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

OSMB 6-2021

CHAPTER 250
OREGON STATE MARINE BOARD

FILED

07/07/2021 2:31 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Temporary boating closure on a portion of the North Umpqua River

EFFECTIVE DATE: 07/07/2021 THROUGH 07/18/2021

AGENCY APPROVED DATE: 07/07/2021

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NEED FOR THE RULE(S):

The U.S. Forest Service is currently leading efforts to suppress fires in the area affected by this temporary rule. The fire suppression crews have indicated that boaters in the vicinity of the fires are making transportation of water from the river to the fires difficult. This temporary rule is necessary so that the fire suppression crews are able to work effectively and so that boaters are not endangered by the suppression activities.

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 Douglas County Sheriff's Office and OSMB dated 7/6/2021-7/7/2021.

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

AMEND: 250-020-0102

RULE TITLE: Boat Operations in Douglas County

RULE SUMMARY: Temporarily restricts all boating on a portion of the North Umpqua River to allow fire suppression crews unimpeded river access.

RULE TEXT:

- (1) Amos Lake: A person must not use a motor to propel a boat on Amos Lake.
- (2) Andy Lake: A person must not use a motor to propel a boat on Andy Lake.

(3) Ben Irving Reservoir:

(a) A person must not operate a motorboat at a speed in excess of 35 MPH from the markers (identified by the letter "A") located where the reservoir narrows, to the dam approximately 1.2 miles downstream;

(b) A person must not operate a motorboat at a speed in excess of 5 MPH:

(A) From the markers (identified by the letter "A") located where the reservoir narrows, to the second set of markers (identified by the letter "B") approximately one mile upstream;

(B) Within 100 feet of the boat ramp as marked.

(c) A person must not use a motor, except an electric motor, to propel a boat in the area upstream from the second markers (identified by the letter "B");

(d) A person must not operate a boat within the log boomed area in the vicinity of the dam spillway.

(4) Buckeye Lake: A person must not use a motor to propel a boat on Buckeye Lake.

(5) Calamut Lake: A person must not use a motor to propel a boat on Calamut Lake.

(6) Carter Lake: A person must not operate a motorboat at a speed in excess of 10 MPH on Carter Lake.

(7) Cliff Lake: A person must not use a motor to propel a boat on Cliff Lake.

(8) Cooper Creek Reservoir:

(a) A person must not operate a motorboat at a speed in excess of 40 MPH on the main body of the Reservoir;

(b) A person must not operate a motorboat at a speed in excess of 5 MPH within the buoyed area of Rachele Inlet; Pierce Canyon Inlet; Sutherlin Inlet and Douglas Inlet;

(c) A person must not operate a motorboat at a speed in excess of 5 MPH within 200 feet of a boat launching ramp or designated swimming area.

(9) Diamond Lake: A person must not operate a motorboat at a speed in excess of 10 MPH on Diamond Lake.

(10) Faller Lake: A person must not use a motor to propel a boat on Faller Lake.

(11) Fish Lake: A person must not use a motor to propel a boat on Fish Lake.

(12) Ford's Pond:

(a) A person must not use a motor, except an electric motor, to propel a boat on Ford's Pond.

(b) A person must not operate a boat propelled by an electric motor in excess of 5 MPH on Ford's Pond.

(13) Galesville Reservoir:

(a) A person must not operate a motorboat at a speed in excess of 40 MPH on the main body of the reservoir;

(b) A person must not operate a motorboat at a speed in excess of 5 MPH along the north shore between the launch ramp and log boom, in the buoyed areas;

(c) A person must not operate a motorboat at a speed in excess of 5 MPH between the buoy line at the upper end of the lake to the powerboat deadline as marked;

(d) A person must not use a motor, except an electric motor, to propel a boat above the 5 MPH zone, as marked;

(e) Persons operating a motorboat in excess of 5 MPH in the otherwise unrestricted portions of the lake must proceed about the lake in a counter clockwise direction.

(14) Hemlock Lake: A person must not use a motor, except an electric motor, to propel a boat on Hemlock Lake.

(15) Indigo Lake: A person must not use a motor to propel a boat on Indigo Lake.

(16) June Lake: A person must not use a motor to propel a boat on June Lake.

(17) Lake in the Woods: A person must not use a motor to propel a boat on Lake in the Woods.

(18) Lemolo Lake:

(a) A person must not operate a motorboat in excess of a "slow-no wake" speed within 150 feet of the shore or pier line in a zone extending from the launch ramp at Lemolo Lake Resort south to Pool Creek Inlet, and from a point 200 feet south of Pool Creek Inlet south to the small unnamed island, and from there south from the southern tip of the island across to the nearest peninsula;

(b) A person must not operate a motorboat in excess of a "slow-no wake" speed in the area from where U.S. Forest Service Road Number 2614 crosses the North Umpqua River, to a point 2,000 feet westward thereof;

(c) A person must not operate a motorboat at a speed in excess of 40 MPH on all other waters of Lemolo Lake.

(19) Loon Lake:

(a) Except for safe take-offs and landings, a person must not operate a motorboat in excess of a "slow-no wake" speed within 200 feet of the designated swimming area and boat mooring area at the BLM day use area, as marked. Boats towing skiers may exceed 5 MPH to the extent necessary to maintain the skier in a skiing position, within 200 feet from the designated swimming area and boat mooring area only under safe conditions as outlined in this section. A safe take-off or landing will not be considered "safe" unless it can be accomplished without risk to any swimmer or craft within 200 feet from designated swimming area and boat mooring area. If a safe landing as thus defined is not possible, skiers must be picked up by the boat before coming within 200 feet from the designated swimming area and boat mooring area and brought to shore under usual speed restrictions (5 MPH within 200 feet of the designated swimming area and boat mooring area). Take-offs and landings are required to be made following the mandatory counter-clockwise pattern.

(b) Persons operating a motorboat in excess of 10 MPH shall proceed in a counter-clockwise direction in the otherwise unrestricted portions of the lake.

(c) A person must not operate a motorboat in excess of a "slow-no wake" speed within the buoyed area extending from the north shore of the cove at Fish Haven Resort in a southwest direction across the lake to the end of the prominent point of land on the south shore of the lake, as marked.

(20) Lower Twin Lake: A person must not use a motor to propel a boat on Lower Twin Lake.

(21) Lucile Lake: A person must not use a motor to propel a boat on Lucile Lake.

(22) Maidu Lake: A person must not use a motor to propel a boat on Maidu Lake.

(23) North Umpqua River:

(a) A person must not use a motor to propel a boat in the area between the boat ramp at Lone Rock Camp (approximate RM 32) upstream to Lemolo Lake.

(b) No person shall operate a boat from the Boulder Flat boat launch (River Mile 68.0) downstream to the Alder Creek confluence (River Mile 51.3). This restriction is in place through July 19, 2021 or until this temporary rule is lifted, whichever comes first.

(24) Plat I Reservoir: A person must not operate a motorboat at a speed in excess of 10 MPH on Plat I Reservoir.

(25) Skookum Lake: A person must not use a motor to propel a boat on Skookum Lake.

(26) Umpqua River:

(a) A person must not operate a motorboat at a speed in excess of 5 MPH in the vicinity of River Forks Park from a point 30 yards downstream (North) from the launching ramp to a point upstream 100 yards on both the North and South Fork of the Umpqua River; and

(b) Within 300 feet of the boat launching ramp and designated swimming area at Scottsburg Park.

(27) Upper Twin Lake: A person must not use a motor to propel a boat on Upper Twin Lake.

(28) Winchester Bay: A person must not operate a motorboat at a speed in excess of 5 MPH within the limits of Salmon Harbor.

(29) Wolf Lake: A person must not use a motor to propel a boat on Wolf Lake.

STATUTORY/OTHER AUTHORITY: ORS 830.110, ORS 830.175, ORS 830.185

STATUTES/OTHER IMPLEMENTED: ORS 830.175, ORS 830.185