

NEWS

Oregon State Marine Board
Boat Oregon!



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Marine Board Approves Rules and Initiates Rulemaking

The Oregon State Marine Board met for their quarterly Board meeting on June 28, in The Dalles. The Board approved several grants and rule changes and approved initiating rulemaking on three new items.

The Board amended, adopted or repealed the following rules:

- **Chapter 250, Division 011, Steering and Sailing Rules.** The rule was amended to be consistent with federal navigation regulations for the responsibilities between vessels, right of way, and procedures for safe passage on specified rivers. A temporary rule was in effect; May 2, 2016.
- **Issuance and Duplication Fees, OAR 250-010-0057 and Refunds, OAR 250-010-0058.** The Marine Board repealed OAR 250-010-0057 as registration and titling fees are identified in Oregon Revised Statute. OAR 250-010-0058 was amended to identify the price point where customers will automatically receive a refund if there's overpayment of \$10 or more. Any overpayment under \$10 will be issued if the customer requests a refund. A temporary rule suspended OAR 250-010-0057; April 13, 2016.
- **Boat Operations in Jefferson County, OAR 250-020-0161.** A new rule was adopted to allow a boat to anchor for 30 consecutive days in one location and then it must be moved to a new location at least half a mile away and must not return to the previously used location for 30 days. For purposes of this rule, "location" is defined as an area within a 300 foot radius. A boat must also not be left unattended for more than seven consecutive days. This rule does not impact private landowners or boats in a marina.
- **Boat Operations in Wallowa County, OAR 250-020-0340.** Motorboats are prohibited on Kinney Lake.

The Board also approved initiating rulemaking for the following items:

- **Rulemaking for Ocean Charter Vessels, Chapter 250, Division 015.** Draft language would expand purchasing options for Ocean Charters to a biennial (\$100) or annual (\$50) license and to change rule language to improve readability.
- **Agency Representation by Officer or Employee, OAR 250-001-0035.** Allow agency staff to represent the Attorney General at contested case hearings related to the Outfitter/Guide program when the agency proposes to revoke, suspend or deny an outfitter/guide license. The rule will define the limitations of “agency representation” and will not enable staff to present “legal arguments.” A temporary rule is in effect; May 12, 2016.
- **Boat Operations on the Willamette River in Clackamas County, OAR 250-020-0032.** In April 2016, the Oregon Department of Fish and Wildlife (ODFW) adopted a rule that authorized members of the Confederated Tribes of the Grand Ronde to harvest hatchery salmon and hatchery steelhead at the Willamette Falls for ceremonial purposes from the shore or from a single platform erected by the Tribe. Although fishing from a boat is not authorized under ODFW rule, the Tribe will have to use a boat to construct and access its fishing platform. The Board approved initiating rulemaking to allow boat access for the platform construction and its subsequent use for ceremonial harvest by the Tribe in the area of the Willamette Falls that is currently closed to boating. A temporary rule is in effect; June 7, 2016.

The Board also approved several Round Two boating facility grant requests totaling \$282,025 in state boater funds and postponed several agenda items, including a Chetco River petition to restrict motorboats, which will be considered during the October meeting.

To review the staff report and agenda, visit

<http://www.oregon.gov/OSMB/info/Pages/Board-and-Public-Meetings.aspx>.

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