

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form.

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8-18-16 1:13 PM
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I certify that the attached copies are true, full and correct copies of the TEMPORARY Rule(s) adopted on Upon filing, by the
Oregon State Marine Board

Agency and Division

Administrative Rules Chapter Number

June LeTarte

250
(503) 378-2617

Rules Coordinator

Telephone

P.O. Box 14145, Salem, OR 97309-5065

Address

To become effective 08/21/2016 through 12/31/2016.

RULE CAPTION

Prohibit boating on the Deschutes River during Tetherow Road Bridge construction.

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

RULEMAKING ACTION

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:

AMEND:

250-020-0091

SUSPEND:

250-020-0091(T)

Statutory Authority:

ORS 830.110 and ORS 830.175

Other Authority:

Statutes Implemented:

ORS 830.110 and ORS 830.175

RULE SUMMARY

This rule will prohibit boat operation on the Deschutes River near RM 141.1 in the area of the Tetherow Bridge due to scheduled construction removal and replacement of the bridge.

June LeTarte

June.Letarte@state.or.us

Rules Coordinator Name

Email Address

Secretary of State
STATEMENT OF NEED AND JUSTIFICATION
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accompanies this form

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250
Administrative Rules Chapter Number

Prohibit boating on the Deschutes River during Tetherow Road Bridge construction.

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

In the Matter of:

250-020-0091 Deschutes River

Statutory Authority:

ORS 830.110 and ORS 830.175

Other Authority:

Statutes Implemented:

ORS 830.110 and ORS 830.175

Need for the Temporary Rule(s):

ODOT will be removing the Tetherow Road Bridge and subsequently installing a new bridge. There will be work boats and heavy construction equipment activity in an around the water. The rule is needed to prohibit boating in the area during the construction period.

Documents Relied Upon, and where they are available:

Email correspondence between ODOT and the Marine Board dated:

April 21; May 02; May 27; July 19 and July 29

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

Justification of Temporary Rule(s):

Construction in an around the river may result in unsafe navigational conditions. There is insufficient time to initiate permanent rulemaking to prohibit boating in the area. Failure to adopt this temporary rule would cause serious prejudice to the public interest in that the construction project may create a dangerous safety issue to boaters on the water.

June LeTarte

June.Letarte@state.or.us

Printed Name

Email Address