

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

Oregon Department of Aviation	738
Agency and Division	Administrative Rules Chapter Number
Lauri Kunze	(503) 986-3171
Rules Coordinator	Telephone
Oregon Department of Aviation, 3040 25th St. SE, Salem, OR 97302-1125	
Address	

RULE CAPTION

Waldo Lake access by seaplanes

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

Hearing Date	Time	Location	Hearings Officer
1-31-13	6:00 p.m.	Willamalane Center, Ken Long Room, 250 S 32nd St, Springfield OR	Staff

RULEMAKING ACTION

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

ADOPT:

738-040-0037

AMEND:

REPEAL:

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

AMEND AND RENUMBER: Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

Statutory Authority:

ORS 835.035, 835.112, 835.200

Other Authority:

None

Statutes Implemented:

ORS 835.200, 835.205, 835.210

RULE SUMMARY

The Oregon Marine Board (OMB) has exempted seaplanes from OAR 250-030-0030(4) and OAR 250-020-0221(10) which places a ban on internal combustion motors on Waldo Lake.

The Oregon Aviation Board (OAB) is adopting this rule to help administer seaplane usage on Waldo Lake and to establish parameters for locations and times seaplanes may access the lake. Seaplanes will be allowed to access the lake as a form of transportation similar to a motorized vehicle driving to the site. The permanent rule will also address seaplane pilots conducting invasive species inspections prior to landing on Waldo Lake.

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.

01-31-2013 Close of Hearing	Lauri Kunze	lauri.g.kunze@odot.state.or.us	12-14-12 3:39p.m.
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address	Date Filed

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday.

ARC 923-2003

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

Oregon Department of Aviation
Agency and Division

738
Administrative Rules Chapter Number

Waldo Lake access by seaplanes

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

In the Matter of:

the adoption of 738-040-0037

Statutory Authority:

ORS 835.035, 835.112, 835.200

Other Authority:

None

Statutes Implemented:

ORS 835.200, 835.205, 835.210

Need for the Rule(s):

The Oregon Aviation Board (OAB) finds that this permanent rule is necessary to help administer seaplane usage on Waldo Lake and to establish parameters for locations and times seaplanes may access the lake. Seaplanes will be allowed to access the lake as a form of transportation similar to a motorized vehicle driving to the site.

The permanent rule will also address seaplane pilots conducting invasive species inspections prior to landing on Waldo Lake.

Documents Relied Upon, and where they are available:

None

Fiscal and Economic Impact:

None

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

None

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

None; this rule does not regulate or apply to small business.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

None

c. Equipment, supplies, labor and increased administration required for compliance:

None

How were small businesses involved in the development of this rule?

This rule does not impact small businesses; therefore, they were not involved in the development of this rule.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

This rulemaking follows up and replaces a temporary rule of the same title and results from the collaboration and agreement between the Oregon Aviation Board and the Oregon Marine Board. Therefore an advisory committee was not consulted.

01-31-2013 Close of Hearing

Lauri Kunze

lauri.g.kunze@odot.state.or.us

12-14-12 3:39 PM

Last Day (m/d/yyyy) and Time
for public comment

Printed Name

Email Address

Date Filed