

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

<u>Parks and Recreation Department</u>	736
Agency and Division	Administrative Rules Chapter Number
<u>Vanessa DeMoe</u>	(503) 986-0719
Rules Coordinator	Telephone
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Address	

**RULE CAPTION**

Align State Scenic Waterway Rules with Federal Wild and Scenic Rules

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

**RULEMAKING ACTION**

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

**ADOPT:**

**AMEND:**

OAR 736-040-0015; OAR 736-040-0065; OAR 736-040-0070

**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 390.124; ORS 390.805 through ORS 390.925

**Other Authority:**

**Statutes Implemented:**

ORS 390.845; ORS 390.934(2); ORS 390.938(3)

**RULE SUMMARY**

Some Oregon Scenic Waterways are also designated as federal Wild and Scenic Rivers. Federal regulations have been adopted that govern recreational use on Wild and Scenic Rivers. Those federal regulations are not enforceable by state law enforcement officers unless they have also been adopted in Oregon Administrative Rules (OAR) through the Scenic Waterway program. These proposed amendments to OAR chapter 736, division 40 rules align state rules on the John Day and Deschutes rivers with federal regulations already in place on these rivers. The proposed rules do not impose additional regulations on river users.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the Oregon Bulletin or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the Oregon Bulletin at least 14 days before the hearing.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative

<u>05-30-2014 5:00 p.m.</u>	<u>Vanessa DeMoe</u>	<u>vanessa.demoe@oregon.gov</u>
Last Day (m/d/yyyy) and Time for public comment	Rules Coordinator Name	Email Address

<b>FILED</b>
4-15-14 4:20 PM
ARCHIVES DIVISION SECRETARY OF STATE

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.