

141-088-0036

Restrictions for State-Owned Property at the Sandy River Delta in Multnomah County

(1) All state-owned land that is under the jurisdiction of the Department, including state-owned lands between the line of ordinary high water and the line of ordinary low water, and any uplands of current or former islands in the Sandy River Delta from River Mile 0.0 to 2.5, or from the mouth of the Sandy River to the I-84 bridge crossing, including the Columbia River Side Channel, is closed to:

(a) Any, and all, use of motorized vehicles, including all-terrain vehicles.

(b) Any, and all, discharge of firearms.

(2) Excepted from this restriction are

(a) Government personnel on official business,

(b) public and private employees performing company business as authorized by the Department,

(c) vehicles and persons involved in rescue or emergency activities,

(d) waterfowl hunters on foot during authorized water-fowl hunting season and in possession of a legal hunting license, ~~and~~

(e) Department authorized persons, and

(f) adjacent landowners inspecting or maintaining property.

(3) Any person who commits any criminal conduct on state lands described under (1), or violates any use restriction imposed by this rule, may be prohibited from entering or using state lands that are under management by the Department at the Sandy River Delta.

(a) The Director shall issue a written notice that explains the extent and duration of the prohibition.

(b) The person subject to the prohibition may appeal the decision and request a contested case hearing pursuant to ORS 183.413 through 183.470, by submitting a written request within 20 calendar days of the date of service of the notice.

Commented [DB1]: Will discuss with counsel about appropriate language. "May request an appeal"

Statutory/Other Authority: 273.045

Statutes/Other Implemented: Oregon Constitution Article VIII, Section 5; ORS 273.171; and ORS 274.025,