

OAR 141-088-0036 Sandy River Delta Restrictions Rulemaking Public Comments and Agency Response



The public comment period was open from November 1, 2023, to December 1, 2023, at 5:00 pm. The Department received 9 written comments in total.

Comments & Agency Response

Please note that comments are presented in the order they were received by the Department, with most recent comments listed first.

Jeff Schuh, Friends of the Sandy River Delta, President – December 1, 2023 (via Rules email)

Comment: I participated in the Rule Making Committee for this rule, and was the sole participant in the public meeting.

I welcome these rules, but as I stated in the public meeting, rules are ineffective without enforcement.

Homeless encampments have been a long-neglected problem at the Sandy River. This issue in general **MUST** be addressed for the safety of recreational users of the area, and is a **MUST** address for environmental reasons.

Physical barriers **NEED** to be placed to prevent vehicle entry. It is known that vehicles currently access the area.

The Sandy River Delta has legal hunting seasons, and the firearms ban should not impact the lawful hunting as we have discussed, but as in the vehicle ban, it is **IMPERATIVE** that weapons are dealt with by means of enforcement

There are a lot of people aware of the issues at the Delta, so it is also a matter of public perception that these issues need to be addressed.

Agency Response: The agency appreciates your participation in the Rules Advisory Committee for this rulemaking and for providing public comment. The agency will consider your recommendations when discussing future management activities in the Sandy River Delta.

Barb Adams, Oregon Equestrian Trails – November 29 (via DSL Rules email)

Comment: Oregon Equestrian Trails is a non-profit organization that has been working to build horse camps and trails in Oregon since 1970. At the Sandy River Delta our current priority is

rebuilding trails with stone placed by volunteers including a member who donates the tractor work.

1. Any, and all, discharge of firearms. *Comment: You have our enthusiastic support for this rule.*
2. Any, and all, use of motorized vehicles, including all-terrain vehicles with exceptions as noted in the rule making documents. *Comment: In order to accomplish the trail work we sometimes need to shuttle volunteers to the work site using vehicles. In addition, our tractor volunteer uses a horse trailer to haul in the tractor and needs to park near the work sites for both trail work and trail mowing.*

The Sandy River Delta is extremely popular coming in at visitor numbers second only to Multnomah Falls. Both of these rules provide increased safety for both pedestrians and equestrians. The site is important for equestrians as it provides easy trails for both senior riders and senior horses and a local place to ride. In addition, it is not closed by snow in the winter so provides virtually year-round trail riding opportunities.

Thank you for these proposed rule changes and the opportunity to comment.

Agency Response: The agency appreciates positive feedback from the public in support of this proposed Division 88 rule. The Oregon Equestrian Trails, like other entities requiring exemption from the rule, may apply for an access agreement and upon approval would be considered an authorized user for the term specified in the agreement. There is no cost associated with an access agreement and an application can be found on the agency's website.

Kim McCarrel, Oregon Equestrian Trails, Vice President – November 16 (via Comment Form)

Comment: I am submitting these comments on behalf of Oregon Equestrian Trails, an all-volunteer 501(c)3 nonprofit dedicated to building and maintaining trails and horse camps. We have about 700 members across the state. Our Mt. Hood chapter is very involved in trail maintenance at the Sandy River Delta, and many of our metro-area members ride there frequently. Here are our thoughts about firearms and vehicles at the Sandy River Delta:
Firearms We completely support the idea of restricting firearm use on the DSL land at the Delta. Bullets travel farther than many people realize, putting all Delta visitors at risk. People could be hit even though they aren't near the shooter. Equestrians are at particular risk because horses tend to spook at loud noises. Riders could be seriously injured if their horses are startled by gunfire. **Vehicles** We also support restricting vehicle use at the Delta. However, our volunteers doing trail maintenance need to be able to shuttle volunteers, tools, and materials to their worksite using vehicles. In addition, the OET volunteer who does mowing and other trail work with his tractor needs to be able to tow it to worksites. We would like the rule regarding vehicles to specifically allow use by authorized volunteers while working at the Delta. We appreciate the opportunity to comment on the proposed rule changes.

Agency Response: The agency appreciates positive feedback from the public in support of this proposed Division 88 rule. The Oregon Equestrian Trails, like other entities requiring exemption from the rule, may apply for an access agreement and upon approval would be considered an authorized user for the term specified in the agreement. There is no cost associated with an access agreement and an application can be found on the agency's website.

Jodi Winters – November 14 (via Comment Form)

Comment: Public Lands are Public Lands. They are not the Governments land to tell taxpayers what they can and can not do on public lands. People should be free to target practice on Public Lands.

Agency Response: The agency appreciates feedback from the public on this proposed Division 88 rule.

Carl Melina – November 13 (via Comment Form)

Comment: I support the rule change

Agency Response: The agency appreciates positive feedback from the public in support of this proposed Division 88 rule.

Kari Lockhart – November 7 (via Comment Form)

Comment: Hello, I support your rule change for the Sandy River Delta. What I do hope is that you actually enforce it and you begin enforcing the current rule of NO CAMPING. There are so many tents by the river in that area already and they have been cutting down trees for years. Both of these things seem like they shouldn't be happening but have been continuously for years. So adding more rules it great but I do hope you don't spend all this time in creating them and then not doing anything about it after they are passed like the no camping currently.

Agency Response: The agency appreciates positive feedback from the public in support of this proposed Division 88 rule. Enforcement of state law is handled by state police and local law enforcement. The agency takes an active role in identifying sites, providing services where appropriate, and cleaning up Oregon-owned lands.

Merry Ann Moore – November 2 (via DSL Rules email)

Comment: Please prohibit use of firearms in the area of the Sandy River Delta under consideration for this rule. We as a society must push back against the tendency to allow the presence and use of guns in more and more settings. A stray bullet in this area represents a clear risk to recreationalists. Further, the sound of gunfire causes anxiety for many of us who go outdoors to escape from the normal stresses of life. And gunfire is traumatic for people with PTSD and terrifies many dogs, like mine. Prohibit firearms in this area!

Agency Response: The agency appreciates positive feedback from the public in support of this proposed Division 88 rule.

Amy Sedgwick, – November 1 (via DSL Rules email)

Comment: I am very much in favor of the restriction of cars and firearms along the Sandy River Delta. It is essential to protect the environment that make Oregon Oregon.

Agency Response: The agency appreciates positive feedback from the public in support of this proposed Division 88 rule.

Albert Kaufman – November 1 (via Comment Form)

Comment: The Department of State Lands is seeking comments on proposed rulemaking (OAR 141-088) that would permanently restrict vehicle use and discharge of firearms on state lands at Sandy River Delta. Temporary emergency restrictions have been in effect since August 1, 2023, with the aim to protect public health, safety, and the environment. - Of course yes! Please make it illegal to discharge firearms on all state lands. Thank you.

Agency Response: The agency appreciates positive feedback from the public in support of this proposed Division 88 rule.