

LEGAL NOTICE

STATE OF OHIO DEPARTMENT OF
NATURAL RESOURCESNOTICE OF INTENTION TO AMEND AND HOLD A PUBLIC HEARING
ON DIVISION OF PARKS AND WATERCRAFT RULES
IN CONJUNCTION WITH A DIVISION OF NATURAL AREAS AND PRESERVES RULE

The Ohio Department of Natural Resources, in accordance with sections 119.03, 1517.02, and 1546.04 of the Ohio Revised Code, hereby gives notice of intention to rescind, amend, or replace the following rules:

Rescind the following rules:

1501:46-2-30 Muskingum river parkway lock fee.
1501:47-3-22 Pilots and engineers.
1501:47-3-98 Unlimited horsepower at no-wake
speed – Forked Run pilot program.

Amend the following rules:

1501:18-1-03 Endangered and threatened species.
1501:46-7-05 Snorkel, S.C.U.B.A. diving, and
submersible watercraft regulations.
1501:46-11-20 Watercraft prohibited at beach areas.
1501:46-12-01 Public use docks.
1501:46-12-02 Four-hour docking; dock permit.
1501:46-12-04 Permission required to use licensed
dock; exceptions.
1501:46-15-06 Hunting and trapping prohibited;
exceptions.
1501:46-15-07 Safety zones.
1501:47-1-21 Display of tag pursuant to sections
1547.53 (H) and 1547.57 (C) of the
Revised Code.

1501:47-1-23 Hull Identification Numbers.
1501:47-1-27 Pollution placard.
1501:47-1-28 Garbage placard.
1501:47-1-29 Copy of rules.
1501:47-3-17 Lakes permitting electric motors only.
1501:47-3-32 Watercraft operation in activity zone.
1501:47-3-35 Intoxicating beverages on waters
administered by the division of parks
and watercraft.
1501:47-3-37 Unlimited horsepower at no-wake
speed.
1501:47-3-38 Pymatuning horsepower and boating
restrictions.
1501:47-7-10 Springfield lake, Summit county.
1501:47-7-16 Lake Lorelei, Brown county.
1501:47-9-01 Horsepower limitations.

And adopt the following rules:

1501:47-3-97 Pilot programs; unlimited horsepower
at no-wake speed.
1501:47-7-21 Medina county park district.

SUMMARY:

- Administrative rule 1501:46-2-30 is being rescinded because waterway users will no longer be charged fees to use the Muskingum river locks operated by the division.
- Administrative rule 1501:47-3-22 is being rescinded because it duplicates provisions in the Ohio Revised Code.
- Administrative rule 1501:47-3-98 is being rescinded because the pilot program has expired and the rule is being made permanent.
- Administrative rule 1501:46-12-02 is being amended to include an exception related to leaving a vessel moored, beached, or stored in a state park for more than four hours in a twenty-four hour period and updates rule adoption authority.
- Administrative rule 1501:46-15-06 is being amended to update references and require that any hunting or trapping activities be conducted in accordance with Administrative Code chapter 1501:31-15.
- Administrative rule 1501:46-15-07 is being amended to update a reference to another section of Chapter 1501:46 of the Administrative Code and revise the listed safety zone areas.
- Administrative rule 1501:47-3-17 is being amended to remove Madison lake, Belmont lake, and Turkey Creek lake from the list of state park waters where only electric motors are permitted; the three lakes will

- allow all watercraft at no-wake speed for a pilot program period of two years. (see 1501:47-3-97 adoption)
- Administrative rule 1501:47-3-37 is being amended to add Forked Run to the list of state park waters that allow unlimited horsepower, provided that any watercraft powered by more than 10 horsepower operate at no-wake speed. (see 1501:47-3-98 rescission)
- Administrative rules 1501:46-11-20, 1501:46-12-01, 1501:46-12-04, 1501:47-1-21, 1501:47-1-23, 1501:47-1-27, 1501:47-1-28, 1501:47-1-29, 1501:47-3-32, 1501:47-3-35, 1501:47-3-38, 1501:47-7-10, 1501:47-7-16, and 1501:47-9-01 are being amended to update the references to the Revised Code that are implemented or amplified by the rule and references that provide the Division of Parks and Watercraft with the authority to adopt rules; no changes to the existing rule language are being proposed.
- Administrative rule 1501:47-3-97 is being adopted to temporarily allow any type of watercraft to operate on the waters of Madison lake, Belmont lake, and Turkey Creek lake at no-wake speed.
- Administrative rule 1501:47-7-21 is being adopted to establish regulations for vessels operating on waters under the management authority of the Medina County Park District.

A public hearing on the proposed amendments, adoptions, and rescission of these rules will be held at 10:00 am on Tuesday, November 27th, 2018 in the Poverty Room on the first floor of building C at the Department of Natural Resources located at 2045 Morse Road in Columbus, Ohio. At the public hearing, any person affected by these rule proposals may appear and be heard in person, or by an attorney, or both, and may present testimony, orally or in writing, and present evidence tending to show that these rules, if adopted, amended, or rescinded, will be unreasonable or unlawful.

Electronic copies of the proposed rules are available at the Ohio Legislative Service Commission's internet web site at: <http://www.registerofohio.state.oh.us/>. Hard copies of the proposed rule are available through the Ohio Department of Natural Resources at 2045 Morse Road, Columbus, Ohio 43229. For additional information, contact the Department of Natural Resources at (614) 265-6500.