



April 10, 2012

JOHN A. KITZHABER, MD
Governor

By Hand Delivery

Mr. George Tinker, Chair
Oregon State Marine Board
435 Commercial St NE #400
Salem, OR 97309-5065

Re: Waldo Lake Rulemaking

Dear Chair Tinker:

Thank you for your continuing service to the State of Oregon through your work as a Member and Chair of the Marine Board, and please extend my sincere appreciation to the rest of the Marine Board as well. I know that the volunteer work of board and commission members can involve significant commitments of time in making difficult decisions on issues involving competing interests.

You and the other members of the Marine Board are faced with such a decision tonight: whether to readopt the existing prohibition on the use of internal combustion motors in boats and seaplanes operating on the surface of Waldo Lake. While I realize that the Marine Board must act in cooperation with the Oregon Aviation Board with regard to seaplanes, I urge you in the strongest possible terms to readopt the prohibition to the full extent of the Marine Board's authority.

Waldo Lake was the *only* lake in the State of Oregon singled out by the Oregon legislature as a Scenic Waterway when the legislature established that program in 1983. In ORS 390.815, the legislature determined:

The people of Oregon find that many of the free-flowing rivers of Oregon and Waldo Lake and lands adjacent to such lake and rivers possess outstanding scenic, fish, wildlife, geological, botanical, historic, archaeologic, and outdoor recreation values of present and future benefit to the public.

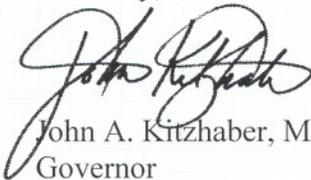
The lake itself is designated by the State as a Natural Area under the scenic waterway program, meaning that it must be administered to preserve its natural, wild and primitive condition, essentially unaltered by the effects of mankind. Everyone who has visited Waldo Lake knows the magic of its crystal clear waters, the unique absence of development along its shores, and the quiet that provides a refuge of peace from an otherwise hectic world. These values are an Oregon treasure, and should be preserved through the Board's re-adoption of the existing ban on motors in boats.

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For the same reasons, I am also urging the Oregon Board of Aviation to approve a corresponding prohibition on seaplanes operating on Waldo Lake. While such a prohibition may need to include some limited exceptions for emergencies, the Aviation Board also is charged with exercising its powers “* * * in all respects commensurate with and for the purpose of *protecting and insuring the general public interest* and safety, the safety of persons receiving instruction concerning, or operating, or using or traveling in aircraft, and of persons or property on land or water.” ORS 835.035. I suggest that in this circumstance there can be no doubt that the public interest is in preserving the experience of the overwhelming number of people who experience the lake on foot or by boat.

Thank you and the other members of the Marine Board for your careful consideration of all of the public comments received concerning this important decision.

Sincerely,



John A. Kitzhaber, M.D.
Governor

c: Mr. Scott Brewen, Director, Oregon Marine Board
Mr. Mark Gardiner, Chair, Oregon Aviation Board
Mr. Mitch Swecker, Director, Oregon Aviation Board