

i. Presumptive levels.

1. The results of chemical or other quantitative tests are intended to supplement the elements of probable cause used as the basis for the arrest of an operator charged with a violation of paragraph (i1) of this section. If the alcohol concentration in the operator’s blood or breath at the time of testing is less than alcohol concentrations specified in paragraph (i2) of this section, this fact does not give rise to any presumption that the operator is or is not under the influence of alcohol.

2. The provisions of paragraph (i1) of this section are not intended to limit the introduction of any other competent evidence bearing upon the question of whether the operator, at the time of the alleged violation, was under the influence of alcohol, or a drug, or drugs, or any combination thereof.

m. Within the Sandy Beach Recreation Site, consuming alcoholic beverages or possessing any bottle, can or other receptacle containing any liquor, which has been opened, or a seal broken, or the contents of which have been partially removed. This paragraph does not apply if the bottle, can or other receptacle has been stored out of view and is not readily accessible.

The provisions of paragraphs 1a, d, h, k; 4a, b, c; 6a, b, c, e, j; 7c, m; 8a, f, g, j, k, m, n shall not apply to any Federal, state or local officer or member of any organized rescue or firefighting force in the performance of an official duty.

For Additional Information about the Lower Deschutes River Contact:

Bureau of Land Management Prineville District Office

3050 NE 3rd Street, P.O. Box 550
Prineville, OR 97754
Phone (541) 416-6700

To report an incident, call:

BLM Fire Dispatch.....(541) 416-6800
BLM Law Enforcement hotline.....1-800-333-7283
Southern Wasco County Ambulance Service
(Maupin).....(541) 395-2500
Jefferson County Sheriff.....(541) 475-2201
Wasco County Sheriff.....(541) 296-5454
Sherman County Sheriff.....(541) 565-3622
Oregon State Police.....(541) 388-6300
1/00 or 1-800-333-7283

U.S. Department of the Interior BUREAU OF LAND MANAGEMENT

Prineville District

This document is a detailed list of the Prohibited Acts in the Deschutes National Wild and Scenic River Area.

Pursuant to 43 CFR 8351.2-1, the following acts are prohibited on all public lands within the boundaries of the Deschutes River component of the National Wild and Scenic Rivers System administered by the Bureau of Land Management. This does not include state and local laws.

Violation of these prohibitions is punishable by a fine of not more than \$500 or imprisonment of not more than 6 months or both. (43 CFR 8351.2-1 (7)(f)).

For the purposes of this document for the Deschutes River, the term “highway” shall mean: every public way, road, street, thoroughfare and place, including bridges, viaducts and other structures upon public lands, open, used or intended for use of the general public for vehicles or vehicular traffic as a matter of right.

1. Camping

Camping means the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle, motor home, or trailer or mooring of a vessel for the apparent purpose of overnight occupancy.

- a. Camping longer than 4 consecutive nights at a boat-in-only campsite or vehicle camping for a total period of not more than 14 days during any 28 day period. The 28 day period will begin the first full day the site is occupied. The 14 day limit may be reached either through a number of separate visits or through a period of continuous occupation. Once the 14 day limit is reached in any camping area, the person(s) must move a distance of not less than 50 miles if they intend to continue camping on public lands.
- b. Digging or leveling the ground at any campsite.
- c. Installation of permanent camping facilities.
- d. Camping on river islands, or any area posted as closed to camping.
- e. Camping outside of designated campsites between Locked Gate and Buck Hollow Recreation Site.
- f. Camping outside of designated campsites on the east (road side) of the River between Buck Hollow recreation Site and Macks Canyon recreation Site.
- g. Vehicle camping anywhere along the River outside of

designated campsites.

- h. Occupying any area designated as day use only, between sunset and sunrise.
- i. Possessing or leaving refuse, debris or litter in an exposed, unsightly or unsanitary condition.
- j. Leaving campground equipment, site alterations or refuse after departing any campsite or in any unoccupied campsite.
- k. Failure to pay fees within 30 minutes of occupying a fee campsite.
- l. Exceeding party or group sizes of: 16 in river segments 1,3, and 4, 24 in river segment 2 in any boat-in site and in any designated group campsite, 8 in any designated single drive-in site.
- m. After camping at a boat-in only site: failure to move from that site at least 1/4 mile and failure to vacate that site for at least 3 nights before returning to that site.
- n. Exceeding the maximum allowable number of persons and/or vehicles allowed for a designated campsite.
- o. Reserving, holding, or transferring campsites for the benefit of another party.
- p. Moving any table, stove, barrier, litter receptacle or other campground equipment.

2. Fires

Open fires and charcoal are prohibited from June 1 - Oct. 15. Smoking is limited to buildings, closed vehicles or boats on the water.

When fires are allowed:

- a. Building or maintaining any open campfires except those contained in a firepan or similar metal container with sides measuring at least 2" in height.
- b. Leaving any fire unattended or without completely extinguishing it.
- c. Burning or attempting to burn items such as tin, aluminum, glass or other noncombustible items in any campfire.
- d. Throwing or discarding lighted or smoldering material, or lighting, tending or using a fire, stove or lantern in such a manner that threatens, causes damage to or results in the burning of property or resources, or creates a public safety hazard.
- e. Using or possessing fireworks or firecrackers.
- f. Failing to observe any fire orders, closure regulations or notices issued by the Bureau of Land Management or Oregon Department of Forestry.

3. Sanitation and Refuse

An “**approved carry out system**” is a portable unit designed for the deposition and transportation and disposal of human body waste. Such a system must have a water tight seal and be designed to be emptied into designated

BLM dump facilities or RV waste dump stations. Systems which use plastic bags or similar material are ***not*** considered *approved carry out systems* because plastic cannot be accepted by dump facilities.

- A “**toilet facility**” is a vault-type toilet provided by the Bureau of Land Management.
- a. When camping **less** than 800 feet from a toilet facility, disposing of human body waste except in a toilet facility.
- b. When camping **more** than 800 feet from a toilet facility, failing to use an *approved carry out system*.
- c. When **not camping** and **less** than 800 feet from a toilet facility, disposing of human body waste except in fixtures provided for that purpose.
- d. When **not camping** and **more** than 800 feet from a toilet facility, failing to bury human body waste at least six inches deep and more than 50 feet from any natural water source.
- e. Emptying waste from an *approved carry out system* into the interior fixture of a toilet.
- f. Disposing of refuse in other than refuse receptacles.
- g. Depositing refuse in the plumbing fixtures or vaults of a toilet facility.
- h. Using government refuse receptacles for dumping household, commercial, or industrial refuse brought in as such from non-US government property except in accordanc with conditions established by an authorized official.
- i. Draining any refuse from a trailer or vehicle except in facilities provided for that purpose.
- j. Washing dishes or using soap in the River or any tributaries or less than 50 feet from any natural water source

4. Firearms

- a. Discharging any firearms between: 3rd Saturday in May and August 31, or at any time within a developed recreation site.
- b. Discharging a firearm at any time within 150 yards of a residence, building, developed recreation site, or occupied area.
- c. Discharging a firearm at any time into or from within any area posted no shooting or safety zone.
- d. Discharging a firearm at any time in violation of State Law.

5. Disorderly Conduct

- a. A person commits disorderly conduct when, with the intent to cause public alarm, nuisance, jeopardy or violence, or knowingly or recklessly committing a risk thereof, such a person commits any of the following prohibited acts:
 - 1. engages in fighting, threatening or violent behavior;
 - 2. uses language, an utterance or gesture, or engages in a display or act that is obscene, physically threatening or menacing, or done in a manner that is likely to inflict

injury or incite an immediate breach of the peace,

3. makes noise that is unreasonable, considering the nature and purpose of the actor's conduct, location, time of day or night, and other factors that would govern the conduct of a reasonably prudent person under the circumstances;

4. creates or maintains a hazardous or physically offensive condition including but not limited to: using or operating mechanized or manual water cannons, spud guns, water balloon launchers or any other projectile device.

b. Operating generators, amplified music and other excessive or loud noise from 10 p.m. to 7 a.m.

6. Vehicles

a. Parking in such a manner as to impede or obstruct the normal flow of traffic, create a hazardous condition, or parking in any area designated as closed to parking.

b. Exceeding posted speed limits.

c. Disregarding traffic control devices.

d. Failure to report a motor vehicle accident resulting in property damage, injury or death within 24 hours to Prineville BLM District Office.

e. Traveling or parking off of designated roads, parking areas or launch sites.

f. Operation of any vehicle that does not meet State registration, licensing and safety requirements.

g. Operation of any vehicle without a valid State driver's license.

h. Operation of a motor vehicle while under the influence of alcohol, drugs or intoxicants, or any combination thereof.

i. Operation of a motor vehicle in violation of any State law.

j. Using or riding a mountain bike except in areas designated for mountain bike use.

k. The following acts are prohibited on these roads within the Deschutes River National Wild and Scenic corridor: Mecca Flat Road, Trout Creek Road, BLM Upper River Access Road-Maupin to Locked Gate, BLM Middle River Access road-Bakeoven Road to Hwy. 216, BLM Lower River Access Road-Hwy. 216 to Macks Canyon.

1. Operating a vehicle with a seating capacity greater than 24 passengers (each seat to hold no more than 2 persons) and 1 driver and a total vehicle length greater than 28 feet.

2. Riding or allowing to ride in or on top of the load of any trailer.

3. Riding or allowing to ride in or on top of the load within or on the back of any open bed motor vehicle.

4. Pulling any trailer with a total overall width greater than 8 feet 6 inches.

5. Operating any trailer, tow vehicle combination with a combined total length greater than 50 feet.

6. Riding or allowing to ride on the external part of a motor vehicle, including but not limited to hoods, bumpers, fenders, tailgates, trunks, window sills, running boards, or above cargo bed side rails.

7. Other Acts

a. Tree cutting or firewood gathering, including driftwood, dead/down wood.

b. Defacing, disturbing, or removing any natural feature or property of the United States.

c. Failing to possess a Deschutes River boater Pass as required by Oregon State Parks and Recreation Division.

d. Failing to exhibit required permits or identification when requested by a BLM authorized officer or representative.

e. Selling or offering for sale any services or merchandise or conducting any kind of business enterprise on public lands without a BLM permit.

f. Threatening, resisting, intimidating or interfering with any BLM official, employee or volunteer engaged in, or on account of, their performance of their official duties.

g. Failure to restrain pets on a leash or in a cage at all times in developed camping areas and within the river corridor except when in use for hunting.

h. Aircraft landing without authorization.

i. Taking, attempting to take, or possession of any fish or wildlife in violation of any State Law or other regulation.

j. Participating in an unauthorized event or activity.

k. Defacing, disturbing or removing any historic or prehistoric feature or artifact.

l. Allowing livestock to graze within any closed area or at any time when grazing is prohibited.

m. Using or riding horses except in areas designated for horse use.

n. Violations by commercial permittee of any stipulations outlined in the [Guidelines for Commercial Use of Rivers in the Prineville District](#).

o. Exceeding party or group size of : 16 in river segment 1,3,4 or 24 in river segment 2.

8. Boating

a. Operating of any motor-driven (including electric motor-driven) vessel in any area posted "Closed" to such use.

b. Failure to observe posted regulations at launch sites.

c. Operation of any vessel in such a manner as to create a hazardous or unsafe condition.

d. Operation of any personal watercraft including, but not limited to: jet skis, wet bikes, waverunners, and wetjets from Heritage Landing boat ramp upstream.

e. Operation of any motor-driven vessel with more than seven people (including the operator) on board.

f. Any motor-driven vessel making more than two round trips per day.

g. Failure of floating craft (except float tubes) to observe the pass-through zone from the no-wake zone below Moody Rapids to the upstream end of Rattlesnake Rapids.

h. Exceeding Oregon State noise standards for motorboats.

i. Violation of any State Marine board regulation..

j. Failure to complete boater registration when requested to do so by agency personnel.

k. Failure to pay required boater use fee.

l. Failure to register for boat-in camping sites, areas or River sections/zones as required.

m. Failure to camp in assigned boat-in areas, camping sites or River section/zone as required.

n. Launching or taking out watercraft in an area designated as closed to this activity.

o. Failure to possess one type III or IV Personal Floatation Device (PFD) per person in a vessel.

9. Alcoholic beverages and controlled substances

a. No person under the influence of an intoxicating liquor or controlled substance shall operate, propel, or be in actual physical control of any boat upon the water. Not less than .08 percent by weight of alcohol in a persons blood constitutes being under the influence of intoxicating liquor. Refusal by an operator to submit to a test may be admissible in any related judicial proceeding.

b. No owner of a boat or person in charge or in control of a boat shall authorize or knowingly permit a boat to be propelled or operated upon the water by any person who is under the influence of an intoxicating liquor or a controlled substance.

c. Selling, giving or otherwise making available any alcoholic liquor to any person who is visibly intoxicated.

d. No one other than the person's parent shall sell, give, or otherwise make available any alcoholic liquor to a person under the age of 21 years. A person violates this regulation who sells, gives, or otherwise makes available alcoholic

liquor to a person with the knowledge that the person to whom the liquor is made available will violate this regulation.

e. No person under the age of 21 years shall attempt to purchase or acquire alcoholic liquor. Except when such minor is in a private residence accompanied by the parent or guardian of the minor and with such parent's or guardian's consent, no person under the age of 21 years shall have personal possession of alcoholic liquor. For the purposes of this regulation, personal possession of alcoholic liquor includes the acceptance or consumption of a container of such liquor, or any portion thereof or a drink of such liquor. However, this section does not prohibit the acceptance or consumption by any person of sacramental wine as part of religious rite or service.

f. Drinks any alcoholic liquor in a motor vehicle when the vehicle is upon a highway.

g. Possesses on one's person, while in a motor vehicle upon a highway, any bottle, can, or other receptacle containing any alcoholic liquor, which has been opened, or seal broken, or the contents of which have been partially removed.

h. Keeps in a motor vehicle when the vehicle is upon any highway, any bottle, can or other receptacle containing any alcoholic liquor, which has been opened, or a seal broken, or the contents of which have been partially removed. The following apply to this paragraph:

1. This paragraph applies only to the registered owner of any motor vehicle or, if the registered owner is not then present in the vehicle, to the driver of the vehicle.

2. This paragraph does not apply if the bottle, can or other receptacle is kept in the trunk of the vehicle, or kept in some other area of the vehicle not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk.

3. For purposes of this paragraph, a utility compartment or glove compartment is considered within the area occupied by the driver and passengers.

4. This paragraph does not apply to the living quarters of a camper or a motor home.

The offense described in regulations (g) and (h) above does not apply to a motor vehicle operated by a publicly owned transit system or a motor vehicle operated by a common carrier and used primarily to carry passengers for hire.

i. Operating or being in actual physical control of a motor

vehicle is prohibited wine.

1. Under the influence of alcohol, or a drug, or drugs, or any combination thereof, to a degree that renders the operator incapable of safe operation; or

2. The alcohol content of the operator's blood is .08 percent or more by weight of alcohol in the blood.

j. The provisions of paragraph (i) above also apply to an operator who is or has been legally entitled to use alcohol or another drug.

k. Tests:

1. At the request or direction of an authorized person who has probable cause to believe that an operator of a motor vehicle upon public lands has violated a provision of paragraph (i) of this section, the operator shall submit to one or more tests of the blood, breath, saliva, or urine for the purpose of determining blood alcohol and drug content.

2. Refusal by an operator to submit to a test is prohibited and proof of refusal may be admissible in any related judicial proceeding.

3. Any test or tests for the presence of alcohol and drugs shall be determined by and administered at the direction of an authorized person.

4. Any test shall be conducted by using accepted scientific methods and equipment of proven accuracy and reliability operated by personnel certified in its use.