



## Oregon Parks and Recreation Commission

September 18 & 19, 2018

Veterans Memorial Hall

128 S. Main St

Condon, OR 97823

### Draft Minutes

#### Tuesday, September 18, 2018

Location: Cottonwood Canyon

#### TOUR:

8:30am Cottonwood Canyon Opening

#### Wednesday, September 19, 2018

Location: Veterans Memorial Hall - Condon, Oregon

#### Executive Session: 8:15 a.m.

The Commission will meet in Executive Session to discuss acquisition priorities and opportunities, and potential litigation. The Executive Session was held pursuant to ORS 192.660(2)(e) and (h), and was closed to the public.

#### Business Meeting: 9:30 a.m.

• Cal Mukumoto, Commission Chair	• Chris Havel, OPRD
• Jennifer H. Allen, Commission Vice-Chair	• Cailin O'Brien Feeny, OPRD
• Lisa Dawson, Commission	• Tracy Loudon, OPRD
• Jonathan Blasher, Commission	• Kammie Bunes, OPRD
• Doug Deur, Commission	• Chas Van Genderen, OPRD
• Vicki Berger, Commission	• Bob Devyelder, OPRD
• Steve Grasty, Commission	• Chas Van Genderen, OPRD
• Steve Shipsey, Counsel for Commission, DOJ	• Bob DeVyleder, OPRD
• Lisa Sumption, OPRD Director	• Scott Nebeker, OPRD
• MG Devereux, OPRD Deputy Director	• Chrissy Curran, OPRD
• Denise Warburton, OPRD	• Trevor Taylor, OPRD

#### 1. Commission Business

- a) Welcome and Introductions (Information)
- b) June 2018 Minutes (**Action**)

**Action: Commissioner Grasty moved to approve the June 2018 minutes as presented. Commissioner Allen seconded. The motion passed 6-0. (Topic starts at 00:03:52 and ends at 00:04:21)**

c) September 2018 Agenda (**Action**)

**Action: Commissioner Dawson moved to approve the September agenda. Commissioner Grasty seconded. The motion passed 6-0. (Topic starts at 00:04:22 ends at 00:05:17)**

**2. Public Comment: No public comment.**

**3. Director's Update**

- a) Office of Outdoor Recreation (Information)
- b) Legislative Update (Information)

**4. Budget**

- a) 2017-19 Budget update (Information)

**5. Property**

- a) Floras Lake State Natural Area – Curry County Property (Information)
- b) Neskowin SRS transfer to Tillamook County (**Action**)

**Action: Commissioner Grasty moved to approve the LWCF Conversion of Use, and the transfer of 0.5 acre easement to Tillamook County for the purpose of developing a trail and emergency access over OPRD lands. Commissioner Berger seconded. The motion passed, 6-0. (Topic starts at 00:47:36 and ends at 00:55:30)**

**6. Community Engagement**

- a) Natural Areas Program Registration – Greenbelt Trust's Santiam-Kingston Prairie (**Action**)

**Action: Commissioner Allen moved to approve the Kingston Hill Property contingent upon the adequate progress towards habitat restoration in the lower quality areas that evaluate after 5 years. Registration may be revoked if progress towards restoration is deemed insufficient, unsustainable or unsuccessful by OPRD staff. Commissioner Blasher seconded. The motion passed, 6-0. (Topic starts at 00:55:32 and ends at 01:13:28)**

- b) ORTAC Council Member (**Action**)

**Action: Commissioner Blasher moved to approve the Director's Recommendation for ORTAC Coastal Representative Skyler Archibald. Commissioner Dawson seconded. The motion passed, 6-0. (Topic starts at 01:13:33 and ends at 01:15:09)**

- c) LGGP Grant Recommendation
  - i. Large Grants (**Action**)

**Action: Commissioner Allen moved to approve in the second year of the 2017-2019 biennium, the 2018 Grant Cycle to approve all 18 large grant requests recommended by the LGGP Advisory Committee totaling \$4,863,431 as detailed on the attached spreadsheet. Commissioner Grasty seconded. Motion passed, 6-0. (Topic starts at 01:15:13 and ends at 01:20:08)**

- ii. Small Grants (**Action**)

**Action: Commissioner Grasty moved to approve the awarding 16 small grant requests recommended by the scoring committee totaling \$774,194 as detailed on the attached spreadsheet. Commissioner Blasher seconded. Motion passed, 6-0. (Topic starts at 01:20:10 and**

ends at 01:21:28)

### iii. Planning Grants (**Action**)

**Action: Commissioner Allen moved in the second year of the 2017-2019 biennium to approve the award of 5 planning grant requests recommended by the scoring committee totaling \$162,000 as detailed on the attached spreadsheet. Commissioner Dawson seconded. Motion passed, 6-0. (Topic starts at 01:21:29 and ends at 01:22:35)**

## 7. Heritage

- a) Heritage Division Updates (Information)

## 8. Park Development Division

- a) Construction Contract Awards (**Action**)

**Action: Commissioner Berger moved to approve conditional approval of project 3, Umpqua Lighthouse, as stated in the brief. Commissioner Blasher seconded. Motion passed, 6-0. (Topic starts at 01:26:30 and ends at 01:31:54)**

- b) Silver Falls Bridge Replacement (Information)
- c) SCORP Update (Information)

## 9. Rulemaking

- a) Request to adopt rulemaking- Removing ranch rates from rule and eliminate acceptance of checks for reservations (736-015-0015 and 736-015-0040) (**Action**)

**Action: Commissioner Berger moved to adopt amendments to 736-015-0015 and 736-015-0040 to remove ranches from rates and reservations, and eliminate checks for reservations. Commissioner Grasty seconded. Motion passed 6-0. (Topic starts at 02:09:20 and ends at 02:14:26)**

- b) Request to adopt rulemaking- Flexible Fees (736-015-0006, 736-015-0020, 736-015-0040) (**Action**)

**Action: Commissioner Allen moved to adopt amendments to 736-015-0006, 736-015-0020, and 736-015-0040 to implement a flexible rate range for certain sites at State Parks. Commissioner Berger seconded. Motion passed 6-0. (Topic starts at 02:14:27 and ends at 02:25:39)**

## 10. Reports

- a) Scenic Waterway Program Notification Actions and Ocean Shore Permits (Information)
- b) Procurement Report (Information)
- c) Saddle Mountain State Park – Oregon Silverspot Butterfly Reintroduction (Information)

## 11. Commission Planning Calendar (Information)

- b) 2019 Calendar Draft (Information)

*The services, programs and activities of the Oregon Parks and Recreation Department are covered by the Americans with Disabilities Act (ADA). If you need special accommodations to participate in this meeting, please contact the commission assistant Denise Warburton at (503) 986-0719 or [Denise.warburton@oregon.gov](mailto:Denise.warburton@oregon.gov) at least 72 hours prior to the start of the meeting.*



## Oregon Parks and Recreation Commission

November 27-28, 2018  
Best Western Boulder Falls Inn  
Conference Center  
505 Mullins Dr.  
Lebanon, OR 97355

### Draft Agenda

#### Tuesday, November 27, 2018

*Location: Best Western Boulder Falls Inn*

#### TOUR: Cascadia State Park, River Bend Park

**8:00am** Leave Lebanon

**8:45am** Arrive @ Cascadia State Park

**9:30am** Arrive @ River Bend Park

**10:45am** Arrive at Boulder Falls Inn

#### WORK-SESSION / TRAINING: 11:00am – 4:45pm

**\*\*Working lunch will be provided @ 12:00pm**

- Concessions Contractor
- Best Practices Workshop
- SCORP
- Public Comment Processes
- Acquisition Strategy

#### Wednesday, November 28, 2018

*Location: Best Western Boulder Falls Inn*

#### Executive Session: 8:15 a.m.

*The Commission will meet in Executive Session to discuss acquisition priorities and opportunities, and potential litigation. The Executive Session will be held pursuant to ORS 192.660(2)(e) and (h), and is closed to the public.*

#### Business Meeting: 9:30 a.m.

##### 1. Commission Business

- a) Welcome and Introductions (Information)
- b) Approval of September 2018 Minutes (**Action**)
- c) Approval of November 2018 Agenda (**Action**)

##### 2. Public Comment: *This is the time for the public to address the Commission.*

*If you wish to make public comment on an item on the agenda you can choose to make your comment either when the item is heard, or during this allotted time. Although written testimony is not required,*

*it is suggested that 15 copies be provided to the Commission Assistant prior to the meeting. Speaking time is limited to 3 minutes.*

**3. Director's Update**

- a) Best Practices (**Action**)
- b) Outdoor Recreation Accords (**Action**)

**4. Budget**

- a) Budget Update (Information)

**5. Property**

- a) Ruthton Park (Information)

**6. Community Engagement**

- a) RTP Grant Approval (**Action**)
- b) Nehalem Scenic Waterway (**Action**)

**7. Heritage**

- a) Update (Information)
- b) Overview of Heritage Grants (Information)

**8. Park Development Division**

- a) Request of Approval for WLMU Master Plan (**Action**)
- b) Construction Contract Approvals (**Action**)
- c) Brian Booth (Information)

**9. Reports (Information)**

- a) Annual KPM report
- b) Delegated Authority
- c) Scenic Waterways/Ocean Shores Permits
- d) Smith Rock State Park

**9. Commission Planning Calendar (Information)**

- a) 2019 Draft Planning Calendar

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## Oregon Parks and Recreation Commission

November 28, 2017

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Agenda Item:	3a	Action
Topic:	Commission Best Practices	
Presented by:	Chris Havel	

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The State of Oregon requires an annual review of Commission business practices and procedures. The Commission, with mediation by staff, reviewed sixteen practices during a workshop on November 27:

1. Executive Director's performance expectations are current.
2. Executive Director receives annual performance feedback.
3. The agency's mission and high-level goals are current and applicable.
4. The board reviews the Annual Performance Progress Report.
5. The board is appropriately involved in review of agency's key communications.
6. The board is appropriately involved in policy-making activities.
7. The agency's policy option packages are aligned with their mission and goals.
8. The board reviews all proposed budgets (likely occurs every other year).
9. The board periodically reviews key financial information and audit findings.
10. The board is appropriately accounting for resources.
11. The agency adheres to accounting rules and other relevant financial controls.
12. Board members act in accordance with their roles as public representatives.
13. The board coordinates with others where responsibilities and interests overlap.
14. The board members identify and attend appropriate training sessions.
15. The board reviews its management practices to ensure best practices are utilized.
16. The board approves property acquisition and disposition in a manner consistent with goals and policy.

The review reflected on the period from July 2017 to June 2018. Where all commissioners agree their practices achieve the stated aim, the practice is marked as MEETS or EXCEEDS. Where the commissioners are not in agreement on a practice, it is marked DOES NOT MEET. This report is submitted to the Oregon Department of Administrative Services, and incorporated into the budget document submitted to the Governor and Legislative Assembly.

**Attachment:** Best Practices Report attachment provided on November 28, 2018.

**Action Requested:** Approve report.

**Prior Action by Commission:** Prior years' approval of Best Practices reports.

**Prepared by:** Chris Havel

## Oregon Parks and Recreation Commission

November 28, 2017

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Agenda Item:	3b	Action
Topic:	Outdoor Recreation Accords	
Presented by:	Cailin O'Brien-Feeney	

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When the Oregon Legislature formed the Office of Outdoor Recreation within the Oregon Parks and Recreation Department in 2017, it placed the state in the company of a small number of states spread across the nation that had similarly elected to elevate outdoor recreation to statewide importance.

Each state has chosen a slightly different tack to improve participation and access, investment and economic benefits, and resource stewardship. These differences are driven by each state's social and physical environment, and even states as similar as Washington and Montana -- the two closest states with Offices -- differ from Oregon in their approach to high level strategizing.

Even so, the leadership in each Office meet regularly to share knowledge and support each other's pursuit of their common, fundamental goals. This shared foundation is described in a series of statements covering issues like access, resource protection, business development, education and workforce training, and inclusion. These principles are bound together in a document titled "The Confluence Accords." Oregon's Director of the Office of Outdoor Recreation, Cailin O'Brien-Feeney, participated in drafting the Accords and will refer to its general principles for inspiration as he works with a team of Oregon collaborators to shape our state's unique outdoor recreation strategy.

While Oregon representatives -- agencies, nonprofits, businesses, First Gentleman Dan Little -- helped others across the nation draft the Accords, an explicit endorsement of the document by the Commission would establish a role for it in the upcoming creation of a formal policy advisory group and eventual outdoor recreation strategic plan. In addition to the Commission's endorsement, the Office of Outdoor Recreation will seek similar signs of support from partner agencies and groups, culminating in a request for a proclamation from the Governor.

**Attachment:** Outdoor Recreation Accords.

**Action Requested:** Endorsement of the Accords: "We, the Oregon State Parks and Recreation Commission, endorse the Confluence Accords as a guide for development of Oregon strategies to elevate outdoor recreation participation, access, and resource stewardship."

**Prior Action by Commission:** None.

**Prepared by:** Chris Havel

# OUTDOOR RECREATION INDUSTRY

## CONFLUENCE ACCORDS



### PREAMBLE:

We, a growing confluence of states with a shared passion for the outdoors and a commitment to cultivating a strong outdoor recreation economy, believe that outdoor recreation is core to the very character and quality of life we should all enjoy.

The outdoor industry is a powerhouse of meaningful job creation, and a driving force of our Nation's economy. Our industry is an economic multiplier, creating a unique quality of life in rural and urban areas, attracting new businesses and professional talent to our communities.

While each of our states is unique, our shared commitment to facilitating everyone's love of place through inclusion and diverse outdoor experiences has the power to unify communities, to bridge societal divides, and to improve the mental and physical health of all people.

The outdoors is the wellspring of adventure, camaraderie, and solace, inspiring us to both explore new places and set down roots. Whereas nature is the backbone of the recreation economy, we are committed to fostering conservation and stewardship values, ensuring environmental quality, and restoring sustainable access to the outdoors for current and future generations.

*Therefore, the undersigned representatives for the outdoor recreation sector do hereby adopt and commit our states to the following common principles:*

### CONSERVATION AND STEWARDSHIP:

- Work with the public, private, and nonprofit sectors to advocate for conservation and stewardship of land, air, water, and wildlife, and for public access to them.
- Facilitate public-private partnerships to enhance public outdoor recreational access, infrastructure improvements and conservation efforts.
- Educate and empower the public on the importance and interrelatedness of a healthy environment, outdoor recreation and a vibrant economy.



# OUTDOOR RECREATION INDUSTRY

## CONFLUENCE ACCORDS

### EDUCATION AND WORKFORCE TRAINING:

- Engage with educators to support environmental and outdoor learning opportunities for early and life-long outdoor activity, career development, and advocacy for outdoor recreation.
- Promote workforce training programs for technical training, skill mastery, and business opportunities across the spectrum of outdoor industry careers.
- Promote interest, participation, and diversity in the outdoors for all, supporting opportunities for early and life-long outdoor learning.

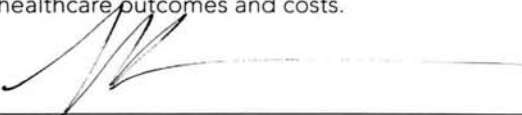
### ECONOMIC DEVELOPMENT:

- Collaborate with all stakeholders to establish and improve sustainable outdoor recreation infrastructure and funding.
- Engage federal, tribal, state, and local governments, as well as local and regional economic development organizations to attract, retain, and expand business and market the outdoor recreation economy.
- Address barriers to businesses' success in the outdoor recreation economy.

### PUBLIC HEALTH AND WELLNESS:

- Address social determinants of health by increasing outdoor recreation opportunities for people of all backgrounds and abilities.
- Partner with health & wellness stakeholders to determine shared values and common goals, build relationships, and generate innovative partnerships to fulfill shared visions.
- Assist in quantifying impacts of access to outdoor recreation and related social determinants on healthcare outcomes and costs.

Colorado



Luis Benitez, Director

Montana



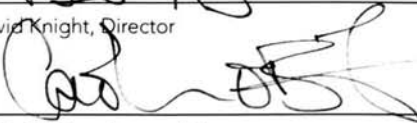
Rachel VandeVoort, Director

North Carolina



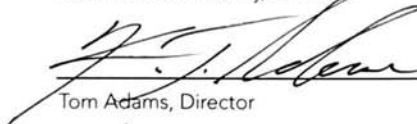
David Knight, Director

Oregon



Cailin O'Brien-Feeney, Director

Utah



Tom Adams, Director

Vermont



Michael Snyder, Director

Washington



Jon Snyder, Director

Wyoming



Domenic Bravo, Director

## Oregon Parks and Recreation Commission

November 28, 2018

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Agenda Item: 4a

Information

Topic: Budget Update

Presented by: Tanya Crane, Budget Manager

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The December 2018 Lottery forecast will be released November 14, 2018 and be provided at the Business meeting.

The following OPRD items were approved at the September 2018 meeting of the Emergency Board:

- Request increased limitation to spend a donation from the Oregon State Parks Foundation for expansion of Cottonwood Canyon State Park. \$455,448 Other Funds
- Request increased limitation for several Facilities Investment Program projects to be completed in the 2017-19 biennium. \$1,900,000 Lottery Funds
- Request increased limitation for a number of maintenance projects across the park system. \$2,000,000 Lottery Funds
- Request increased limitation for potential property acquisition. \$1,500,000 Lottery Funds
- Request increased limitation for reservation and merchant fees. \$1,208,230 Lottery Funds
- Request increased limitation related to POST. With new staff, need to hold an additional academy during 2017-19. \$100,000 Lottery Funds

It should be noted that OPRD requested the Maintenance project funds, the POST funds and the reservation and merchant fee funds on the agency's general operating split of 48.78% Lottery Funds and 51.22% Other Funds. The legislative decision was made to fund the requests at 100% Lottery funds.

OPRD does not have any items for the December 2016 Emergency Board meeting.

The tables on the next page show revenue and expenditures to date through June 30, 2018 (the close of the first fiscal year of the biennium).

The "percent" column represents the percentage of the budget that has been collected or spent.

For this reporting period, the biennium is 50% complete; however, OPRD's business is seasonal so it should not be assumed that everything should be at the 50% mark. Revenues and expenditures are monitored monthly; revenues are forecast quarterly. Internal adjustments are made as necessary to stay within revenue projections and expenditure limitation.

<b>Revenues to date:</b>			
	Budget	Actuals	Percent
Lottery Funds	97,173,869	55,469,284	57.08%
Federal Funds	16,389,923	3,786,092	23.10%
General Fund	218,894	2,347	1.07%
Other Funds			
ATV	9,749,461	143,446	1.47%
Park User Fees	50,687,720	31,616,882	62.38%
RV Registrations	19,996,706	10,029,493	50.16%
Trust/Dedicated	4,465,888	2,942,186	65.88%
Main Street Bonds	5,111,682	0	0.00%
All Other	13,216,680	4,671,720	35.35%
Grand Total	217,010,823	108,661,450	50.07%
<b>Expenditures to date:</b>			
	Budget	Actuals	Percent
Director's Office/Commission	2,064,585	838,716	40.62%
Central Services	30,930,970	14,633,780	47.31%
Park Development	24,389,519	8,470,593	34.73%
Direct Services	111,721,765	49,743,028	44.52%
Community Support/Grants	47,988,373	17,864,363	37.23%
Grand Total	217,095,212	91,550,480	42.17%

A few notes:

1. Federal Revenues – these funds come in to the Department on a reimbursement basis. Funds, primarily grants, must be spent and then the funds are received.
2. ATV – the largest revenue source is the annual fuels tax transfer from ODOT; the funds had been requested but not yet received at fiscal year end. In addition, revenue transfers are made to the Oregon State Police and the Department of Forestry on an ongoing basis. Annual permit sales of \$837K just cover transfer of \$801K to the Oregon State Police and the Department of Forestry in the first fiscal year of the biennium, thereby demonstrating the need for reserves related to cash flow.
3. Park User Fees – camping and day use revenues are higher than were projected in the original budget. Weather seems to be playing a large role in the increase.
4. Trust/Dedicated – this includes preventive maintenance, business accounts and other stewardship accounts. Park Sales are driving the revenues higher than projections.
5. Main Street – the bonds that will provide this revenue have not yet been sold; sale is expected in the spring of 2019.
6. Other Funds All Other – this includes “small grant” limitation and is based on assumptions about various grants coming into the parks.

Development of the 2019-21 Governor’s Budget is in process. OPRD met with the Department of Administrative Services (DAS), Budget and Management (BAM) about OPRD’s Analyst Recommended Budget. Final adjustments to OPRD’s 2019-21 Governor’s Budget will be made once DAS has the December 2018 Lottery forecast – expected in early November. The Department will present the Governor’s Budget to the Commission at the February 2019 meeting.

**Prior Action by Commission:** The 2017-19 Legislatively Adopted Budget was presented at the September 2017 meeting. An update was presented at the November 2017, February 2018, April 2018, June 2018 and September 2018 meetings. The 2019-21 Agency Request Budget was approved at the June 2018 meeting.

**Action Requested:** None.

**Attachments:** None.

**Prepared by:** Tanya Crane

## Oregon Parks and Recreation Commission

November 28, 2018

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Agenda Item: 5a Information  
Topic: Property – Ruthton Park Improvement and Management  
Presented by: David Stipe, Planning + Design Manager

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### Background

OPRD has worked cooperatively with ODOT and the United State Forest Services (USFS) to manage and maintain sections of the Historic Columbia River Highway (HCRH) Trail. ODOT is currently developing 30% design drawings for Section H of the trail which extend east from Mitchell Point to Ruthton County Park at the west end of Hood River. It is expected the park would be improved at the time of construction of Section H to a similar level of finish as the Twin Tunnels Trailhead on the east side of Hood River. On August 17, 2018 Mark Stevenson received a letter from ODOT requesting OPRD to engage Hood River County in conversation regarding improvement and long term management of the park. OPRD property staff have researched the ownership history of the park and prepared the draft property report attached.

### OPRD Planned Action

Property staff along with Mark Stevenson will prepare a letter in response to ODOT's request clarifying OPRD's preferred approach to improvements and long term management of the new Ruthon Park Trailhead.

The response letter will suggest that Hood River County allow the property to revert back to ODOT ownership for development at the time of HRCH Trail Section H improvements. At that time OPRD will amend its current HRCH management and maintenance agreement with ODOT for the HCRH Trail and trailheads to include Ruthon Park.

**Prior Action by Commission:** none

**Action Requested:** none

**Attachments:** ODOT Request Letter, Draft Property Section Staff Report

**Prepared by:** David Stipe

# Completed Staff Work



DATE: October 31, 2018  
FROM: Alice Beals & Tabitha Henricksen, Property Staff  
SUBJECT: Ruthton Park, Hood River County

## BACKGROUND:

Ruthton Park is located west of the City of Hood River between I-84 and the Columbia River, with a cliff side view overlooking Ruthton Point to the west. ODOT purchased the property in two acquisitions for highway ROW and development in 1951.. ODOT staff expressed immediate desire to establish a wayside on the cliff at this site and ODOT operated it as such until changes in the highway on/off ramps left it less accessible to travelers. (Note: Our records indicate that this site was never considered a “parks division” property.) Starting in 1969, ODOT began attempting surplus sale of this property. Repeated attempts to sell the property at auction were stalled due to feedback from the community that the site should be retained in public ownership. The property was eventually transferred (initially by lease in 1975 and then by property exchange in 1984) to Hood River County to be managed as a county park. OPRD has been asked to consider acquisition/management of this property as a potential eastern terminus and trailhead for the Historic Columbia River Highway State Trail (HCRHST).

The HCRHST as outlined in 1987 legislative policy was to be “a continuous visitor attraction providing economic development to the communities”<sup>1</sup> – transforming sections of the former scenic highway into a multi-use trail traversing the Gorge. The highway is owned and maintained by ODOT; the state trail segments are managed by OPRD. In 2000, the highway was designated a National Historic Landmark, and in 2002, the state trail was designated a National Recreation Trail.<sup>\*\*2</sup> Ruthton Park was outlined in the 2010 HCRHST State Trail Plan<sup>3</sup> as a trailhead location with planned restroom addition and improved access to overlooks.

## AREAS OF CONCERN:

The current park site is in poor condition with no facilities and broken/vandalized equipment and fencing. (See attached photos.) Additionally, Property Staff are concerned there may be an encroachment by the neighboring property owner in the Northeastern corner of the park property.

## RECOMMENDATION:

The deed from ODOT to Hood River County contains reversionary language. OPRD Property Staff are of the opinion that the property should be allowed to revert back to ODOT. ODOT should then perform crucial repairs and improvements on the property per the trail plan and intended purposes for the property (including: replacement of damaged equipment, restroom installation, paving, safety fencing, etc.), and the property to be managed by OPRD as a trail head under a management agreement moving forward. We recommend that management responsibility be indicated by a defined area within an improved fence line, rather than the property boundaries – allowing ODOT to address the potential encroachment of the lands (which is beyond the current fenced area) separately from OPRD’s ongoing management of the property for recreation purposes.



<sup>1</sup> Historic Columbia River Highway Master Plan, ODOT

<sup>2</sup> [https://oregonstateparks.org/index.cfm?do=parkPage.dsp\\_parkHistory&parkId=113](https://oregonstateparks.org/index.cfm?do=parkPage.dsp_parkHistory&parkId=113)

<sup>3</sup> <https://www.oregon.gov/ODOT/Regions/Documents/HCRH/Trail-Plan-Part-1-Wyeth-Hood-River-HCRH.pdf>





# Oregon

Kate Brown, Governor

## Historic Columbia River Highway Advisory Committee

Region 1 Headquarters  
123 NW Flanders Street  
Portland, Oregon 97209  
Phone: (503) 731-8200  
Fax: (503) 731-3266

Mr. Mark Stevenson, Gorge District Manager  
1 NE Rooster Rock Road  
Corbett, OR 97019

RE: Historic Columbia River Highway State Trail – Ruthton Park Trailhead

Dear Mark,

As you know, the HCRH Advisory Committee has proposed that the eastern terminus of the Wyeth to Hood River segment of the State Trail be developed at Ruthton Park. This park is owned and maintained by Hood River County, which is considering closing the park due to the limited availability of funds.

Contact has been made with the County Administrator, Jeff Hecksel, to explore the willingness of the County to work with OPRD in developing the site into a State Trail trailhead similar to the one currently being developed on USFS land at Wyeth. The Administrator has discussed this idea with staff and some of the County Commissioners and is supportive of receiving a proposal from OPRD for consideration.

Funding for design of the Ruthton Park Trailhead is in hand and the consultant team is poised to commence design once a preliminary agreement is reached between OPRD and Hood River County. Funding for construction of this trailhead is not yet identified, but will be included in a forthcoming State Trail funding request for Segment 'H' (Ruthton Point to Ruthton Park).

We ask that OPRD prepare a preliminary proposal for consideration by Hood River County as soon as possible. We suggest that OPRD staff meet with the County Administrator to discuss the form and content of the proposal to be presented to the Board of County Commissioners. If it will be helpful, Arthur Babitz, Advisory Committee Chair, is willing to set up an introductory meeting between OPRD and the County staff.

Thanks to the effort being put forward by staffs of ODOT, OPRD, WFLHD and the USFS, great progress is being made in bringing the HCRH State Trail to completion. We are now down to the last four miles needed to complete the entire 73 miles between The Dalles and Troutdale!

If there is anything we can do to help move this request forward please let us know.

Regards,

Arthur Babitz  
Chair, HCRH Advisory Committee

Wayne P. Stewart  
Vice-Chair, HCRH Advisory Committee

Copies: Rian Windsheimer, ODOT Region 1 Manager  
MG Devereux, OPRD Deputy Director  
Mike Odom, FHWA Project Manager



## Oregon Parks and Recreation Commission

November 28, 2018

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Agenda Item:	5b	<b>Action</b>
Topic:	Elliott State Forest	
Presented by:	MG Devereux	

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### Background

In June of 2015, after significant effort and research by the State Land Board, the Department of State Lands (DSL) asked the Oregon Parks and Recreation Commission (OPRC) to consider taking ownership and management of the Elliott State Forest. The forest is obligated to provide revenue for the Common School Fund and is currently owned and managed by the Oregon Department of Forestry (ODF), but under current management practices, it has not produced revenue for that fund. The Land Board has been looking for ways to extract value from the Elliott for the Common School Fund, while simultaneously upholding State and Federal environmental/legal requirements and providing public access.

Oregon Parks and Recreation Department (OPRD) has been very involved in the discussions surrounding the Elliott. The agency has been consistent in expressing a willingness to help partner toward a solution, but with a strong statement that the Elliott State Forest is not a candidate for transfer into the State Park system. This position has been based on internal evaluation of the management requirements, development costs, and operational burden the 88,000 acre Elliott would place on the resources of OPRD. As a reminder, the entire current state park system is 113,000 acres. This evaluation has been supported by work previously done by DSL, which highlights many of the same concerns identified by OPRD staff.

In a response to the June 2015 DSL request, Director Sumption wrote a letter on behalf of the OPRC restating the agency concerns, and clearly expressing that a transfer was not in the best interest of the agency or the Elliott State Forest, but that OPRD would fairly evaluate any proposal to bring the agency in as a funded partner to operate a small facility or recreational access point.

### New Request

In October of 2018, after several attempts to resolve the Elliott question were unsuccessful, Oregon Solutions presented the State Land Board with a report outlining current status and next steps. That report also highlights that transfer to another state agency would be difficult due to

capacity and mission fit. In November of 2018, DSL renewed the previous request, inviting potential public partners to consider ownership and management scenarios. DSL requests a response prior to December 5, 2018.

The underlying issues that make ownership and management problematic have not changed for OPRD. A responsibility to make the Common School Fund whole by paying a fair market value for the acreage would result in long term financial crisis for the State Park system. The development costs of creating revenue-producing recreation opportunities in the Elliott would require a tremendous diversion of resources. The existing constraints on resource management would likely prohibit or limit new recreational development. The Elliott State Forest is already open to some dispersed public recreation; transfer to OPRD would not represent a dramatically new or expanded recreational opportunity for Oregonians without significant new investment.

**Prior Action by Commission: June 2015**

**Action Requested:** Staff request that the OPRC reconfirm the concepts expressed in 2015 response to DSL to decline participation in an ownership or management conversation for the Elliott State Forest.

**Attachments:** Sumption Letter July 2015

**Prepared by:** MG Devereux



# Oregon

Kate Brown, Governor

## Parks and Recreation Department

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July 13, 2015

Mary Abrams, Director  
Department of State Lands  
775 Summer Street NE, Suite 100  
Salem, Oregon 97301-1279

Dear Director Abrams:

Thank you for your letter dated June 2, 2015, regarding the Division of State Lands (DSL) request for information regarding the potential for Oregon State Park and Recreation management or ownership of the Elliot State Forest. The Oregon Parks and Recreation Commission (OPRC) discussed your letter at the June 25<sup>th</sup> Commission meeting, an audio recording of that meeting will be available shortly on the OPRD website.

Overall the OPRC is very interested in working with partners to help resolve the situation in the Elliot and commend your staff for the December 2014 project report. The OPRC does not have an interest in owning or managing any portion of the Elliot State Forest. The Commission expressed several concerns:

- The current system of State Parks faces significant long term challenges in the agency's ability to provide quality recreational experiences and responsible stewardship given limited funds available through revenue and public funding such as lottery dollars. Looking forward, our department is facing a significant funding gap that could threaten service levels at existing facilities.
- The acquisition and projected operating costs of OPRD managing the Elliot would result in a significant financial shortfall, only moving the deficit from one agency to another. If DSL or the Land Board develops a new revenue model, OPRD could be a supportive partner in moving the recreational elements forward.
- The logistics of transfer and land management are significant concerns for the Commission in terms of being able to move forward any recreation management without legal or public challenge.

The OPRC recognizes the challenge of creating a working landscape that can balance the needs of the Common School Fund, provide habitat for endangered and sensitive species, and provide recreation for the surrounding community. The Commission would like to be engaged in the dialog as the alternatives move forward. If there are recreational partnerships that the agency can help with, or additional dialogues with stakeholders, please let me know.

Sincerely,

Lisa Sumption  
Director



# Oregon Parks and Recreation Commission

November 28, 2018

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Agenda Item:	6a	<b>Action</b>
Topic:	Recreational Trails Program 2018 Funding Recommendations	
Presented by:	Daniel Killam, Deputy Director of Administrations	

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## GUIDANCE:

The Recreational Trails Program (RTP) is a federal aid assistance program administered by the U.S. Department of Transportation, Federal Highway Administration (FHWA). Funds are appropriated out of the Highway Trust Fund and represent fuel tax attributed to non-highway recreational use. Funds pass through ODOT and are administered by OPRD.

RTP funds are awarded to projects that provide, improve, and maintain recreational trails for both motorized and non-motorized uses. Federal law requires that 30% of RTP funds are used for motorized trail projects, 30% for non-motorized projects, and 40% for diverse use projects. A project can meet more than one category. OPRD sets aside 30% of funds for motorized projects and the remaining 70% for non-motorized projects. The diverse use requirement is met and exceeded through these categories.

Eligible applicants to the program are cities, counties, park and recreation districts, state agencies, federal agencies, tribal governments, and non-profits that partner with a public land manager or operate a public recreation area. Applicant agencies must provide a match of at least 20%.

The ten-member Recreational Trails Program Advisory Committee met October 16-18, 2018 for their annual review of grant requests. Applicants requesting \$50,000 or more were required to provide a presentation during the meeting. The Advisory Committee scored project applications based on established criteria including the 2016-2025 Statewide Recreation Trails Plan. 32 grant requests were submitted to OPRD requesting a total of \$4,274,238 in funding assistance.

Upon approval from the OPRD Commission, projects will be submitted to FHWA for their review and authorization.

**Prior Action by Commission:** At its November 2017 meeting, the Commission approval all **18** grant requests recommended by the RTP Advisory Committee totaling **\$1,698,943**.

**Action Requested:** Staff seeks Commission approval to award **19** grant requests recommended by the RTP Advisory Committee totaling **\$2,459,280** as detailed on the attached spreadsheets.

**Attachments: Exhibit a) 2018 RTP Motorized Grant Request Ranking**  
**Exhibit b) 2018 RTP Non-Motorized Grant Request Ranking**

**Prepared by:** Jodi Bellefeuille, RTP Grant Coordinator

Oregon Parks and Recreation Department  
 November 28, 2018  
**Recreational Trails Program (RTP) Project Ranking**  
**Motorized Grant Requests**  
 949,747 available

Rank	Project Name	Applicant	County	Brief Project Description	Total Project Cost	Grant Funds Requested
1	North Off-Highway Vehicle Route Drainage Improvements*	Siuslaw National Forest, Oregon Dunes National Recreation Area	Lane	Project is to restore full year-round access to OHV areas in the Siltcoos and South Jetty riding area by repairing two arterial OHV trails damaged by water and heavy usage.	\$ 47,776	\$ 37,900
2	Bunchgrass Meadows Trail System Restoration*	Umpqua National Forest, Tiller Ranger District	Douglas	Restoration of 14 miles of trails affected by the Whisky Fire in 2013. Work will include removal or replacement of deteriorated puncheon and bridge decking, brushing and tread work.	\$ 42,130	\$ 33,400
3	Tollgate Snow Trail Groomer*	Oregon State Snowmobile Association	Umatilla	Purchase a winter trail groomer for operation by the Tollgate Trailfinders and the Oregon State Snowmobile Association (OSSA).	\$ 302,340	\$ 241,872
4	Halfway Snow Trail Groomer*	Oregon State Snowmobile Association	Baker	Purchase a winter trail groomer for operation by the Panhandle Snowmobile Club and the Oregon State Snowmobile Association (OSSA).	\$ 302,340	\$ 241,872
5	Idlewild Sno-Park Groomer Barn*	Oregon State Snowmobile Association	Harney	Construct a pre-engineered 40' x 60' storage building for the winter trail groomer and other equipment used by the Oregon State Snowmobile Association (OSSA) and the Harney County Snowmobile Club.	\$ 200,000	\$ 160,000
<b>Totals Projects Recommended for Funding .....</b>					<b>\$ 894,586</b>	<b>\$ 715,044</b>
<b>The project below this point was not recommended for funding.</b>  <b>\$234,703 of motorized funds will carry over to the 2019 RTP grant cycle.</b>						
6	Tread Lightly! Oregon*	Tread Lightly!	Statewide	Tread Lightly! will develop an Oregon OHV ethics education campaign in order to increase sustainability of the trails available and to foster community engagement that supports good land stewardship.	\$ 162,500	\$ 130,000
<b>Total Projects Not Funded .....</b>					<b>\$ 162,500</b>	<b>\$ 130,000</b>
<b>Grand Total of Funding Requests (Funded and Not Funded) .....</b>						<b>\$ 845,044</b>

\*Diverse use project

Oregon Parks and Recreation Department  
November 28, 2018  
**Recreational Trails Program (RTP) Project Ranking**  
**Non-Motorized Grant Requests**  
\$1,685,000 Available

Rank	Project Name	Applicant	County	Brief Project Description	Total Project Cost	Grant Funds Requested
1	John Day Innovation Gateway Trail System - Phase 1*	City of John Day	Grant	Build a trail system throughout a 90+ acre complex owned by the City of John Day, including opening up over one mile of riverfront trail along the John Day River and connecting key public facilities and neighborhoods.	\$ 240,200	\$ 191,300
2	Peterson Ridge Trailhead*	Deschutes National Forest, Sisters Ranger District	Deschutes	Construct a permanent trailhead facility for the popular Peterson Ridge Trail near downtown Sisters, including 25 parking spaces and a CXT toilet. Existing trail access points and parking are woefully inadequate and adjacent to private property.	\$ 190,781	\$ 152,000
3	Molalla River Recreation Trails System*	AntFarm	Clackamas	We will be working with BLM and the Molalla River Watch to address several reroutes, trail restoration, and erosion control along the Molalla River Trails System to increase safety and a better experience for trail users.	\$ 42,364	\$ 33,652
4	Restless Waters and Cape Cove Trail	Siuslaw National Forest, Central Coast Ranger District	Lincoln	The proposed project will involve around 2,000 ft of restored trail for the Restless Waters and Cape Cove Trail in the Cape Perpetua Scenic Area.	\$ 95,425	\$ 75,240
5	Prescott Park ADA Trail	City of Medford	Jackson	Install accessible five ft wide asphalt trail, parking lot, vault toilet and way finding signs at 1700 acre Prescott Park. Trail will be no more than 2% grade and installed using accessibility standards per ADA.	\$ 149,738	\$ 76,358
6	Magone Trail Network*	Malheur National Forest, Blue Mountain Ranger District	Grant	In partnership with the Eastern Oregon Trail Alliance, develop mountain bike and multi-use trails centered around a mountain lake with existing recreation facilities including a campground, bathrooms, swim beach, picnic shelter, and boat dock.	\$ 361,679	\$ 218,804
7	North Umpqua Trail Bridge Replacement*	Umpqua National Forest, Diamond Lake Ranger District	Douglas	Replace the Deception Creek -0.91 and Eagle Creek trail bridges lost during last year's fire.	\$ 443,324	\$ 281,324

\*Diverse use project

Rank	Project Name	Applicant	County	Brief Project Description	Total Project Cost	Grant Funds Requested
8	Chetco Bar Rehab*	Siskiyou Mountain Club	Curry, Josephine	Restore an approximately 75 mile circuit of trails that have been buried, filled in with stacks of downed logs, and swallowed by brush following the 2017 Chetco Bar Fire. Mount trail signs and publish trail data online.	\$ 127,126	\$ 46,753
9	Whiskey Run Mountain Biking Trails - Phase 2	Coos County	Coos	Develop a 30-mile bike optimized single track trail system that appeals to local riders, and high-value tourists. This proposal is for phase II, which will be approximately 7 miles to compliment the 10 miles that exist.	\$ 281,055	\$ 200,007
10	Ryan Ranch Site Improvement*	Deschutes National Forest, Bend Fort-Rock Ranger District	Deschutes	ADA recreational improvements to the Ryan Ranch Trailhead and the Deschutes River Trail to enhance access and user experience associated with the ecological restoration of the Ryan Ranch wetland.	\$ 124,000	\$ 82,000
11	Yamhelas Westsider Trail: Bridge Construction*	Yamhill County	Yamhill	Project will provide funding for construction of a pedestrian bridge over the Stag Hollow Creek in Yamhill County. The project area is parallel to OR-47 and the first phase in developing the county's first regional trail.	\$ 659,965	\$ 75,000
12	Oregon Coast Trail over Cascade Head (FS-1310)	Siuslaw National Forest, Hebo Ranger District	Tillamook	Reopen the Oregon Coast Trail (FS-1310) over Cascade Head. Damage from a 2008 storm closed the trail to the public ever since. This grant will fund heavy restoration work to cut out and retread a 2.5 mile section of trail.	\$ 100,000	\$ 80,000
13	McBride Creek Trail System - Phase 1	City of Columbia City	Columbia	Construct a natural surface, single use pedestrian hiking trail, three feet in width and 1/4 mile in length, meandering along the banks above McBride Creek.	\$ 53,938	\$ 41,460
14	Chitwood Trailhead*	BLM Prineville District	Deschutes	Expand the Chitwood Trailhead capacity to include parking spaces for ten sedan-sized vehicles and six stock trailers as identified for implementation in the 2014 Oregon Badlands Wilderness Management Plan.	\$ 171,080	\$ 131,060
<b>Totals Projects Recommended for Funding .....</b>					<b>\$ 3,040,675</b>	<b>\$ 1,684,958</b>

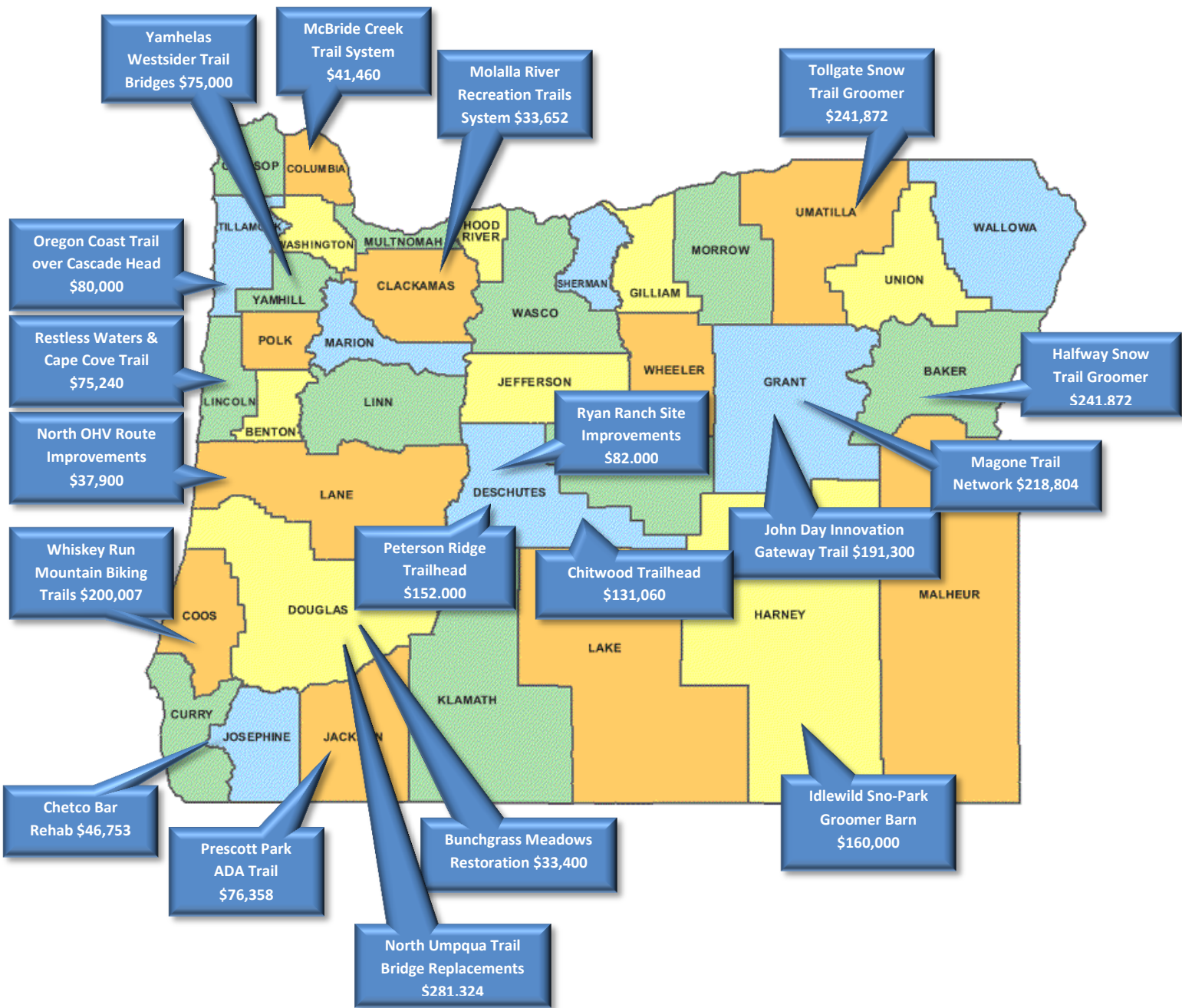
\*Diverse use project



Rank	Project Name	Applicant	County	Brief Project Description	Total Project Cost	Grant Funds Requested
<b>Funding is not available below this point.</b>						
15	North Fork John Day Tower Unit Trails Restoration*	Umatilla National Forest, Walla Walla Ranger District	Umatilla	This project is to support the heavy restoration of impassable fire-damaged trails in the Tower Unit of the North Fork John Day (NFJD) Wilderness, on the NFJD Ranger District of the Umatilla National Forest.	\$ 128,809	\$ 84,679
16	Swinging Bridge*	City of Cottage Grove	Lane	This project restores and reopens the "Swinging Bridge", a 50 year old suspension footbridge over the Coast Fork Willamette River, by replacing damaged and decayed bridge components.	\$ 411,345	\$ 150,000
17	Ford's Pond Community Park - Project 1*	City of Sutherlin	Douglas	The City of Sutherlin, in partnership with the Friends of Ford's Pond, will improve ADA-accessibility for 0.8 miles of the existing 1.7-mile shared-use trail; including trailhead parking.	\$ 359,950	\$ 243,555
18	Miller Woods Trail Enhancement Project	Yamhill Soil & Water Conservation District	Yamhill	Creation of a short educational ADA accessible trail loop, Replacement of a bridge on the ADA trail and repairs to the rail of two hiking bridges, Replacement of 200 yards puncheon Trailhead sign & directional markers.	\$ 44,434	\$ 28,253
19	Marys River Pedestrian Bridge Trail Extension*	City of Corvallis	Benton	This project extends 1/2 mile elevated boardwalk across the Marys River to an existing trail system in South Corvallis. A pedestrian bridge will provide a critical link described in 2015 Parks and Recreation Master Plan.	\$ 477,500	\$ 238,750
20	Tryon Creek to Marshall Park Trail	OPRD	Multnomah	The Tryon Creek to Marshall Park Trail will replace a .6-mile long user-created trail and will complete a missing portion of the Hillsdale to Lake Oswego Trail and will install bridges over four stream crossings.	\$ 230,926	\$ 151,739
21	West River & Cheadle Lake Trails*	City of Lebanon	Linn	The project will build 490 feet of ADA paved trail & a signalized Pedestrian Crossing. The trail will eliminate a missing link, improve user safety and make a crucial connection between two existing trails.	\$ 180,589	\$ 144,289

Rank	Project Name	Applicant	County	Brief Project Description	Total Project Cost	Grant Funds Requested
22	Deer Creek Trail Renovation*	City of Roseburg	Douglas	The proposed project will include the heavy restoration of approximately 1600' of the Umpqua River Greenway multi-use path located near Deer Creek Park within the City of Roseburg.	\$ 126,356	\$ 94,436
23	Wildwood Trail Improvement	Friends of Explorer Post 58	Multnomah	The Project will conduct heavy restoration to remotely located miles 12 – 13 and 27 – 29, to bring unsafe and collapsed trail structures up to standard using supervised youth crews.	\$ 111,988	\$ 87,482
24	Cedar Mill Creek Trail #4*	Tualatin Hills Park & Recreation District	Washington	The project will complete the final gap in the 2.25-mile long Cedar Mill Creek Trail, and includes construction of a quarter-mile long 10-foot wide paved trail, trail amenities, signage and natural area enhancements.	\$ 281,565	\$ 281,565
25	Tollgate Trail Rehabilitation*	Tollgate Property Owners Association	Deschutes	Trail rehabilitation of 15,436 lineal feet of existing paved trail with a 2" asphalt overlay and 200 yards of gravel shoulder material to support, compliment, and integrate the outdoor experience of the surrounding Forest.	\$ 126,455	\$ 94,488
26	The Twelfth Trail	City of Tillamook	Tillamook	Using a primitive Boy Scout trail and city property as building blocks, construct approximately 1000 feet of 6 foot wide walkway through urban riparian corridor to connect Miller Avenue/High School to west side of town.	\$ 230,000	\$ 145,000
<b>Total Projects Not Funded .....</b>					<b>\$ 2,709,916</b>	<b>\$ 1,744,236</b>
<b>Grand Total of Funding Requests (Funded and Not Funded) .....</b>						<b>\$ 3,429,194</b>

\*Diverse use project



*The RTP Advisory Committee reviewing the grant ranking results*

## Oregon Parks and Recreation Commission

November 28, 2018

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Agenda Item:	6b	<b>Action Item</b>
Topic:	Nehalem Scenic Waterway Study Report	
Presented by:	Trevor Taylor	

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### **Background:**

The Oregon Parks and Recreation Department (OPRD) is responsible for administering the State Scenic Waterways (SWW) Program. OPRD is directed by statute (ORS 390.855) to periodically study new waterways for potential inclusion in the program.

In early 2017, OPRD, with input from stakeholders and approval by Oregon State Parks and Recreation Commission, selected a 17.5 mile segment of the Nehalem River to study for potential inclusion in the SWW Program. A preliminary study report, released to the Commission in June 2018, indicates the Nehalem River is a strong candidate for the SWW program.

An advisory committee was formed in the spring of 2018 and met in May and July of 2018 to provide input for the Nehalem River draft management plan. The purpose of the draft management plan process is to gather public input for the development of a comprehensive and workable plan to manage the river. A draft management plan is an optional, nonbinding document that does not affect the commission's decision to recommend the waterway for designation. The draft management plan was shared with the public at an open house on Sept. 6<sup>th</sup> in Astoria.

### **Scenic Waterway Study Conclusions:**

The field criteria evaluation shows that this waterway is a strong candidate for designation.

The majority of public comments show support for designation; of the 82 unique comments 72 were in support of the designation with ten opposed. There is some opposition. One of the two counties where the study area is located is in opposition and two of the three landowners who submitted comments are in opposition to designation.

Public input received from the draft management plan process indicates continued strong support for the SWW designation. Much of the input received was around stronger protections of the river, including tighter logging restrictions on the private and public forestlands that comprise most of the land surrounding the Nehalem River.

If the river is designated as a Scenic Waterway, the management plan will be used to inform the formal rulemaking process. Formal rulemaking would likely occur in the fall of 2019.

**Prior Action by Commission:** Acceptance of the Nehalem River Study Report in June 2018.

**Action:**

- Option 1. Acceptance of the complete Nehalem River Scenic Waterway Report and recommend designation of the Nehalem River as a scenic waterway segment. Refer the Nehalem River Scenic Waterway Report to the Water Resources Department for concurrence in February 2019 before submitting to the Governor.
- Option 2. Decline to move a recommendation forward at this time and request additional information and/or action from OPRD staff.

**Attachments:** Nehalem River Scenic Waterway Report

**Prepared by:** Jan Hunt

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# Proposed State Scenic Waterway Report: Nehalem River

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November 1, 2018

Oregon Parks & Recreation Department  
725 Summer St NE, Suite C  
Salem, OR 97301



## Executive Summary

The Oregon Parks and Recreation Department (OPRD) is responsible for administering the State Scenic Waterways Program, which is designed to protect the existing scenic, natural and recreation values of the 22 designated waterways throughout the state. OPRD is directed by statute (ORS 390.855) to periodically study new waterways for potential inclusion in the program.

This Oregon Scenic Waterway study, conducted by OPRD, serves as the statutorily required first step in the process to possibly designate a new Oregon Scenic Waterway. That process, established by ORS 390.855, allows for the governor to designate new state scenic waterways following a study and a positive recommendation of the Oregon Parks and Recreation Commission and the Oregon Water Resources Commission. This study, covering approximately 17.5 miles of the Nehalem River, was done to accomplish three objectives:

- 1) Determine if the river segment meets the qualification criteria for designation as an Oregon Scenic Waterway (ORS 390.855).
- 2) If the qualification criteria are met, outline, in general what type of management designation would be appropriate for the waterway.
- 3) Summarize the public comments received.

### Waterway Qualification Criteria Findings

In May of 2017, OPRD evaluated 17.5 miles of the Nehalem River during a field visit using qualification criteria established by State Statute (ORS 390.855). Representatives from OPRD, Oregon's Department of Forestry and Water Resources Department were in attendance. Based on the field visit and public input, the entire study area met the criteria qualifications for an Oregon Scenic Waterway.

- The study area is completely free-flowing as determined by Water Resources Department.
- The scenic quality of the study area meets or exceeds the standard of "pleasing" with areas where the scenery is outstanding in nature. The study area is a rural landscape with a variety of geologic, plant and wildlife features visible from the river. There are cultural modifications such as a few homes, the road, two bridges, a small rail line and evidence of logging. The cultural modifications are localized and do not detract noticeably from the pleasing scenic views of the area. Most of the visual signs of logging are beyond the ¼ mile study corridor.
- It appears that current recreation use is such that the river and its setting are able to maintain existing natural and recreational values without undue impairment and able to sustain substantial recreation use.

### Public Input Findings

The public was notified of the study and the opportunity to comment in a variety of ways. Letters were sent to all landowners listed on tax lot data. Emails were sent to a list of approximately 160 interested parties and a media release announcing the study and the September 2017 public meeting was picked up by several local newspapers including the Daily Astorian, the Tillamook County Pioneer and the Cannon Beach Gazette, which all published the release in its entirety. Approximately 40 people

attended a September 12<sup>th</sup> evening public meeting in Nehalem. The OPRD Scenic waterway webpage was updated to provide information on the study and to solicit feedback from the public.

The following findings summarize public input received thus far in the process:

- Public comment received at the public meeting and through written comments indicates there is strong support for designating the study area.
- The Clatsop County Board of Commissioners supports a designation. Tillamook County Commissioners oppose the designation.
- A total of 1,409 comments were received. Ten were in opposition. 1,327 form emails were received generated from approximately three conservation groups sending email alerts to their membership.
- Some comments indicated that the program did not offer enough protection.
- Three commenters indicated that they are landowners within the study area; two are opposed and one is in support. The stated opposition was over concern for more government regulation and that designation would prevent property owners to make improvements to their property.
- There was general agreement that the study area meets the criteria (i.e., free-flowing, scenic views from the river, outstanding recreational and natural values). Most also indicated that the study area could sustain substantial recreation use without undue impairment, though a few commenters stated the study area could not sustain more recreation use. A few commenters indicated that the scene was not primitive or rural pastoral due to logging.
- There seemed to be confusion about what the program does, and does not do. There is also confusion between the waterway program and adjudicated navigable rivers, promotional “water trail” programs and federally designated wild and scenic rivers. Some of the comments seemed to indicate that the program would address water quality issues. Other comments indicated an assumption that the designation would either stop timber harvest or greatly curtail it and would not allow any future development.

### **Waterway Study Conclusions**

The Nehalem River study area is a strong candidate for the State Scenic Waterway program. The vast majority of comments received support the designation, including support from the Clatsop County Commission. There is some opposition from landowners and others including the Tillamook County Commission.

### **Next Steps**

OPRD is working closely with an advisory committee to develop a draft management plan prior to the OPRD Commission voting on the recommendation for designation. This report and the draft management plan will allow the OPRD Commission and interested parties the ability to fully consider the merits of the proposed designation before the commission votes on the recommendation. This approach is consistent with the process during the Chetco and Molalla scenic waterway studies. The management plan will be developed according to ORS chapter 183 and includes public meetings and hearings. OPRD is also required to consult with the State Board of Forestry, the State Department of Agriculture and the affected counties.



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## ACKNOWLEDGMENTS

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Barbara Moore, Oregon Department of Forestry

Nancy Nelson, Archaeologist

Nicole Sprecher, Grants and Community Programs Support

Ken Stahr, Surface Water Hydrology Section Manager

Christina Sweet, Historian/Preservation Specialist

Joseph Travers, Oregon Department of Forestry

David Quillin, Senior GIS Technician

Clyde Zeller, Oregon Department of Forestry Recreation Manager

Tracy Loudon, Administrator, Business and Technology Solutions

Jan Hunt, Grants and Community Programs Manager

Trevor Taylor, Stewardship Section Manager

## SCENIC WATERWAY PROGRAM BACKGROUND

The Oregon Scenic Waterway Program is administered under the authority of the State Parks Commission through the State Parks and Recreation Department (ORS 390.805 to ORS 390.925). The statute also directs the Water Resources Commission to consider the quantities of water necessary for recreation, fish, and wildlife uses within or above a designated State Scenic Waterway before granting new water rights (ORS 390.835). The scenic waterway program seeks to balance protection of scenic values possessed by each individual scenic waterway and future development. The state program currently includes approximately 1,178 miles on 22 waterways (Figure 1).

The Scenic Waterway Program was created in 1970 by a vote of the public which passed by a two to one margin. The original ballot initiative designated 496 miles of the Deschutes, Illinois, John Day, Owyhee, Rogue and Minam rivers. Between 1972 and 1987 additional river segments were added to the program, some by the Oregon legislature. The Sandy River was designated by the governor as a result of a study conducted when Oregon Parks and Recreation Department (OPRD) was a division under the Oregon Department of Transportation (ODOT). In 1989 another ballot initiative was passed doubling the size of the program.

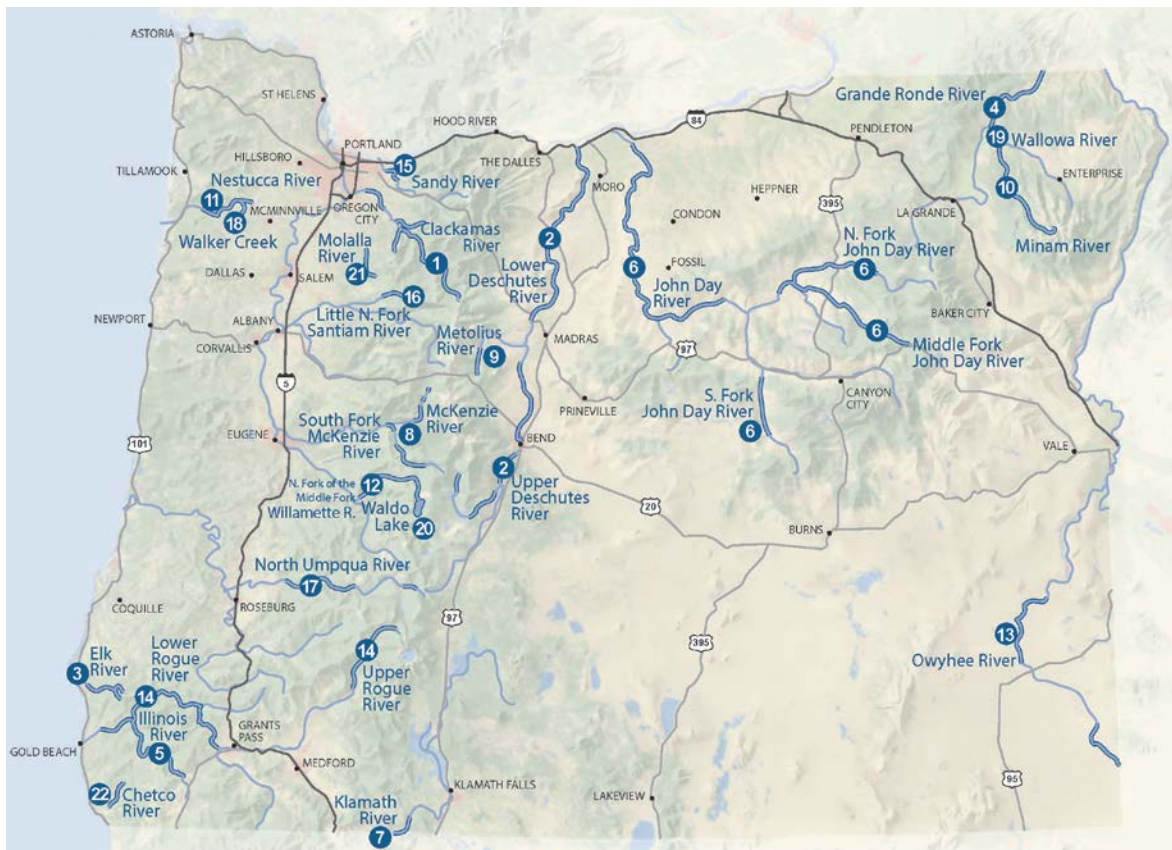


Figure 1. Oregon's Designated State Scenic Waterways

There have been several studies conducted since the establishment of the program with the Sandy, Chetco and Molalla studies leading to designation by the governor. Some OPRD-led studies were at the direction of the legislature and the legislature decided on the designation, such as in the case of the Upper Deschutes River. Some studies, such as the 1987 study of Opal Creek and Opal Lake found they did not meet the criteria because of a lack of recreation opportunities and outstanding scenic attraction as other rivers in the area, such as the Little North Santiam, offer equal or greater recreation and scenic opportunities.

In 2014, following OPRD-led studies of the Molalla and Chetco rivers which found the segments studied met the criteria; they were designated by the governor in 2016. A study of the upper Grande Ronde River during the same time period found the study segment did not to meet the criteria due to lack of recreation opportunities.

### **Administration of the Oregon Scenic Waterway Program**

The Oregon Administrative Rules (OAR) outlines the manner in which the statute is to be carried out. The OAR generally requires that any proposed changes of land use within  $\frac{1}{4}$  of both river banks be evaluated for potential to impair the scenic views. Property owners must notify the OPRD Commission with proposed new development including houses, roads, timber cutting or similar activities up to one year in advance. The OAR allows the OPRD Commission to delegate the notification process to the OPRD Director and the Department. The Department negotiates with the landowner to find ways to complete the landowner's changes without impairing the scenic views. The OPRD Commission relies on its rules for each designated scenic waterway to make the determination. Other local and state agencies must comply with the State Scenic Waterway program's rules.

### **Impact of Setting Scenic Waterway Flows**

In order to protect the existing scenic nature of a waterbody, scenic waterway flows are established by the State Water Resources Department for each new scenic waterway. It is important to note that new state scenic waterway designations have no impact on existing water rights within, above or below the designated reach. Similarly, future uses of surface water downstream will not be limited because of the upstream scenic waterway flows. However, the availability of water for future surface water uses within or above a designated scenic waterway will be subject to scenic waterway flow levels adopted by the Water Resources Commission. In addition, these flows may be used as a permit condition attached to new water rights granted within or above the designated state scenic waterway.

## Designation Process for New Scenic Waterways

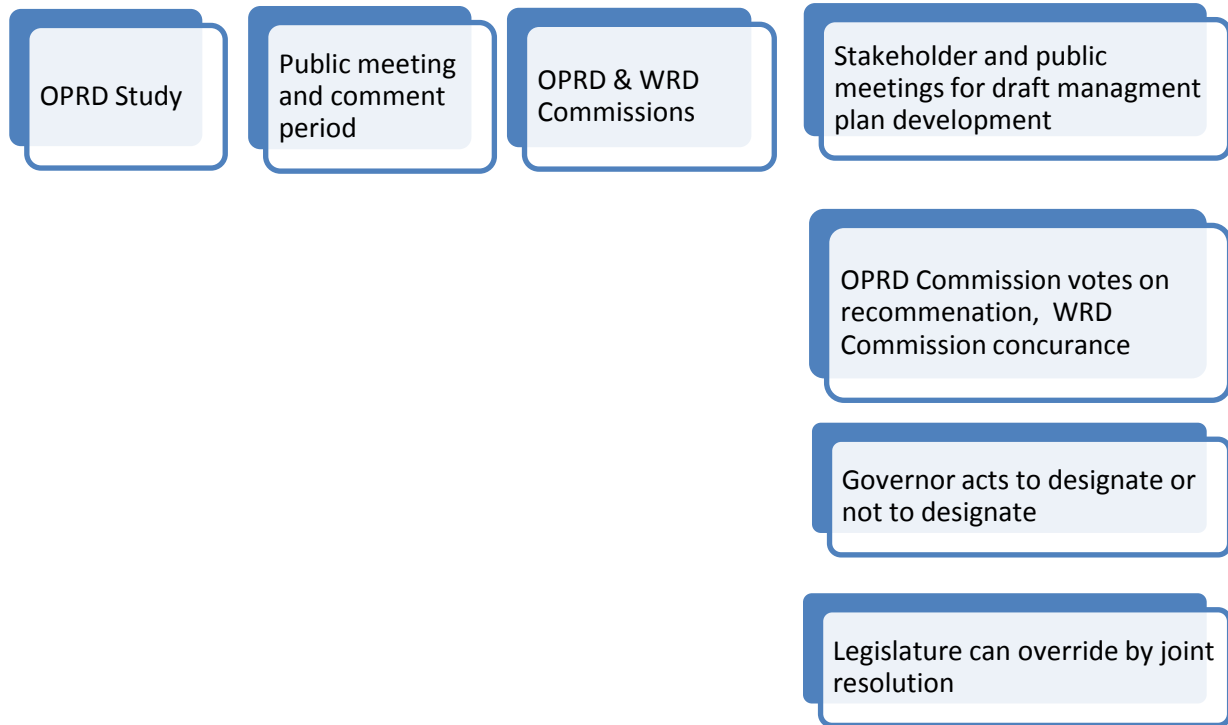
Oregon Revised Statute (ORS 390.855 to 390.865) establishes procedures by which new scenic waterways may be designated (Figure 2). The Department is directed by the statute to periodically study rivers or segments of rivers and their related adjacent land to evaluate if they meet the scenic waterway criteria. Concurrence of the State Water Resources Commission is required before bringing a recommendation to the governor for designation. The governor may designate any river or segment of river if it meets the [statutorily defined criteria](#). The legislature can, by joint resolution, disapprove of the entirety or part of the designation, in which case the designation would not become effective.

Initial high level screening of Oregon's waterways indicated that this section of the Nehalem River may meet the criteria necessary to be considered as a state scenic waterway. The Nehalem River has been listed by the National Park Service in the National River Inventory, a "listing of free-flowing river segments...that are believed to possess one or more "outstandingly remarkable" natural or cultural values judged to be of more than local or regional significance" since 1982 (National Park Service, 2017). The entire river is listed as having outstanding recreation and fish resources (National Park Service, 2017). The outstandingly remarkable values identified by the National Park Service are consistent with the qualities of Oregon's State Scenic Waterway system.

The river was also listed in a 1987 study of recreational use of Oregon Waterways (Oregon Department of Transportation, 1987) in which it was found to have "outstanding recreational resources" and has been on various lists, including those developed as part of Statewide Comprehensive Outdoor Recreation Planning (SCORP) as a potential study waterway (Oregon Department of Transportation, 1975; Oregon Department of Transportation, 1988).

OPRD considered rivers rated to be most free flowing by the Oregon Water Resources Department (WRD) and also considered rivers suggested by the public via the State Trails Plan surveys and other rivers suggested by the public.

OPRD held meetings in November 2016 and January 2017 in order to announce the beginning of another scenic waterway study and to gather input on which river segment(s) to study in this biennium. Five river segments were identified as top candidates, including a 17.5 miles segment of the Nehalem River. There were a number of considerations in the final selection of the Nehalem River including the unique nature of the river, adding to the geographic diversity of the program, and the potential for support from adjacent land owners, nearby communities, and water enthusiasts.



**Figure 2. State Scenic Waterway Designation Process**

## NEHALEM RIVER STUDY

### Study Purpose

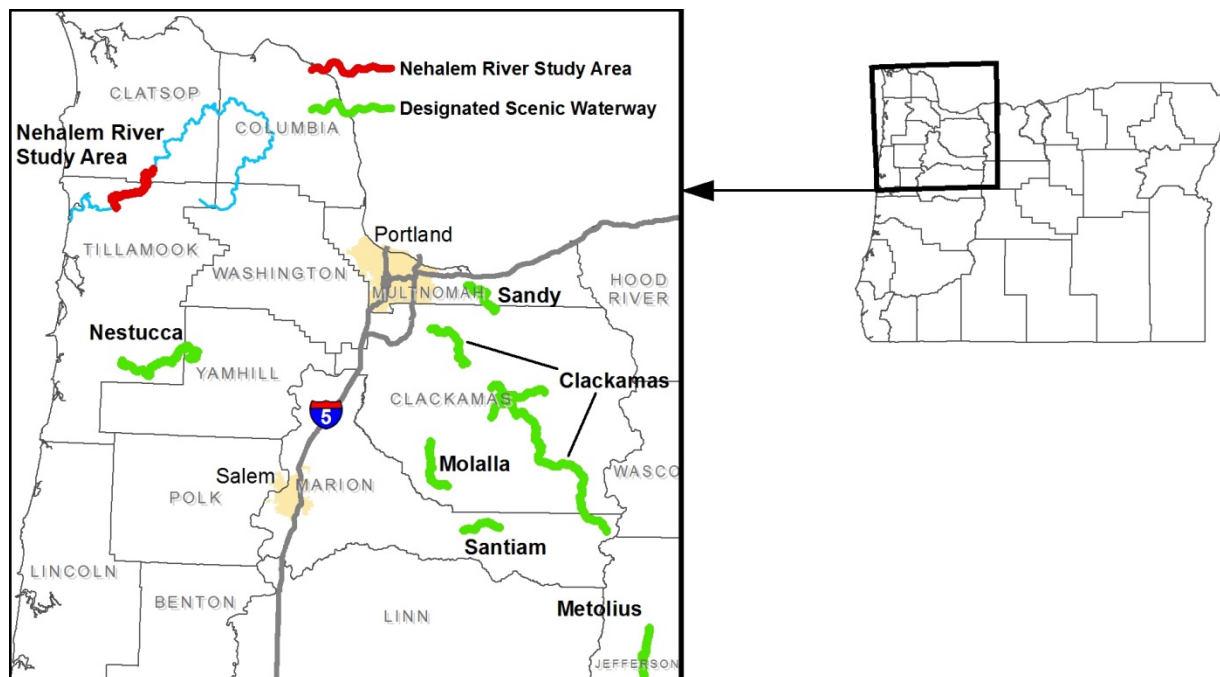
The purpose of this study is to evaluate a segment of the Nehalem River in Clatsop and Tillamook Counties, Oregon to determine if it qualifies under the criteria in ORS 390.855 for possible designation as an Oregon State Scenic Waterway. Additionally, the study includes information that can help inform the management plan if the segment or a section of the segment is recommended for designation.

### Study Location and Area

The Nehalem River has its headwaters on the east side of the northern Oregon Coast Range, in the Tillamook State Forest and flows through Washington, Columbia, Clatsop and Tillamook Counties before draining first into Nehalem Bay and then the Pacific Ocean. The total length of the river is approximately 119 miles. OPRD is studying the approximately 17.5 mile section beginning at the Oregon Department of Forestry (ODF) owned and managed Henry Rierson Spruce Run Campground and ending at the confluence of Cook Creek and the Nehalem River, near Cougar Valley State Park. The elevation at water level at the top of the study area is 315 feet. The elevation at the downstream end of the study area is 40 feet. Other major rivers in the vicinity are the Miami and Wilson rivers. The closest state scenic waterway is the Nestucca River, approximately 30 miles to the south.



The Nehalem River Study Area referred to in this report is defined as follows: The Nehalem River and all lands within ¼ mile of each bank, beginning at Henry Rierson Spruce Run Campground downstream approximately 17.5 miles to the confluence with Cook Creek, near Cougar Valley State Park (Figure 3).



**Figure 3. Location of Study Area in Clatsop and Tillamook Counties in Northwest Oregon**

In May of 2017, a 17.5 mile segment of the Nehalem River was evaluated during a field visit using qualification criteria established by State Statute (ORS 390.855). Staff from the Oregon Department of Forestry (ODF) and the Oregon Water Resources Department (WRD) were in attendance on the first day for the float trip, which started at the day use area adjacent to the Henry Rierson Spruce Run Campground and floated to just above Nehalem Falls Campground. The group chose five locations to rate using criteria developed to help document scenic quality. The methodology is based on those used by federal land management agencies (e.g., Bureau of Land Management, Forest Service) to conduct scenic resource inventories and includes a description of various landscape elements, including landform, vegetation, water, color, adjacent scenery, scarcity and cultural modifications. The region of comparison for determining scarcity is the state of Oregon.

Due to safety reasons, Nehalem Falls was not rafted. The falls and the remaining study area ending at the confluence of Cook Creek was rated on the second day by OPRD and WRD staff by accessing the river on foot. Two more ratings were performed, for a total of seven locations, each picked as a representative sample of the river.

## Management Setting

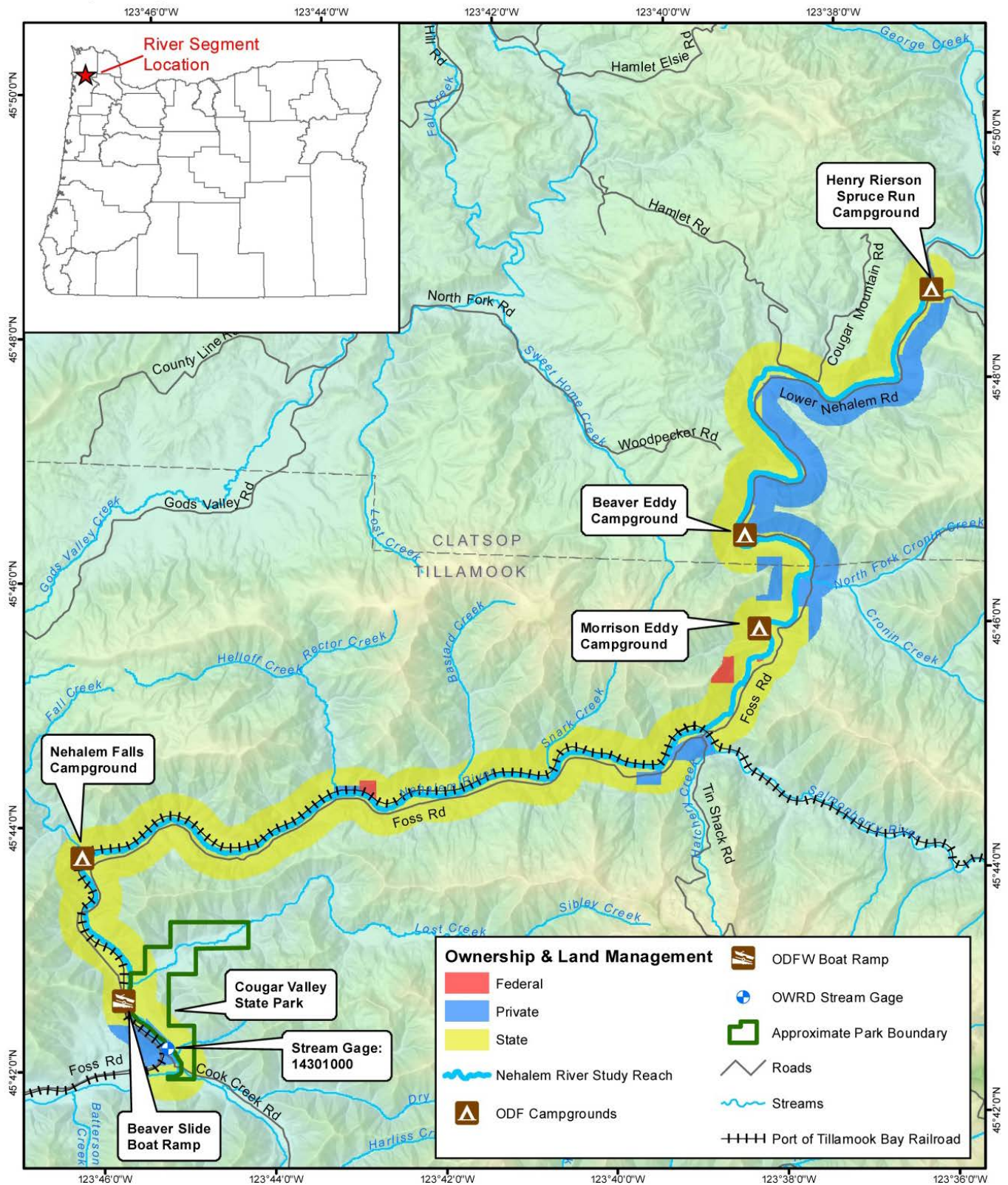
### *Land Ownership*

The majority of the study area (~80%) is owned and managed by the Oregon Department of Forestry (ODF) and includes lands within the State Forestry Department's Astoria and Tillamook districts.

Management includes four campgrounds with day use areas. Cougar Valley State Park, an undeveloped walk-in park is on the southern end of the study area. The Bureau of Land Management (BLM) owns a few small parcels in the study area (Figure 4). Private lands make up approximately 19% of the study area, including private forest lands, which are largely owned by Weyerhaeuser Company. A few residential structures are partially visible from the river; however the majority of the study area is managed forestlands. Table 1 shows a break-down between public and private landownership, as does Figure 4, below.

**Table 1. Land Ownership by Percent and Acreage**

Land ownership within study area	Acres	Percent
Private	1040	18.9%
Federal (BLM)	42	.8%
State (ODF)	4431	80.3%
Total acres within study area	5513	100%



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

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Figure 4. Map of Study Area and Land Ownership

## Waterway Characteristics

### *Coast Range Ecoregion*

The Oregon Conservation Strategy describes the Coast Range ecoregion as characterized by steep mountain slopes and ridges. Elevation varies from sea level to 4,100 feet at the top of Marys Peak. Most of the ridges and summits average approximately 1,400-2,500 feet in elevation. The climate in the Coast Range is influenced by cool, moist air from the ocean, and is the wettest area in the state. The ecoregion's mild, moist climate creates conditions for highly productive temperate rainforests, which are important ecologically and for local economies (e.g., timber production). Most of the ecoregion is dominated by coniferous forests. Large forest fires are very infrequent, but are high-severity stand-replacing fires when they do occur. The Coast Range includes the highest density of streams found in the state. Along the coastal strip, habitats are influenced by the marine environment and include beaches, estuaries, and headlands.

The Nehalem River Watershed is further described by the Nehalem Watershed Assessment (Johnson, 1999):

*The Nehalem River Watershed is located on the Oregon Coast. It lies completely within the temperate coniferous rain forest belt. Historically, the basin was dominated by old-growth coniferous ecosystems with marshlands in the lower gradient areas and estuaries (Kostow, 1995). It is 855 square miles and includes portions of Washington, Columbia, Clatsop, and Tillamook Counties. The Nehalem River is 118.5 miles long and originates on the east side of the Coast Range and circles around the northern tip of the mountains before draining into Nehalem Bay and then the Pacific Ocean. There are many large and small tributaries totaling over 935 miles in length. The watershed is divided into six subwatersheds which are used in much of this assessment to summarize findings at a smaller scale.*

*Watershed elevations range from sea level at the mouth of the Nehalem River to nearly 3,200 feet in the Coast Range near the Salmonberry River. Other distinguishing features include the towns of Nehalem, Mohler and Wheeler concentrated around Nehalem Bay and other small communities scattered through the watershed including Vernonia, Jewell, Birkenfeld, Timber, Mist, and Pittsburg. State Highway 26 runs east and west through the middle of the watershed connecting the watershed communities with Portland.*

*Historically, prior to European settlement, vast old-growth Douglas-fir forests dominated the Nehalem watershed. Logging operations started in the 1870's until the last old-growth trees were harvested in 1945. Log drives were done extensively throughout the watershed and a splash dam operated on the North Fork Nehalem. These practices scoured river beds and damaged riverbanks. The Salmonberry River, Cook Creek, Humbug Creek, and Rock Creek drainages were extensively burned by the "Tillamook Burn" in 1933. The "Salmonberry Fire" burned the Salmonberry River and Cook Creek drainages again in 1945. There was an intensive re-planting effort that lasted until 1973. There are numerous accounts of abundant fish populations in harvest and cannery records in the watershed through the 1940's. Commercial gill netting was stopped in 1956.*

### *Hydrology of the Study Area*

The Nehalem River originates in the highlands of the Tillamook State Forest in the Northern Oregon Coast Range, and is one of the longest rivers in the Coast Range. Above the study area the river flows northward through a long narrow valley of small mountain communities before turning westward into the more rugged and unpopulated lower reaches where the study area is located. The Nehalem River is free-flowing and provides the water supply for the town of Vernonia and other small communities, and is also diverted for irrigation. The river supports a large run of wild steelhead, along with other salmon and trout populations.

The streamflow in the Nehalem River varies drastically from season to season. Streamflow is highest during the winter months (January through March) and lowest during the late summer months (August through October). Gaged streamflow available from the Nehalem River near Foss stream gage, located at end of study reach and operated by the U.S. Geological Survey, indicates the difference between winter streamflow and summer streamflow can be orders of magnitude (Figure 5). The streamflow is rain-dominated and very responsive to precipitation, reaching very high flows after rainstorms. During the late summer months, when the watershed receives very little precipitation, groundwater contributes to the base flow in streams. Because the watershed is runoff-driven with limited water-bearing aquifers, the base flows are generally very low.

WRD utilized the Water Availability Reporting System (WARS) database to determine natural streamflow, existing instream water rights, out-of-stream consumptive uses (e.g., irrigation, municipal, industrial), and water storage from reservoirs within and upstream of the study reach (Figure 6). Existing instream water rights (ISWRs) on the lower Nehalem River during the summer months (June-Oct) are very similar to the natural monthly median streamflow, whereas during the winter high flow months the ISWR is much less than the streamflow. The consumptive use and storage upstream of the study reach accounts for less than 1% (0.2%) of the annual natural streamflow volume. For this analysis we assumed that watersheds with values less than 5% are considered “relatively free flowing”. Because of the negligible consumptive uses and comparatively small ISWRs during the high flow months (Nov-May), there is a large amount of surface water currently available for allocation (primarily storage).

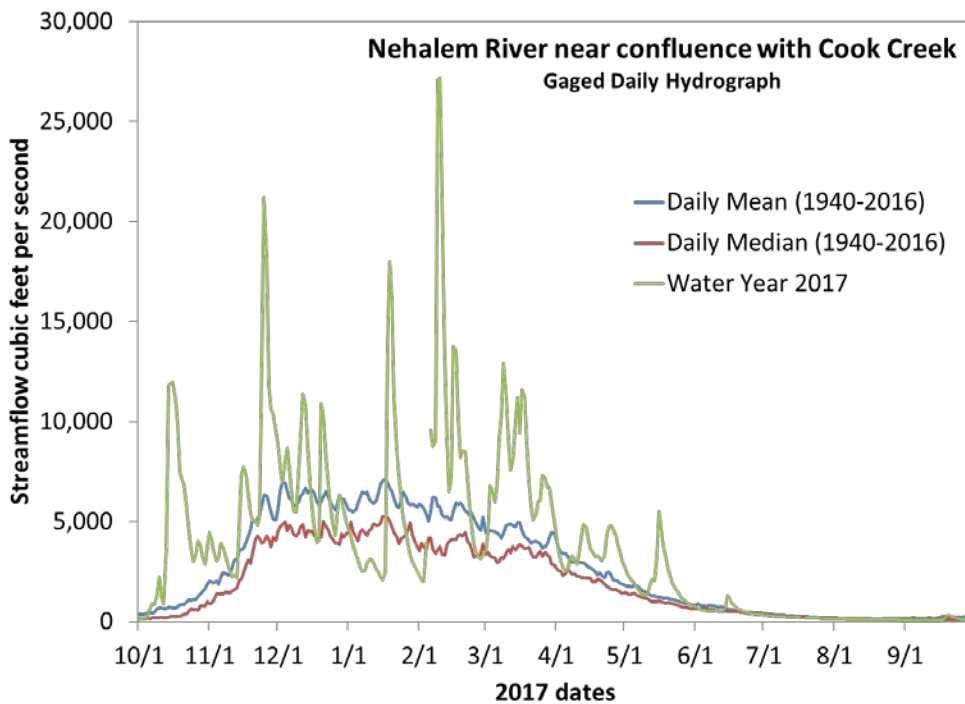


Figure 5. Gaged Hydrograph at the USGS Stream Gage Nehalem River Near Foss

Courtesy of Water Resources Dept.

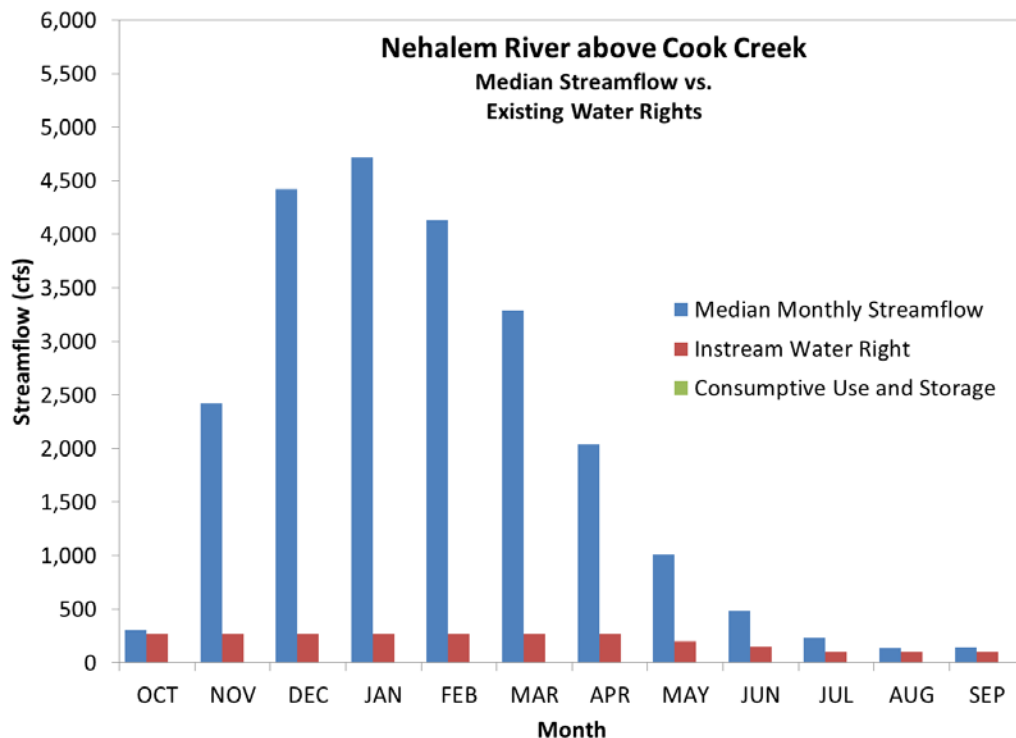


Figure 6. Monthly Stream Flow for the Nehalem River Basin

(Above Cook Creek from the Water Availability Reporting System, courtesy of Water Resources Dept.)

### River Description

The landscape in the study area is generally steep and erosional, which leads to dense drainage networks with numerous tributaries. Significant tributaries include Spruce Run Creek, Cronin Creek, Salmonberry Creek, Lost Creek, and Cook Creek.

The geologic setting helps to explain the stream morphology and channel characteristics of the study reaches. The upper section from the put-in at Henry Rierson Spruce Run Campground and day use area to the beginning of the canyon area near Morrison Eddy Campground is largely Oligocene-Eocene age marine sedimentary rock and relatively straight and gently sloping. The reach contains primarily smooth water with small riffles. The stream channel is primarily bedrock with some fine sediment deposits. The banks are gently sloping with grass and trees, and sandy gravelly shoreline. There are some exposed clear cuts in the viewshed.

The middle section, where more dramatic rocks and cliffs are seen, begins at approximately Morrison Eddy to Nehalem Falls. Eocene age volcanic rocks composed of basaltic flows and sills with basaltic tuff, pillow lavas and invasive lava are found here. This section has a slightly higher gradient and higher flow, picking up streamflow from several tributaries. The channel is confined and there are more extensive boulder fields, cliffs and gravel bars, and class 2+/3 rapids, especially below the major tributary confluences. The river flows through a scenic narrow canyon with basalt cliffs and moss. Approximately one mile below Morrison Eddy, the Tillamook Bay Railroad runs along the bank, but is only partially visible from the river and does not dominate the view.



**Photo 1: Nehalem Falls and Fish Ladder Looking Upstream. May 2017.**

Nehalem Falls, classified as a class 3-4 rapid, is formed where the river cuts through a thick basalt sheet and then is further pinched by a concrete fish ladder, offering a dramatic whitewater feature in the reach (Figure 7). The lower stretch from Nehalem Falls to Cook Creek is a prime example of large coastal river. The river valley has more gentle surrounding topography and sinuous nature. The river channel is wide and shallow with an alluvial gravel and cobble bottom.

### ***Navigability***

The Oregon Department of State Lands (DSL) has not conducted an official navigability study pursuant to ORS 274.400-274.412, though DSL does have the “Farnell” Reports” which includes historical information relevant to the potential navigability of the Nehalem River (Department of State Lands). The Nehalem river *may* be navigable (although not officially) from its mouth to river mile 85 near Vernonia (Farnell, 1981).

### ***Vegetation***

The steep forested hillslopes and river terraces of the Nehalem River support riparian and upland vegetation types that are characteristic of large river systems in the Oregon Coast Range Ecoregion. Riparian vegetation on gravel bars and wet toe-slopes are dominated by Japanese knotweed, an invasive nonnative species, with an overstory of red alder, bigleaf maple, western hemlock, Sitka spruce, and western red cedar. Other riparian invasive nonnative species found along the river bank are reed canarygrass and Robert’s geranium. Native forbs and shrubs include small patches of Scouler’s corydalis, broadleaf bluebells, red columbine, several species of ferns and saxifrages, stink currant, salmonberry, red osier dogwood, willow, vine maple, and beaked hazelnut where Japanese knotweed is absent. Plant assemblages associated with wet cliff walls include abundant mats of bryophytes, Wallace’s spikemoss, lichens, ferns, and forbs, including Cascade desert parsley, leathery grapefern, Mertens’ saxifrage, stonecrops, asters, and rose species. Upland vegetation is primarily mesic coniferous forest dominated by Sitka spruce, western red cedar, western hemlock, and Douglas-fir. Pockets of hardwood forest are also present due to recent disturbance (e.g., landslides). These areas are dominated red alder with lesser amounts of bigleaf maple. Much of the forest on hillsides visible from the river has been logged in the past, but some remnant late-seral Douglas-fir forest fragments are also present. Several large, relic black

cottonwood trees grow in at least two places in the study area. The middle reach of the study area between the confluence of the Salmonberry River and Nehalem Falls is in better condition with more native vegetation than the upper and lower reaches.

### ***At-Risk Plant Species***

The stretch of river being reviewed for scenic water designation potentially supports habitat for at least two rare species: tundra shootingstar (*Dodecatheon austrofrigidum*) and queen-of-the-forest (*Filipendula occidentalis*). Neither species was observed during the May 2017 site visits.

Tundra shootingstar has been found in widely scattered and typically small populations in southwest Washington and northwest Oregon. The majority of the documented occurrences are in Clatsop and Tillamook Counties (e.g., along the Trask River) in Oregon, with seven total known populations. Populations are found on grassy sod over a rocky substrate or on basalt cliffs near streams or waterfalls at higher elevations, or in rock crevices below the high water line along major rivers at lower elevations. In Oregon its conservation status is Global Rank G2 and State status S2. Queen-of-the-forest (*Filipendula occidentalis*) is a species endemic to the Coast Range of southwest Washington and northwest Oregon. Habitat includes bedrock crevices that have water seeping over the rock surface throughout much of the year. Occurrences are usually located near the high water mark of rivers or their tributaries. In Oregon, its conservation status is Global Rank G2 and State status S2. The primary threats to both species in Oregon include flooding, damming, erosion due to timber harvest, and exposure to herbicides.

The habitats present in the study area also support a number of listed wildlife species, described below in the fish and wildlife section.

### ***Fish and Wildlife***

The study area provides a diversity of upland and aquatic habitats for a wide range of wildlife species. Mammals of note include elk, black-tailed deer, river otter, and beaver. Notable breeding birds include northern spotted owl, osprey, golden eagles, harlequin ducks, and many Neotropical migrants. Aquatic species include wild and hatchery coho, chinook, and steelhead, along with many native fishes and amphibians.

### ***At-Risk Fish and Wildlife Species***

At-risk wildlife species are those experiencing population declines or are otherwise at risk. They include federal endangered, threatened, candidate species and species of concern; state endangered, threatened, and candidate species; state critical and vulnerable species, and species with a state Heritage rank of S1 (critically imperiled), S2 (imperiled due to rarity or vulnerability), and S3 (rare, uncommon, or threatened). This list was determined by compiling documented species occurrences in databases maintained by Oregon Biodiversity Information Center (ORBIC), USFS, eBird.org, ODF, and ODFW, as well as potential habitat within the study area buffer determined from the Oregon GAPS vegetation project. Three species listed under the Federal and/or state Endangered Species Acts, and 38 federal and/or state sensitive species have the potential to occur or do occur in the study area (Table 2).

The Nehalem River is designated Essential Salmon Habitat (DSL 2001) as well as federal critical habitat for Coho salmon. Three anadromous salmonids - Oregon Coastal Evolutionary Significant Unit (ESU) coho, the Oregon Coastal ESU, winter run steelhead, and North Coast Species Management Unit (SMU) chinook – are all found and fished in the Nehalem River at varying times of the year, although no wild stock may be retained to preserve population viability. The scenic waterway study area includes habitat that could support all freshwater life stages of coho, steelhead, and chinook, and tributaries off the main river channel would provide spawning and rearing habitat. The Oregon Coast Coho Assessment



determined that the Nehalem River population did not meet population viability criteria (State of Oregon 2005) at the time of assessment in 2005. ODFW determined that the primary limiting factor for coho in the Nehalem River was water quality (ODFW 2007), and specified sedimentation and low water flow as limiting factors for chinook and steelhead (ODFW 2014). Designating portions of Nehalem River as a scenic waterway will not detract from water quality improvements, and due to development changes along the river that tend to accompany scenic waterway status, may enhance water quality. Restoration actions that would benefit all anadromous salmonids species include reducing fine sediments, increasing physical habitat structure, especially via large wood presence, improved access to wadeable streams, improving water quality through vegetative shading and reducing agricultural run-off, and restoring suitable spawning areas.

Nehalem Falls is a partial barrier to salmonids moving to spawning grounds further upstream. Additionally, culverts impact fish movement out of the Nehalem River into tributaries: three culverts block salmonid movement and another three culverts partially block salmonid movement (ODFW 2015).

Upland habitats adjacent to the scenic waterway support marbled murrelet and northern spotted owl, and portions of the study area fall within USFWS designated critical habitat.

Table 2. List of Animals in Study area and their Listing

Scientific Name	Common Name	Occurrence	Federal Listing	State Listing	Conservation Strategy	State Rank
<i>Anaxyrus boreas</i>	Western toad	Potential		SV	CS	S4
<i>Batrachoseps attenuatus</i>	California slender salamander	Potential				S3
<i>Dicamptodon copei</i>	Cope's giant salamander	Potential		SV	CS	S2
<i>Rana boylei</i>	Foothill yellow-legged frog	Unlikely	SOC	SC/SV	CS	S2S3
<i>Rhyacotriton kezeri</i>	Columbia torrent salamander	Potential		SV	CS	S3
<i>Rhyacotriton variegatus</i>	Southern torrent salamander	Potential	SOC	SV	CS	S3
<i>Accipiter gentilis</i>	Northern goshawk	Potential	SOC	SV		S3S4
<i>Brachyramphus marmoratus</i>	Marbled murrelet	Vicinity	FT	ST		S2
<i>Bucephala albeola</i>	Bufflehead	Potential				S2B,S5N
<i>Chordeiles minor</i>	Common nighthawk	Potential		SC		S5B
<i>Contopus cooperi</i>	Olive-sided flycatcher	Vicinity	SOC	SV	CS	S2S3B
<i>Dryocopus pileatus</i>	Pileated woodpecker	Present		SV		S4
<i>Elanus leucurus</i>	White-tailed kite					S2B,S3N
<i>Haliaeetus leucocephalus</i>	Bald eagle	Vicinity		SV	CS	S4B,S4N
<i>Histrionicus histrionicus</i>	Harlequin duck	Potential	SOC			S2B,S3N
<i>Icteria virens</i>	Yellow-breasted chat		SOC	SC		S4B
<i>Melanerpes lewis</i>	Lewis's woodpecker	Unlikely	SOC	SC		S2B,S2?N
<i>Oreortyx pictus</i>	Mountain quail	Unlikely	SOC	SV		S3S4
<i>Patagioenas fasciata</i>	Band-tailed pigeon	Present	SOC		CS	S3B
<i>Progne subis</i>	Purple martin	Potential	SOC	SC		S2B
<i>Regulus satrapa</i>	Golden-crowned Kinglet	Present				S3
<i>Strix occidentalis caurina</i>	Northern spotted owl	Vicinity	FT	ST		S3
<i>Oncorhynchus kisutch pop. 3</i>	Coho salmon (Oregon Coast ESU)	Present	FT	SV		S2
<i>Oncorhynchus mykiss pop. 31</i>	Steelhead (Oregon Coast ESU, winter run)	Present	SOC	SV		S2S3
<i>Oncorhynchus tshawytscha</i>	Chinook (Oregon Coast SMU)	Present				
<i>Antrozous pallidus</i>	Pallid bat	Potential	SOC	SV		S2

Scientific Name	Common Name	Occurrence	Federal Listing	State Listing	Conservation Strategy	State Rank
<i>Arborimus albipes</i>	White-footed vole	Potential	SOC			S3S4
<i>Arborimus longicaudus</i>	Red tree vole	Potential	PS:FC	SV	CS	S3
<i>Corynorhinus townsendii</i>	Townsend's big-eared bat	Potential	SOC	SC	CS	S2
<i>Lasionycteris noctivagans</i>	Silver-haired bat	Potential	SOC	SV	CS	S3S4
<i>Lasiurus cinereus</i>	Hoary bat	Potential		SV	CS	S3
<i>Myotis californicus</i>	California myotis	Potential		SV	CS	S3
<i>Myotis evotis</i>	Long-eared myotis	Potential	SOC			S4
<i>Myotis thysanodes</i>	Fringed myotis	Potential	SOC	SV	CS	S2
<i>Myotis Volans</i>	Long-legged myotis	Potential	SOC	SV	CS	S3
<i>Myotis yumanensis</i>	Yuma myotis	Potential	SOC			S3
<i>Odocoileus virginianus leucurus</i>	Columbian white-tailed deer	Unlikely	PS:FE	SV	CS	S2
<i>Pekania pennant</i>	Fisher	Unlikely	PS:FC	SC		S2
<i>Actinemys marmorata marmorata</i>	Western Pond Turtle	Potential	SOC	SC	CS	
<i>Chrysemys picta</i>	Painted turtle	Potential		SC		S2
<i>Lampropeltis zonata</i>	California mountain kingsnake	Potential	SOC	SV		S3S4

FE: Federally endangered

FT: Federally threatened

FC: Federal candidate for listing

SOC: Federal Species of Concern

ST: State threatened

SC: State critical

SV: State vulnerable

CS: Conservation Strategy

S1: Critically imperiled in the state

S2: Imperiled in the state

S3: Rare, uncommon, or threatened in the state

S4: Apparently secure

S5: Widespread

B: Breeding

H: Historical occurrence

N: Non-breeding

## *Recreation*

The Nehalem was listed in a 1987 study of recreational use of Oregon Waterways in which it was noted as having outstanding recreational resources, particularly for salmon/steelhead fishing and drift boating and substantial to moderate rankings for canoe/kayaking, rafting, trout fishing and “other recreation” which included hiking, swimming, camping and nature viewing (ODOT, 1987). The Nehalem River has been listed by the National Park Service (NPS) in the National River Inventory (NRI), a “listing of free-flowing river segments...that are believed to possess one or more ‘outstandingly remarkable’ natural or cultural values judged to be of more than local or regional significance” since 1982 (National Park Service, 2017). The Nehalem is listed in the inventory as having outstanding recreation and fisheries (NPS, 2017).

Annually, thousands visit the Nehalem River for year-round recreation including fishing, hiking, kayaking and white water rafting, biking, camping, picnicking, nature watching, or to simply enjoy the river. There is a ½ mile developed loop trail at Nehalem Falls. There are few official surveys or counts of floating on the river. A volunteer park host at Henry Rierson Spruce Run Campground communicated that many day use visitors and campers float a short section using inner tubes and small rafts from the just above the campground to below the day use area (personal communication, 2018).

The Nehalem is listed as one of the longest free flowing rivers in the state, providing one of the longest potential river trips in Oregon with minimal portages and few large rapids (Palmer, 2014). Non-motorized boaters can float for much of the year on a variety of craft, including kayaks and rafts, depending on skill level. The river is listed amongst the best rivers in Oregon for cutthroat trout and Coho fishing (Palmer, 2014).

Flows of around 4000 cfs are noted to be ideal for floating the river, however a range (as measured at the gauge near confluence of Cook Creek) of between 2000- 8000 cfs is provided to paddling enthusiasts (Keller, 1998; WKCC, 2016). During the study visit, the river was running around 1610 cfs, as measured at the gauge. For the purpose of the study, running the “Nehalem Falls” was not deemed safe.

The number of total campers over a several year period was supplied by ODF for Henry Rierson Spruce Run Campground, and Beaver Eddy Campground. In 2016, a total of 12,026 individual overnight visitors camped at HRSR Campground and total of 1,758 individual overnight visitors camped at Beaver Eddy Campground (Figure 7-8). Nehalem Falls Campground had 2,880 campers in 2016. Henry Rierson Spruce Run Campground is a fee area, twelve sites are open year round with the remainder of the sites closed starting September 11<sup>th</sup> of each year and reopening May 15<sup>th</sup> of each year. There is potable water and has 32 drive-in camp sites and five walk-in sites.

Beaver Eddy Campground is a fee area with eight primitive walk-in tent sites and is open May 15- September 15<sup>th</sup>. Morrison Eddy Campground is open year round for walk in campsites. The Tillamook Bay railroad tracks parallel the river from Hatchery Creek to the lower end of the study area, approximately seven miles. The proposed Salmonberry Trail could possibly use the Tillamook Bay

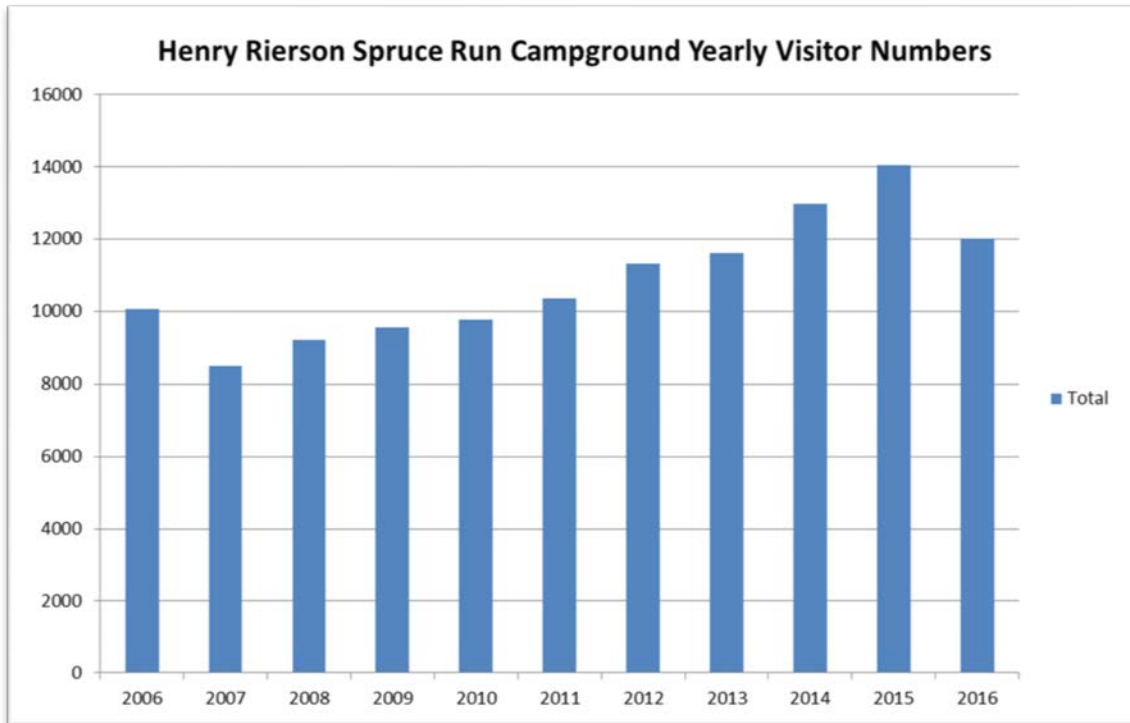


Figure 7. Henry Rierson Spruce Run Campground Total Visitor Numbers (2006-2016)

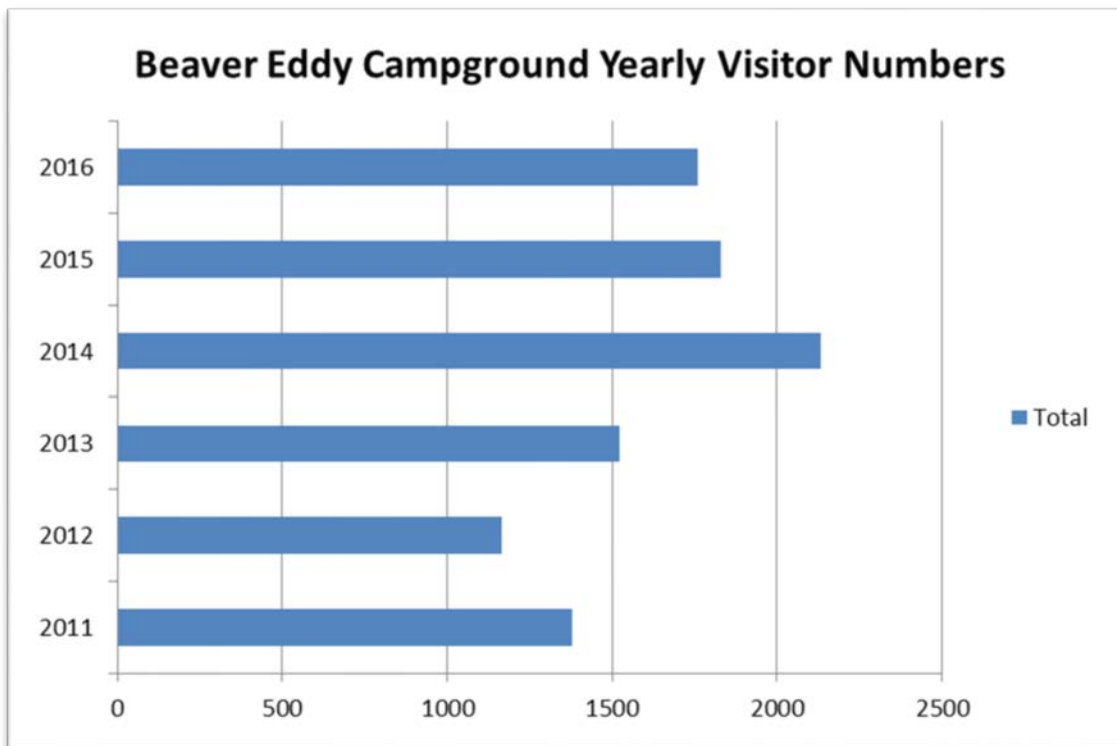


Figure 8. Beaver Eddy Campground Total Visitor Numbers (2011-2016)

Railroad right-of-way sometime in the future. Currently, walking on or next to the tracks is not legal, if the Salmonberry trail is built sometime in the future this area could have substantially more recreation.

### *Scenic Railroad, Proposed Salmonberry Trail*

A proposed 84 mile multi-use trail is being planned along the Port of Tillamook Bay (POTB) rail right of way (ROW) connecting Banks, Oregon in the upper Tualatin Valley in rural Washington County to the City of Tillamook on the Oregon Coast. The Trail proposal breaks the route into four trail segments: the Valley, Canyon, River and Coast segment. The River segment begins at the confluence of the Nehalem and Salmonberry River and follows the ROW adjacent to the Nehalem River for 17 miles to the City of Wheeler on the Nehalem Bay.

While the concept plans for the Valley and Canyon trail segments call for a rail to trail development, the River and Coast segment is identified as a rail with trail opportunity. The Oregon Coast Scenic Railroad (OCSR) has a use agreement with the Port of Tillamook Bay to operate a tourist train along the Coast and River rail corridor.

Recently the POTB entered into a railbanking and 99 year lease agreement with the Salmonberry Trail Intergovernmental Agency (STIA) authorizing STIA to develop and manage the proposed Salmonberry Trail. POTB will continue to own the ROW.

POTB will also enter into a 20 year use agreement with OCSR in the near future once OCSR comes into compliance with the United States Army Corp of Engineers (USACOE) and the Environmental Protection Agency(EPA) for a clean Water Act Violation that occurred from unauthorized fill being placed in the Salmonberry River in 2014. The use agreement authorizes the OCSR to maintain and operate a tourist railroad from Tillamook to Enright in the Salmonberry Canyon.

Detailed planning for a rail with trail has not been completed for the River segment. It is hoped funding can be found to complete planning work some time in 2018-2020. Plans have been completed for the Coast segment and the Valley segment is currently under study with plans being completed in 2018.

The 84 mile Salmonberry Trail is a very large and complex endeavor. STIA recognizes the need to look at this project as a multi-generational project that will not be completed in one major construction effort but a series of smaller trail segments built out over many years eventually connecting the Valley to the Coast. It could be more than a decade for trail development along the Nehalem river segment.

### *Access*

There are several main access points to the study area. The northern access (Henry Rierson Spruce Run Campground) is reached from State highway 26 and then turning on Lower Nehalem Road and traveling another nine miles (approximately 39 miles from Portland). There is an access point at Beaver Eddy and at Nehalem Falls and many undeveloped access points which also provide access to river vistas and some directly to the river. OPRD staff used an undeveloped access point upstream of Nehalem Falls as a take-out during the May rating float. Using the undeveloped access point as a take-out allowed the group to float much of the study, yet avoid having to raft through Nehalem Falls.



**Photo 2: Undeveloped Take-Out Point**

The southern access (Cougar Valley State Park) is reached from Highway 101 near Wheeler, Oregon. From Highway 101 turn on State Highway 53 and then turn again onto Miami Foley Road and then finally onto Foss Road. The confluence of Cook Creek and Cougar Valley State Park, which are located at the southern end of the study area, are approximately eight miles from Wheeler, Oregon.

## **Cultural Resources**

### ***Ethnographic Overview***

In pre-contact times, the indigenous population of the Nehalem River was considered a group of Tillamook people. The traditional Tillamook territory is from Cape Foulweather to Tillamook Head along the coast and extending to the summit of the Coast Range (Robert Kentta, personal communication 2017). Some anthropologists have referred to the people as Nehalem, who were one of many Salishan-speaking groups known collectively as Tillamook and who represented the southern-most Salishan speakers. The territory of the Tillamook was located on the bays of the Siletz, Netarts, Tillamook and Nehalem, and Sand Lake. Their territory was also inland in the river valleys of the Siletz, Salmon, Nestucca and Nehalem Rivers to the coast range (Wilkinson 2010). Each river valley was relatively politically autonomous (Seaburg and Miller 1990).

The winter villages of the Nehalem were located at the mouth of the river along the shores of the estuaries and their dwellings were large rectangular wood plank houses made of cedar with a central fire pit and raised sleeping platforms along the sides (Seaburg and Miller 1990). The wood plank house floors were covered with mats and food was hung from the house rafters for drying or stored in baskets under the platforms. The villages included the wood plank multi-family houses as well as sweathouses, work and women's huts and cemeteries with raised canoe burials (Seaburg and Miller 1990; Jacobs 2003; Kentta 2017). Wilkinson (2010) notes that through an elaborate system of laws, each village exercised its own sovereignty for relationships with other villages. The winter villages were the center of social, political and economic life for the Nehalem.

During the spring, summer and fall, the Nehalem people dispersed into the river valley for fishing, hunting and plant gathering. The seasonally visited sites along the Nehalem River were associated with resource procurement and processing, and likely had hearths, ovens, drying racks for processing fish, camas, huckleberries, salal berries, salmon berries, thimble berries, and roots including, fern, lily and wild carrot (Jacobs 2003). The Nehalem also hunted sea mammals, bear, beaver, deer and elk, and collected shell fish. Fish weirs and traps were utilized for spring and fall salmon runs (Sauter and Johnson 1974). There were trails that connected the different villages in the region, but canoes were also utilized for transportation.

It is understood that the larger Tillamook group participated in a wide ranging trade network, exchanging dentalium shells, dried salmon, baskets, canoes, wapato and beaver pelts for buffalo hides (Seaburg and Miller 1990). In addition, there were alliances and marriage arrangements with the Clatsop, Lower Chinookan groups and the Tualatin Kalapuya. The social organization of the Tillamook group was divided into classes, which also included slaves. Their wealth was created through the accumulation of dance regalia, fishing spots, canoes, and the number of wives and slaves (Wilkinson 2010).

The period of European contact with the Nehalem people is not fully understood. However, this area of the coast has more evidence of early contact with Native Americans and Europeans than other areas of Oregon. Near the Nehalem Spit, ceramic sherds and numerous pieces of beeswax have been documented, which may be associated with a wreck of a Spanish galleon. The two unaccounted for galleons are the *Santo Christo de Burgos* lost in A.D. 1693 and the *San Francisco Xavier*, lost in A.D. 1705, both trading goods from the Philippines to Mexico (Levesque 2002; Lally 2008). This archaeological evidence is also known as the Beeswax Wreck and it represents the earliest contact between Europeans and Native Americans on the northern Oregon coast (Peterson et al. 2011). Additional ethnographic evidence was noted by Clara Pearson, a Nehalem speaker, who was interviewed by Melville and Elizabeth Jacobs in 1934, in which one of the precontact stories Ms. Pearson told included a light-skinned, red haired individual, which may indicate contact with other Europeans (Jacobs & Jacobs 1959).

Due to contact with Europeans, infectious diseases which Native Americans had no resistance spread among the Nehalem and to other groups along the coast, the Willamette Valley and the Columbia River valley. All indigenous groups lost at least a third of their people to an epidemic of small pox in 1775 (Boyd 1990). In 1801, there was a second epidemic and between the 1820's and the 1860's, there were other epidemics of infectious diseases. An estimated 4,320 Tillamook population in the early 1800's was reduced to 193 in 1854 (Boyd 1990).

The federal government negotiated a treaty with the people who lived on the Nehalem River and headmen signed the 1855 Treaty with the Coastal Tribes of Oregon in good faith to establish the Coast Reservation which ceded the homelands of the Nehalem and was then established by an Executive Order signed by President Franklin Peirce on November 9, 1855 (Kentta 2017). However, the United States did not hold up its part of the treaty given that the Senate failed to ratify the 1855 Coast Treaty. Today, the Confederate Tribes of Siletz Indians and the Confederated Tribes of the Grand Ronde Community of Oregon claim cultural affiliation to this area of the Oregon.



## History

The post-European contact history of the region is described in the *Nehalem River Watershed Assessment* (Upper and Lower Nehalem River Watershed Councils) by Joseph Maser and Jill Johnson, December 1999:

Hans Anderson was the first pioneer to settle in the Nehalem Valley in 1866. He resided near Elsie close to River Mile 40. His main means of travel was canoe. Many more pioneers settled the upper and lower watershed during the following decade. The trees were so abundant that in order to build a cabin or clear land for farming, the pioneers had to cut any trees in their way as they moved westward. This process was called “cut, burn, and move on syndrome”. Thousands of trees were cut and either burned or left to decay. Pioneers generally followed narrow Indian trails from the Willamette and Columbia River Basins to the Nehalem Valley...

A survey done in 1893 described vast forests in the region averaging 250 feet in height and four to six feet in diameter, with trees frequently 350 feet in height and 10 feet in diameter. Species included Douglas fir, cedar, spruce, oak, maple and alder. Logging began early and gained momentum as the area became more populated. Early settlers took advantage of the relatively smooth flowing river as a highway in which to transport lumber. In addition to the Wheeler sawmill, mills were eventually built at Pittsburg and Vernonia. Log drives down the Nehalem River started in 1901 and lasted until 1926... Logging and farming were booming by the end of the 19th century...

Farmers from dairy farms made their way to town by wagon or boat and built two cheese factories.

The Tillamook burn in 1933 destroyed much of the timber value of these lands and many of the landowners in the area could not pay their taxes, resulting in foreclosure and transfer of ownership to the counties. Most of these lands were then transferred to the State Board of Forestry to be managed.

Fish were historically abundant in the region. One early visitor to the Nehalem River remembers salmon actually jumping into her parents boat around the year 1918. Fishing remained excellent between 1920 and 1940 despite the severely damaged watershed. Angling was good in the 1940's but declined in the 1950's. Some improvement was noted after commercial gill net fishing ended in 1956. In order to sustain fisheries, a hatchery on Foley Creek began operations in 1926 to supplement wild populations of cutthroat trout and winter steelhead trout. The hatchery was closed in 1966 and replaced by the North Nehalem Hatchery.

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Table 3. Nehalem River Historic Timeline

(Modified from Maser and Johnson 1999)

<b>Nehalem River Historic Timeline</b>	
<b>~12,000 BC</b>	Catastrophic floods shaped much of the region and deposited thick soil Nehalem Indians inhabited area around Nehalem Bay
<b>1770 - 1780s</b>	European settlers arrive on Oregon Coast for exploration and trading
<b>1782 – 83</b>	Epidemics wiped out 75 to 90% of the Indian population
<b>1841</b>	Missionary Reverend John Frost arrives in the region
<b>1866</b>	Hans Anderson is the first settler in the Nehalem Valley
<b>1868</b>	Pioneers settle the towns of Nehalem and Wheeler
<b>1870</b>	Mail route established in Tillamook County
<b>1873</b>	Pioneers come to Nehalem Valley to settle and clear land for farming
<b>1877-78</b>	Pittsburg sawmill built
<b>1901-1926</b>	Log drives occur on the Nehalem River
<b>1902-1930</b>	Wheeler sawmill in operation
<b>1909</b>	Port of Nehalem is formed
<b>1911</b>	Railroad connecting Portland with Tillamook County is completed
<b>1920s</b>	Logging activities increase substantially
<b>1922</b>	Railroad to Vernonia built
<b>1926</b>	Hatchery operations at Foley Creek began
<b>1933</b>	“Tillamook Burn” Fire
<b>1935</b>	Commercial fishing on the Nehalem River
<b>1945</b>	Old growth timber gone
<b>1956</b>	Commercial gill net fishing ended in estuary
<b>1957</b>	Vernonia sawmill closed
<b>1966</b>	Nehalem Hatchery begins operations on the North Fork Nehalem

### Scenic Resource Inventory

The view from the river and adjacent lands ranges from pleasing to outstanding along the entire study reach. Due to the geology and dense vegetation along the river, in many places the view as seen from the river is limited to a few hundred feet. However, in some areas hillsides and more distant landscapes (e.g. mountains) are visible. In some sections, namely through one main gorge area, sections of basalt exist as the river narrows as it crosses through rock outcrops with interesting rock formations.

The river is completely free-flowing within natural banks, with the exception of minor cultural modifications made for the bridges, railroad, road and a few homes. The few developments that do exist are quite localized so their visibility does not detract noticeably from the general natural setting of the area.

Two bridges cross the river; one bridge is the county road and crosses the river just south of Nehalem Falls. The second is a railroad bridge that crosses the river at the confluence of the Salmonberry River. Other developments along the river include some visible impacts from timber harvest and a few residential homes on

private lands, although most of them are at least partially screened as viewed from the river. The rural feeling of the area combined with views of forested slopes combine to provide outstanding to generally pleasing views of the river and its surrounding scenery.



**Photo 3: Tillamook Railroad Bridge and Foss Road Bridge at confluence of Salmonberry Creek**

It is possible to obtain views *from* the river itself throughout the whole study area by floating the river, when water levels allow. Roads follow the river in most parts; however, some of it cannot be viewed from a vehicle or from the side of the road, but there are frequently trails down to the river on public lands. The evaluation of scenic resources was performed over a two day period in May 2017. Evaluations at sites 1 through 5 were completed on May 8<sup>th</sup>, 2017 and were accessed by rafting the river and stopping at five locations that the evaluation team felt was representative of that particular stretch of river. Sites 6 and 7 were completed on May 9<sup>th</sup>, and were accessed via the road and by walking along the bank of the river in developed recreation areas. The daily mean discharge for May 8<sup>th</sup>, 2017 at the Nehalem River near Foss, OR gage (ID 14301000) was 1,610 cfs, which closely matched the long term average for that date of 1,620 cfs.

**Site One: Scenic resource inventory of the view from the ODF Spruce Run Day Use Area, adjacent to the campground**

**The view as seen from the riverbank is of moderate scenic quality. It is a generally pleasing river view. The visible modifications are amenities for visitors in the day-use area and campground. The setting is forested. The lightly traveled road is visible in the adjacent scenery.**



<b>Landform</b>	A flat river bottom with steep side hill on river right and a moderately steep hill on river left.
<b>Vegetation</b>	Red alder dominates the hillslope, while conifers dominate the riparian zone. Large patches of Japanese knotweed cover the riverbank. Riparian trees include bigleaf maple, red alder, Sitka spruce, and western red cedar.
<b>Water</b>	Stream reach contains smooth flat water with small riffle downstream and a bedrock channel. Banks are gently sloping with grass and trees, and sandy gravelly shoreline.
<b>Color</b>	Green. Green moss, small white aster like flowers, river is green and clear, though not crystal clear.
<b>Adjacent scenery</b>	Typical coast range forest
<b>Scarcity</b>	Common. Forested slope, day use area, road, steep ridges
<b>Cultural modification</b>	Day-use facilities including concrete style vault toilet, picnic table, fire ring, road

**Site Two: Scenic resource inventory of the view at Beaver Eddy**

**The view as seen from the riverbank is of high scenic quality. It is a pleasing river view with steep forested slopes.**



<b>Landform</b>	Small rock cliff, steep vegetated slopes, very steep on river right, less steep on river left, small tributary creek. Flat river bottom, not incised.
<b>Vegetation</b>	Hillslope supports a mix of hardwood and conifer forests. Large patches of Japanese knotweed are growing along the riverbank. Riparian plants include both coastal and valley species. Spruce and red alder branches are covered with thick moss.
<b>Water</b>	Stream reach primarily a large pool with smooth unbroken flow, calm water. There is a gravel bar from a small stream tributary
<b>Color</b>	Lots of variety: green trees, lighter conifer greens, yellow vine maples, white water, blue sky, white clouds, mud
<b>Adjacent scenery</b>	Road not visible, road sign slightly visible, day use/campground area, hardwood, scattered conifers on mixed slopes
<b>Scarcity</b>	Common
<b>Cultural modification</b>	Trampling of riparian vegetation from recreation use, small river access trail

**Site Three: Scenic resource inventory of the view below Morrison Eddy, near mile post 14 on Foss Road**

**The view as seen from the riverbank is of very high scenic quality. The view of the basalt cliffs of the inner gorge is unique to this river.**



<b>Landform</b>	Weeping springs, inner gorge with basalt cliffs. Moss, boulders. River is narrowed confined channel, woody debris and bedrock visible. Turbulent eddys.
<b>Vegetation</b>	Large conifer and bigleaf maple trees draped with moss. Forested slopes are similar to other areas of the river with a mix of hardwood and conifer species. Cascade Desert Parsley rock garden plant community found growing on the wet cliff face. Desert Parsley ( <i>Lomatium martendalei</i> ) was sited in this area along with a patch of Scouler's fumewort ( <i>Corydalis scouleri</i> ) at Salmonberry confluence.
<b>Water</b>	Stream reach in canyon is confined with narrow width and deep water. Large pools with turbulent eddys and large, partially submerged boulders.
<b>Color</b>	Black from basalt cliffs, green and yellow from moss, green from trees
<b>Adjacent scenery</b>	Steep rocky cliffs, increase in snags over previous sites, visible basalt rock and vegetation
<b>Scarcity</b>	Canyon unique for this river
<b>Cultural modification</b>	Nothing evident

**Site Four: Scenic resource inventory of the view at the confluence of Snark Creek**

The view as seen from the riverbank is of moderate scenic quality; it is generally pleasing of the river with views of steep forested ridges. The Salmonberry railroad is visible through the trees and the road is quite evident.



<b>Landform</b>	Opened up from upstream canyon, steep high ridges, intervening finger ridges
<b>Vegetation</b>	The riparian zone is dominated by Japanese knotweed. There are also some patches of red osier dogwood. Forested slopes are a mix of red alder and conifer species.
<b>Water</b>	Stream reach located downstream of long riffle. Run has a wide, shallow channel with medium sized boulders, and small grass islands. Bedrock and gravel along stream edge with pools.
<b>Color</b>	Dark and bright green, grey and brown rocks, blossoming dogwood
<b>Adjacent scenery</b>	Steep forested ridges, low trestle, railroad
<b>Scarcity</b>	Other than the Salmonberry railroad there was nothing of note
<b>Cultural modification</b>	Railroad, low trestle, road partially visible, traffic visible

**Site Five: Scenic resource inventory of the view at Helloff Creek confluence**

**The view as seen from the riverbank is of moderate scenic quality and is generally pleasing. The Salmonberry railroad is more noticeable in this stretch than the previous upstream stretch.**



<b>Landform</b>	Large open drainage giving a more open feeling than previous sites. River rock islands, large island mid channel cobble bar, Ridges rounded and less steep than in previous sites, railroad track visible, a few large boulders partially submerged in river
<b>Vegetation</b>	Hillslopes support a mix of hardwood and conifer forests. The riparian zone is dominated by Japanese knotweed and reed canarygrass.
<b>Water</b>	Stream reach is wide and contains a diversity of shallow and deep areas with isolated riffles and some standing waves. At the Helloff creek confluence there is a large amount of gravel deposited at mouth of creek.
<b>Color</b>	White from riffles, bright and dark green, browns, greys, mossy yellow, rusty dark from railroad
<b>Adjacent scenery</b>	Sharp, noticeable line of railroad, conifers and hardwood forest, less steep than previous stretches, forest management activity visible.
<b>Scarcity</b>	Nothing of note
<b>Cultural modification</b>	Railroad more visible in this stretch than other stretches.



**Site Six: scenic resource inventory of Nehalem Falls**

The view as seen from the riverbank is of very high scenic quality and is quite pleasing. Steep, forested slope comes all the way to river edge; the cascading falls through bedrock are unique to this river. The falls creates an extended line of white water.



<b>Landform</b>	Steep, forested hill slopes all the way to river edge. Large expanses of exposed bedrock, large boulders, and the falls are a pinch point in the river channel
<b>Vegetation</b>	Hillslopes support a mix of hardwood and conifer forests. The riparian zone is dominated by Japanese knotweed, reed canarygrass, and other invasive plants.
<b>Water</b>	Nehalem Falls (class 3-4) is formed by a pinch between basalt wall and boulders, and further confined by the concrete fish ladder on one side. Fast flowing white water, large drops with roiling water drop into a hole. Extended runout of turbulent whitewater extending below the falls.
<b>Color</b>	White from the water, brownish foam, grey, basalt, dark and bright green vegetation, spots of white and pink from flowers, grey cement of fish ladder with dark moss
<b>Adjacent scenery</b>	Prominent snags on slopes, trail to campground, conifer and mix of hardwoods, ferns, a mesic area
<b>Scarcity</b>	The falls, large bedrock bench, fish ladder, mini canyon view from river created by bedrock above water line.
<b>Cultural modification</b>	Railroad , cement fish ladder, a trail, sharp cement lines of fish ladder

**Site Seven: Scenic Resource Inventory of confluence of Cook Creek and Nehalem River**

The view as seen from the riverbank is of moderate scenic quality and is quite pleasing, a large bend in the river and large cobble and gravel bars on both sides of river with clear water in the creek



<b>Landform</b>	Large bend in river, lower elevation hills, surrounding river, large gravel/cobble bars on both sides of river, valley bottom, large boulders
<b>Vegetation</b>	Riverbanks include both hardwood and conifer species. A large Sitka spruce tree is leaning over the river. Legacy black cottonwood trees present in this stretch. Only observed one other black cottonwood tree upstream of this location. Riparian zone/floodplain is wide and supports both willow and Japanese knotweed.
<b>Water</b>	Stream reach located on a large bend in the river, channel is wide and shallow run with a gravel and cobble bottom channel. Crooked Creek has riffles. Active USGS stream gaging station 14301000 located ~1/4 mile upstream.
<b>Color</b>	Water color is blue with green- aqua color, cobble is made up of a variety of colors of red, tan, grey and sand. Diversity of greens from trees, gravel bar appears white in sunshine.
<b>Adjacent scenery</b>	Rolling forested hills, more open than other rating sites
<b>Scarcity</b>	Nothing of note, but compared to other sites this one is wider and more open
<b>Cultural modification</b>	Old bridge abutment , existing bridge, road adjacent, yet not very visible, can barely see wire from gauging station just upstream of rating site

## Field Rating Conclusions

Based on OPRD's field visit and public input, the entire 17.5 mile study area on the Nehalem River meets the criteria established to qualify as a potential Oregon Scenic Waterway.

- The study area is completely free-flowing. WRD determined this before the float trip by using the Water Availability Reporting System database to determine out-of-stream consumptive uses. This analysis resulted in a 0.2% ratio of consumptive over natural stream flow for the Nehalem River. Anything below five percent is considered relatively free-flowing for the purposes of this study.
- The study area offers pleasing views of a rural landscape and with a variety of geologic, plant and wildlife features visible from the river and present in the ¼ mile study corridor. The scenic quality of the study area meets or exceeds the standard of "pleasing" with areas where the scenery is outstanding in nature. There are cultural modifications (e.g., a few homes, the road, a bridge, a small rail line and evidence of logging). The cultural modifications that do exist are localized in nature such that their visibility does not detract noticeably from the pleasing scenic views of the area. Most of the visual signs of logging are beyond the ¼ mile study corridor.
- The study area offers several ODF-managed camping and day-use areas, views of the waterfall and other river viewing opportunities and a small hiking trail by the falls. Cougar Valley State Park, an undeveloped park with walk in access is at the southern end of the study area. Recreational fishing can be found along most of the study area. Paddling opportunities exist for boaters of a variety of skill levels depending on flow, with the most likely floatable time periods and flow levels occurring in the spring and late fall (flows in summer months are typically very low).
- It appears that current recreation use is such that the river and its setting are able to maintain existing natural and recreational values. Recreation use numbers are available from the ODF-managed campgrounds. In 2016, there were a total of 12,026 overnight campers at Henry Rierson Spruce Run campground, and a total of 1,758 overnight campers at the ODF Beaver Eddy Campground. For overnight camper numbers in previous years refer to figures six and seven.

## PUBLIC COMMENT

The public was notified of the study and the opportunity to comment in a variety of ways. Letters were sent to all landowners listed on tax lot data. Emails were sent to a list of approximately 160 interested parties and a media release announcing the study and the September 2017 public meeting was picked up by several local newspapers including the Daily Astorian, the Tillamook County Pioneer and the Cannon Beach Gazette, which all published the release in its entirety. Approximately 40 people attended a September 12<sup>th</sup> evening public meeting in Nehalem. The OPRD Scenic waterway webpage was updated to provide information on the study and to solicit feedback from the public.

OPRD staff presented information about the study and the Scenic Waterway Program to the Clatsop County Board of Commissioners on October 25<sup>th</sup>. The commission chose to support designation of the study area as a State Scenic Waterway. Tillamook County commissioners declined the presentation offer and chose to oppose the designation. The following findings summarize public input received thus far in the process:

The public comment period was originally set for approximately 45 days, but was extended to include the date of the presentation to Clatsop County. A total of 1,409 comments were received during the entire public comment period, August 16th– Nov. 1<sup>st</sup>, 2017.

- Form letters made up 1,327 of the comments, with 1,048 from Oregon. The rest were from other states and countries
- 82 comments were unique letters
- 12 comments were from organizations
- 27 comments were received from Clatsop County residents, 25 form comments and 2 unique comments; all in support of the designation
- 39 comments were received from Tillamook County residents, nine form comments, 30 unique comments; three were in opposition to the designation
- 10 comments in opposition were received in total, most were against more regulation, thinking the designation would not allow landowners to make any improvements or would decrease timber harvest. One was opposed due to concern that OPRD would not have the capacity to administer designation because other OPRD projects in this NW Coastal region have not been addressed and OPRD resources are going to the Oregon Coast Trail and the Salmonberry Trail project
- Many of the form letters and some of the unique letters requested that the South Umpqua and North Santiam rivers also be designated. One commenter requested that Woahink Lake be designated because it is beautiful and unique being the deepest lake near the ocean and has owls and osprey
- There seemed to be confusion about what the program does, and does not do and there was confusion between the waterway program and adjudicated navigable rivers, promotional “water trail” programs and federally designated wild and scenic rivers. Some of the comments seemed to indicate that the program would address water quality issues. Other comments indicated an assumption that the designation would either stop timber harvest or greatly curtail it and would not allow any future development.

Count of Comments Received from Oregon Counties

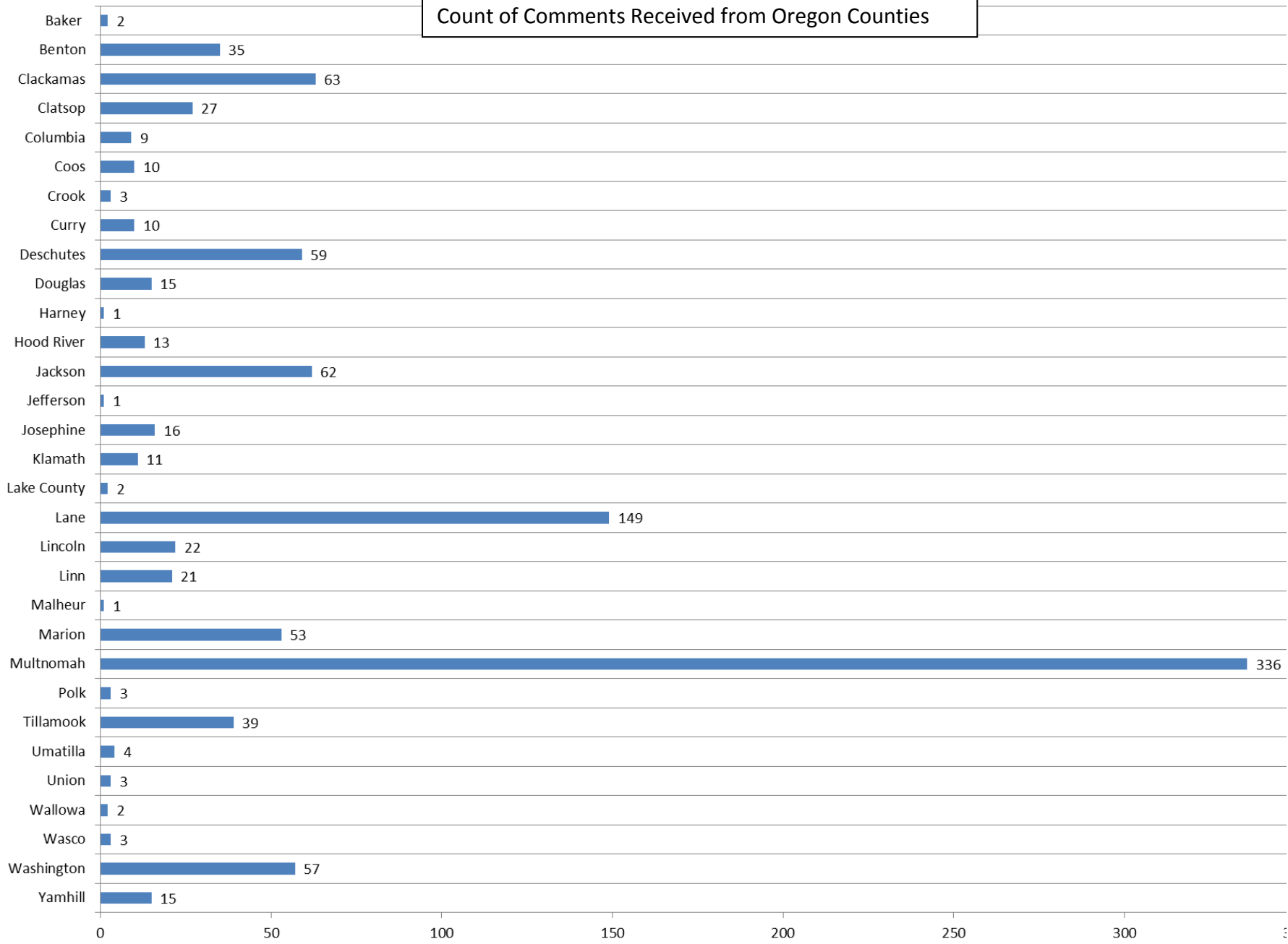


Figure 9. Comments received by Oregon County

Table 4. Comments Received From Other Countries

Country	Received
Australia	3
Austria	4
Belgium	3
Canada	11
Chile	1
Denmark	2
Finland	1
France	9
Germany	10
Greece	1
Hungary	1
Israel	2
Italy	1
London	1
Mexico	1
N/A	26
Netherlands	1
New Zealand	1
Nicaragua	1
Philippines	1
Poland	1
Portugal	1
Spain	2
Sweden	1
Great Britain	6
Russia	1
<b>Total</b>	<b>93</b>

**Table 5 Comments Received From Other States**

<b>Other States</b>	<b>Received</b>	<b>Other States Continued</b>	<b>Received</b>
Wyoming	1	Montana	3
Wisconsin	3	Missouri	4
West Virginia	2	Minnesota	4
Washington	34	Michigan	7
Virginia	10	Massachusetts	6
Vermont	1	Maryland	5
Utah	3	Louisiana	1
Texas	9	Kentucky	3
Tennessee	2	Iowa	6
South Dakota	1	Illinois	8
Pennsylvania	9	Idaho	1
Oklahoma	2	Georgia	2
Ohio	6	Florida	16
North Dakota	2	Delaware	1
North Carolina	5	Connecticut	1
New York	20	Colorado	12
New Mexico	1	California	43
New Jersey	5	California	1
New Hampshire	3	Arkansas	2
Nevada	6	Arizona	6
Nebraska	3	Alabama	1
		<b>Grand Total</b>	<b>261</b>

**Table 6. Reasons For Opposition From Comments**

<b>Commenter</b>	<b>Location</b>	<b>Reason for opposition</b>	<b>Land owner</b>
Tillamook County Commission	Tillamook County	Letter notes that some features of the designation are “laudable” the restrictions imposed on the land are unacceptable. Restrictions pertaining to timber harvest violate fiduciary duties from the state to the county.	no
Oregon Coast Scenic railroad	Tillamook, OR	Concern designation may impede remediation and lead to inability of retaining liability coverage. The additional burdensome regulations will hinder generation of tourism revenue, damage our ability to grow as a local business and fulfill both our lease requirements and support the Salmonberry Trail.	lessee
Farm Bureau	Salem, OR	Oppose designations that will negatively impact the ability of landowners to maintain their current operations and implement plans for future harvest or growth. Concerns about the impacts of the designation on the Agricultural Water Quality Management Act or Forest Practices Act. They are the sole programs governing nonpoint source water quality for agriculture and forestry, and the state cannot impose additional requirements on landowners through a scenic waterway designation. The river segment does not meet the qualifications for designation, nor is there a compelling reason to increase protection of the river, particularly given the cost of the designation to private landowners.	Did not say
Weyerhaeuser	Seattle, WA	Agrees that river is free flowing and pleasing, but is not primitive or pastoral and has history of intensive forest management. Upon clear cutting the forest, the harvested area is typically treated with forest chemicals to control competing vegetation. The seedlings planted are sourced from genetically improved stock. Request OPRD clarify in its report to the Governor that the Oregon Forest Practices Act and associated rules will continue to be the controlling regulatory authority relative to harvest, management, and transportation of timber and other forest products.	yes
Individual	Cornelius, OR	My 4 other relatives and I vote no on our property on the Nehalem	yes
Individual	Tillamook, OR	Fearful of OPRD’s capacity to administer designation. OPRD has many large projects in NW Coastal region that have not been addressed. New designation adds one more layer to workplan that is already over extended. Trails on OPRD property in great neglect. Funding arrived twice to address the Falcon Cove region, only to see it disappear to higher priorities. Oregon Coast Trail is mandated for OPRD to participate in. Have not seen the capacity from OPRD to address this project and the ongoing Salmonberry Trail project.	no
Individual	Did not say	Property owner concerned that the program would not let her make improvements to keep flooding from damaging her home as necessary. She would like to be able to work on her home without having to wait one year for approval to improve her home on the river.	yes
Individual	Nehalem, OR	Fine with how the state has been managing its forestry lands. Have hunted, fished, and camped along the Nehalem River. Believes that Cougar Valley Park should be put into state forestry land.	no
Individual	Hillsboro, OR	Concerned about restrictions placed on home owners. Can't build a cabin, but companies can log above his property. Concerned about hunting restrictions. Worried won't be able to harvest firewood.	yes
Individual	Nehalem, OR	OPRD has enough properties to care for. Does not want more taxpayer money spent. Area without special state control and has not changed in 80 years and will remain much the same in future. Remoteness and lack of access to railroad side makes this classification ridiculous.	No



## **WATERWAY CRITERIA EVALUATION FINDINGS**

The entire 17.5 mile study area meets or exceeds the criteria for a state scenic waterway.

- 1) The river or segment of river is relatively free-flowing and the scene as viewed from the river and related adjacent land is pleasing, whether primitive or rural-pastoral, or these conditions are restorable. (ORS 390.855)
- 2) The river or segment of river and its setting possess natural and recreation values of outstanding quality.
- 3) The river or segment of river and its setting are large enough to sustain substantial recreation use and to accommodate existing uses without undue impairment of the natural values of the resource or quality of the recreation experience.

The river was rafted from a primitive put-in on Oregon Department of Forestry (ODF) day use area located just downstream of the Henry Rierson Spruce Run Campground. In addition to OPRD's on-river evaluation, other agencies, organizations and members of the public also provided feedback on whether the waterway met the criteria. Public input was provided through submitted written comments, discussions with agencies, including several meetings with Oregon Department of Forestry, discussions with organizations and community members.

## **SCENIC WATERWAY STUDY CONCLUSIONS**

The field criteria evaluation indicates that this waterway is a strong candidate for designation. Inclusion of the Nehalem River would bring more geographic diversity to the program, as there is only one other designated waterway on the northern Oregon coast. The vast majority of public comments show strong support for designation, though there is some opposition. One of the two counties where the study area is located is in opposition and two of the three landowners who submitted comments are in opposition to designation.

## **ESTABLISHING SCENIC WATERWAY MANAGEMENT PLAN**

If the Nehalem river segment is designated as a State Scenic Waterway, statute requires OPRD to manage the waterway in order to protect and enhance the values which caused the waterway to be included in the system.

Management is based on the special attributes of each area with primary emphasis on protecting the scenic beauty, fish and wildlife, scientific and recreation features. The aim of the program is to maintain the scenic beauty and require that improvements do not obtrude on the view of the river. OPRD will classify the study area into to one or more of the six possible categories according to the level of existing development.

During the Molalla and Chetco River study process, the OPRD Commission decided that it was best to determine the classifications and management plan before a recommendation is forwarded to the governor because so much of the management is prescribed based on the classification categories. The management plan including the river classification category will be developed by an advisory committee convened by OPRD and made up of landowners, public land managers and other interested parties.

The rules established for all river categories allow continuation of existing uses and structures. Some improvements may require notification to OPRD, and some do not require notification, such as new fences, maintenance of farm buildings, laying of irrigation lines, crop rotation, removal of danger trees, construction of grain storage, construction of garages adjacent to existing houses and firewood cutting for personal use.

Mining, road-building, construction of some new structures, new placement of mobile homes, land clearing and timber harvest are examples of activities potentially requiring notification to OPRD. OAR 736-040-0040 describes the river classifications as largely determining the varying intensities of protections or development based on special attributes of each area within a scenic waterway. The classification must be known before answering many of questions public and private landowners may ask.

The information collected during the field rating suggests that “Recreational River Area” management classification may be suitable all of the 17.5 mile study area. The suggestion for classification is a starting point for the stakeholder group’s discussion and is not the final decision.

According to OAR 736-040-0040 the “Recreational River Area” category is administered to allow continued existing uses and allows for a wide range of compatible river-oriented public outdoor recreation opportunities. The Landowner’s Guide, developed by OPRD, describes a Recreational River Area “to often be rural in character and easily accessible from local roads with mixed agriculture, residential and commercial development along the shore and adjacent lands”.

The six possible categories and their general management direction listed in the [OAR](#) are as follows:

**Natural River Area:** Generally inaccessible except by trail or the river, with related adjacent lands and shorelines essentially primitive. These represent vestiges of primitive America. The goal of this classification is the preservation of primitive character.

**Scenic River Areas:** Still largely primitive and largely undeveloped, except for agriculture and grazing, but accessible in places by roads. May be accessible by road but may not include long stretches of conspicuous or well-traveled roads paralleling the river in close proximity, but may include extensive areas in agricultural use. The goal of this classification is to maintain or enhance their high scenic quality, recreational value, fishery and wildlife habitat, while preserving their largely undeveloped character and allowing continuing agricultural uses.

**Recreational River Areas:** readily accessible by road or railroad, that may have some development along their shorelines and related adjacent lands, and that may have undergone some impoundment or diversion in the past. The goal of this classification is to allow a wide range of compatible river-oriented public outdoor recreation opportunities, to the extent that these do not impair substantially the natural beauty of the scenic waterway or diminish its esthetic, fish and wildlife, scientific and recreational values.

**Natural Scenic View Areas:** One bank has qualities of a Natural or Scenic River Area and the other bank is more developed. The goal of this classification is to preserve or enhance their essentially primitive scenic character, while allowing compatible public outdoor recreational use.

**Accessible Natural River Area:** readily accessible by road or railroad but otherwise possess the qualities of a Natural or Scenic River Area. The goal of this classification is to protect or enhance the primitive scenic character, while allowing compatible public outdoor recreation use.

**River Community Area:** Has an existing density of structures or other developments. The goal of this classification is for new development to blend in with natural character of the surrounding landscape.

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## APPENDICES

### Form Letters

Table 7. Summary of Each of the Three Types of Form Letters Received

1)	<p>The Nehalem River is a critical and iconic artery on the north coast. It contains habitat for numerous native fish species and supports amazing recreation opportunities including hiking, fishing, kayaking, rafting, and camping.</p> <p>I urge you to designate the 17 mile section between Henry Rierson Spruce Run Park and Cook Creek as a State Scenic Waterway in order to protect all of the important social and environmental values that this river provides</p>
2)	<p>I would like to express my strong support for protecting the Nehalem, South Umpqua, and North Santiam Rivers as State Scenic Waterways.</p> <p>State Scenic Waterway designations are one of the most important designations that Oregon can bestow on our river corridors. Such designations are helpful in minimizing or preventing destructive riparian activities, dams, suction dredge mining, and other inappropriate development while at the same time preserving the public’s right to enjoy them through activities like hiking, fishing, kayaking, rafting, and camping.</p> <p>The Nehalem offers spectacular fishing and rapids with lush forests and popular campgrounds that deserve lasting protections. The Nehalem River provides numerous ecological and recreational benefits, including old-growth forests, salmon runs, stunning trails, scenic waterfalls, and economic opportunities through outdoor recreation. Whereas the South Umpqua is known for its Chinook and steelhead runs and the North Santiam provides clean drinking water to Salem.</p> <p>State Scenic Water designations are increasingly important to Oregon’s economy. Over the last decade our state has become a national center for the outdoor recreation industry, attracting all types of adventures from hikers to paddlers. Our natural treasures fuel Oregon’s tourism economy, attracting tens of thousands of visitors to our state each year and are an essential part of Oregon’s quality of life. Designating these iconic rivers will preserve the stunning vistas, clean water, and recreation opportunities not only for Oregonians, but also for future visitors.</p> <p>Thank you for your commitment to protecting the spectacular waterways that make Oregon such a special place. I strongly encourage the Department to uphold its commitment to study and recommend the South Umpqua, Nehalem, and North Santiam Rivers as State Scenic Waterways.</p>
3)	<p>I am writing to express my support for designating the Nehalem, South Umpqua and North Fork Santiam Rivers as State Scenic Waterways.</p> <p>Whitewater enthusiasts throughout Oregon enjoy each of these rivers. The Nehalem River provides a Class II-III whitewater run through old-growth forests and scenic waterfalls, as well as habitat that supports salmon runs. The South Umpqua provides a Class II - V whitewater experience in a remote setting and also has habitat that supports Chinook and steelhead runs. The reach under consideration for the North Fork Santiam provides clean drinking water to Salem, and is immediately upstream of a Class III-IV run from Bruno Mountain Road to Detroit Reservoir. Protecting the upstream reach will enhance the downstream reach.</p> <p>Each of these rivers and the outstanding values they provide deserve lasting protection for</p>

<p>future generations. A State Scenic Waterway designation recognizes the scenic, fish, wildlife, geological, botanical, historic, archaeologic, and outdoor recreation values these rivers may provide, and minimizes or prevents activities in the riparian zone that might degrade them, such as dams, suction dredge mining or other development. It preserves the public’s right to enjoy these rivers through hiking, fishing, boating and camping. The Nehalem, South Fork Umpqua and North Fork Santiam rivers attract visitors from across the state and the country and are a crucial aspect of the state’s recreation economy. These treasures are an essential part of Oregon’s way of life. I support OPRD’s efforts to study the Nehalem for inclusion in the State Scenic Waterway Program, and encourage you to move forward with evaluating the South Fork Umpqua and North Fork Santiam.</p>
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**County Commission Letters**

# Appendix A: DRAFT State Scenic Waterway Management Plan

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## Nehalem River

October 2018



Oregon Parks and Recreation Department  
725 Summer St NE, Suite C, Salem, OR 97301



# Executive Summary

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## Background

The Oregon Parks and Recreation Department (OPRD) is responsible for administering the State Scenic Waterway program, which is designed to protect the existing scenic, natural, and recreation values of the 22 designated waterways throughout the state. OPRD is directed by statute (ORS 390.855) to periodically study new waterways for potential inclusion in the program.

This Oregon Scenic Waterway study, conducted by OPRD, serves as the statutorily required first step

in the process to possibly designate a new Oregon Scenic Waterway. That process, established by

ORS 390.855, allows for the governor to designate new state scenic waterways following a study and

a positive recommendation of the Oregon Parks and Recreation Commission and the Oregon Water Resources Commission. This study, covering approximately 17.5 miles of the Nehalem River, was done

to accomplish three objectives:

1. Determine if the river segment meets the qualification criteria for designation as an Oregon Scenic Waterway (ORS 390.855);
2. If the qualification criteria are met, outline in general what type of management designation would be appropriate for the waterway; and
3. Summarize the public comments received.

## Waterway Qualification Criteria Findings

In May of 2017, OPRD evaluated 17.5 miles of the Nehalem River during a field visit using qualification criteria established by State Statute (ORS 390.855). Representatives from OPRD, Oregon's Department of Forestry, and Water Resources Department were in attendance. Based on the field visit and public input, the entire study area met the criteria qualifications for an Oregon Scenic Waterway.

- The study area is completely free-flowing as determined by the Water Resources Department.
- The scenic quality of the study area meets or exceeds the standard of "pleasing" with areas where the scenery is outstanding in nature. The study area is a rural landscape with a variety of geologic, plant, and wildlife features visible from the river. There are cultural modifications such as a few homes, a road, two bridges, a small rail line, and evidence of logging. The cultural modifications are localized and do not detract noticeably from the pleasing scenic views of the area. Most of the visual signs of logging are beyond the ¼ mile study corridor.

- It appears that current recreation use is such that the river and its setting are able to maintain existing natural and recreational values without undue impairment and sustain substantial recreation use.

## **Public Input Findings**

The public was notified of the study and the opportunity to comment in a variety of ways. Letters were sent to all landowners listed on tax lot data. Emails were sent to a list of approximately 160 interested parties and a media release announcing the study and the September 2017 public meeting were picked up by several local newspapers, including The Daily Astorian, the Tillamook County Pioneer, and the Cannon Beach Gazette, which all published the release in its entirety. Approximately 40 people attended the September 12<sup>th</sup> public meeting in Nehalem. And lastly, the OPRD Scenic Waterway webpage was updated to provide information on the study and to solicit feedback from the public.

The following findings summarize public input received thus far in the process:

- Public comment received at the public meeting and through written comments indicates there is strong support for designating the study area.
- The Clatsop County Board of Commissioners supports a designation, while the Tillamook County Commissioners oppose the designation.
- A total of 1,409 comments were received. Ten were in opposition and 1,327 form emails indicated support of the designation.
- Some comments indicated that the program did not offer enough protection.
- Three commenters indicated that they are landowners within the study area; two are opposed and one is in support. The stated opposition was over concern for more government regulation and that designation would prevent property owners from making improvements to their property.
- There was general agreement that the study area meets the criteria (i.e., free-flowing, scenic views from the river, outstanding recreational and natural values). Most also indicated that the study area could sustain substantial recreation use without undue impairment, though a few commenters stated the study area could not sustain more recreation use. A few commenters indicated that the scene was not primitive or rural pastoral due to timber harvests.
- There seemed to be uncertainty about what the program does and does not do. There is also confusion between the waterway program and adjudicated navigable rivers, promotional “water trail” programs, and federally designated wild and scenic rivers. Some of the comments seemed to indicate that the program would address water quality issues. Other comments indicated an assumption that the designation would either stop timber harvest or greatly curtail it and would not allow any future development.

## **Waterway Study Conclusions**

The Nehalem River study area is a strong candidate for the State Scenic Waterway program. The vast majority of comments received support the designation, including support from the Clatsop County Commission. There is some opposition from landowners and others, notably the Tillamook County Commission.

## Management Planning

The goal of the scenic waterway management planning process is to develop a comprehensive and workable management plan which will protect or enhance the special attributes of the designated river corridor. Primary emphasis is on the protection of scenic, fish and wildlife, and recreational features. The intent is to maintain the *existing* scenic condition of the area, without “turning back the clock” on existing land uses.

OPRD held two Advisory Group meetings (May 28<sup>th</sup> and July 18<sup>th</sup>, 2018) open to the public and one public workshop (September 6<sup>th</sup>, 2018) designed to obtain public feedback on the draft plans for the waterway. The Advisory Group consists of local landowners, recreational users, local business owners, and local government members. Input provided in these meetings provided the foundation for the final recommendations contained in the draft management plans.

In order to define and achieve management goals, if designated, the river is classified into one or more of six possible classifications according to the present level of land development, committed land uses, or landscape alterations (Fig. 4). Once the classifications are set, appropriate guidelines for new development or landscape alterations are established as rules. The major aim of the program is to maintain *the existing* scenic condition of the river. As proposed, the river would be managed (if designated and not altered during public rule-making) as a Scenic River Area.

All new structures, improvements and development should be in compliance with the Public Use of Scenic Waterways Rules ([OAR 736-040-0025](#)) and Land Management Rules ([OAR 736-40-030 and 0035](#)) and be consistent with applicable Federal, State, and County (Tillamook or Clatsop) land use and development regulations, along with proposed regulations specific to each management category. Additionally, a set of proposed management recommendations were developed from input provided by the advisory committee and the public including recommendations to encourage collaborations between stakeholders to improve riparian habitat and water quality and to provide opportunities for outreach and education for visitors to the Nehalem River.

Concurrently, the Oregon Water Resources Department (OWRD) staff began preparing a scenic flow recommendation to assist the Water Resources Commission in their consideration of designation of the proposed scenic waterways. Following designation (if that occurs), the Water Resources Commission will request that the Water Resources Department (WRD) identify flow quantities necessary for recreation, fish, and wildlife uses before issuing new water rights within or above designated scenic waterway (ORS 390.835(1)).

## ACKNOWLEDGEMENTS

Alexandra Phillips, OPRD, Former Bikeways and Waterways Coordinator

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Celeste Lebo, OPRD, Natural Resources Specialist

Chandra Ferrari, Trout Unlimited

Dale Webb, Local recreationist and fisherman

David Quillin, OPRD, Senior GIS Technician

Diane Monico, Landowner

Hillary Foote, Landowner

Jan Hunt, OPRD, Grants and Community Programs Manager

Jordan Beamer, Oregon Water Resources Department,  
Water Availability Program Coordinator

Justin Butteris, Oregon Department of Forestry

Kathleen Sullivan, Clatsop County Commissioner

Ken Stahr, Oregon Water Resources Department,  
Surface Water Hydrology Section Manager

Laurel Hillmann, OPRD, Natural Resource Specialist

Maggie Peyton, Nehalem Upper Watershed Council Executive Director

Nicole Sprecher, OPRD, Grants and Community Programs Support

Pam Zweifel, Treasurer of Farm Bureau

Richard Gitschlag, Scenic Railroad President

Ryan Anderson, Oregon Water Resources Department, Hydrologist

Tara Brown, Wild Salmon Center

Teri Wing, OPRD, North Coast District Manager

Tracy Loudon, OPRD, Administrator, Business and Technology Solutions

Trevor Taylor, OPRD, Stewardship Section Manager

## BACKGROUND

The Oregon Scenic Waterway program is administered under the authority of the State Parks Commission through the State Parks and Recreation Department (ORS 390.805 to ORS 390.925). The statute also directs the Water Resources Commission to consider the quantities of water necessary for recreation, fish, and wildlife uses within or above a designated State Scenic Waterway before granting new water rights (ORS 390.835). The Scenic Waterway program seeks to balance protection of scenic values possessed by each individual scenic waterway and future development.

The Scenic Waterway program was created in 1970 by a vote of the public which passed by a two to one margin. The original ballot initiative designated 496 miles of the Deschutes, Illinois, John Day, Owhyee, Rogue and Minam rivers. Between 1972 and 1987 additional river segments were added to the program, some by the Oregon legislature. The Sandy River was designated by the governor as a result of a study conducted when Oregon Parks and Recreation Department (OPRD) was a division under the Oregon Department of Transportation (ODOT). In 1988 another ballot initiative was passed doubling the size of the program. The state program currently includes approximately 1,200 miles on 22 waterways (Figure 1).

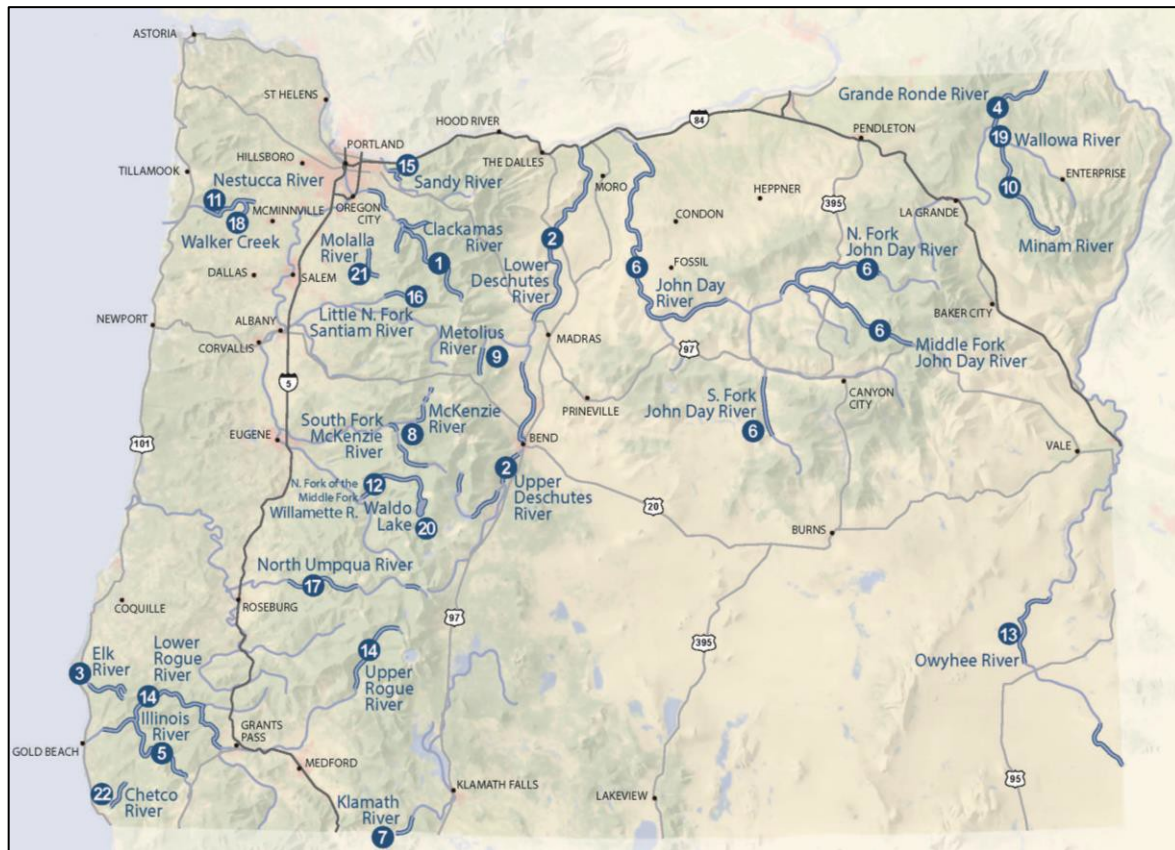


Figure 10. Oregon's Designated State Scenic Waterways

There have been several studies conducted since the establishment of the program leading to designation by the governor. Some OPRD-led studies were at the direction of the legislature and the legislature decided on the designation, such as in the case of the Upper Deschutes River. Studies such as the 1987 study of Opal Creek and Opal Lake found they did not meet the criteria because of a lack of recreation opportunities and outstanding scenic attraction as other rivers in the area do, such as the Little North Santiam, offer equal or greater recreation and scenic opportunities.

In 2014, OPRD-led studies of the Molalla and Chetco Rivers. The studies found the segments met the criteria; they were designated by the governor in 2016. A study of the upper Grande Ronde River during the same time period found the study segment did not meet the criteria due to lack of recreation opportunities.

### **Administration of the Oregon Scenic Waterway Program**

The Oregon Administrative Rules (OAR) outlines the manner in which the statute is to be carried out.

The OAR generally requires that any proposed changes of land use within ¼ mile of both river banks be evaluated for potential to impair the scenic views. Property owners must notify OPRD for certain types of proposed new development including houses, roads, timber harvest, or similar activities at least one year in advance. The Department negotiates with the landowner to find ways to complete the landowner's changes without impairing the scenic views. OPRD relies on its rules for each designated scenic waterway to make the determination. Certain forest activities, such as harvests, are regulated by the Oregon Forest Practices Act and other state and federal laws that protect natural resources. A State Scenic Waterway designation does not replace or supersede the requirements contained in those regulations, but instead integrates with those processes by occasionally recommending voluntary measures that increase protections for scenery, fish, and wildlife values.

### **Impact of Setting Scenic Waterway Flows**

To protect the existing scenic nature of a waterbody, scenic waterway flows are established by the State Water Resources Department for each new scenic waterway. It is important to note that new state scenic waterway designations have no impact on existing water rights within, above, or below the designated reach. Similarly, future uses of surface water downstream will not be limited because of the upstream scenic waterway flows. However, the availability of water for future surface water uses within or above a designated scenic waterway will be subject to scenic waterway flow levels adopted by the Water Resources Commission. In addition, these flows may be used as a permit condition attached to new water rights granted within or above the designated State Scenic Waterway.

### **Designation Process for New Scenic Waterways**

Oregon Revised Statute (ORS 390.855 to 390.865) establishes procedures by which new scenic waterways may be designated (Figure 2). The Department is directed by the statute to periodically study rivers or segments of rivers, and their related adjacent land, to evaluate if they meet the scenic waterway criteria. Concurrence of the State Water Resources Commission is required before bringing a recommendation to the governor for designation. The governor may designate any river or segment of river if it meets the [statutorily defined criteria](#). The legislature can, by joint resolution, disapprove of the entirety or part of the designation, in which case the designation

would not become effective. Initial high-level screening of Oregon’s waterways indicated that this section of the Nehalem River meets the criteria necessary to be considered as a state scenic waterway. The Nehalem River has been listed by the National Park Service in the National River Inventory, a “listing of free-flowing river segments...that are believed to possess one or more outstandingly remarkable natural or cultural values judged to be of more than local or regional significance” since 1982 (National Park Service, 2012 & 2014). The entire river is listed as having outstanding recreation and fish resources (National Park Service, 2017). The outstandingly remarkable values identified by the National Park Service are consistent with the qualities of Oregon’s State Scenic Waterway system.

The river was also listed in a 1987 study of recreational use of Oregon Waterways (Oregon Department of Transportation, 1987) in which it was found to have “outstanding Recreational resources” and has been on various lists, including those developed as part of Statewide Comprehensive Outdoor Recreation Planning (SCORP) as a potential study waterway (Oregon Department of Transportation, 1975; Oregon Department of Transportation, 1988).

OPRD considered rivers rated to be most free flowing by the Oregon Water Resources Department (WRD) and also considered rivers recommended in the State Trails Plan surveys and others suggested by the public.

OPRD held meetings in November 2016 and January 2017 in order to announce the beginning of another scenic waterway study and to gather input on which river segment(s) to study in this biennium. Five river segments were identified as top candidates, including the 17.5 mile segment of the Nehalem River. There were a number of considerations in the final selection of the Nehalem River including the location of the river, adding to the geographic diversity of the program and the potential for support from adjacent land owners, nearby communities, and water enthusiast.

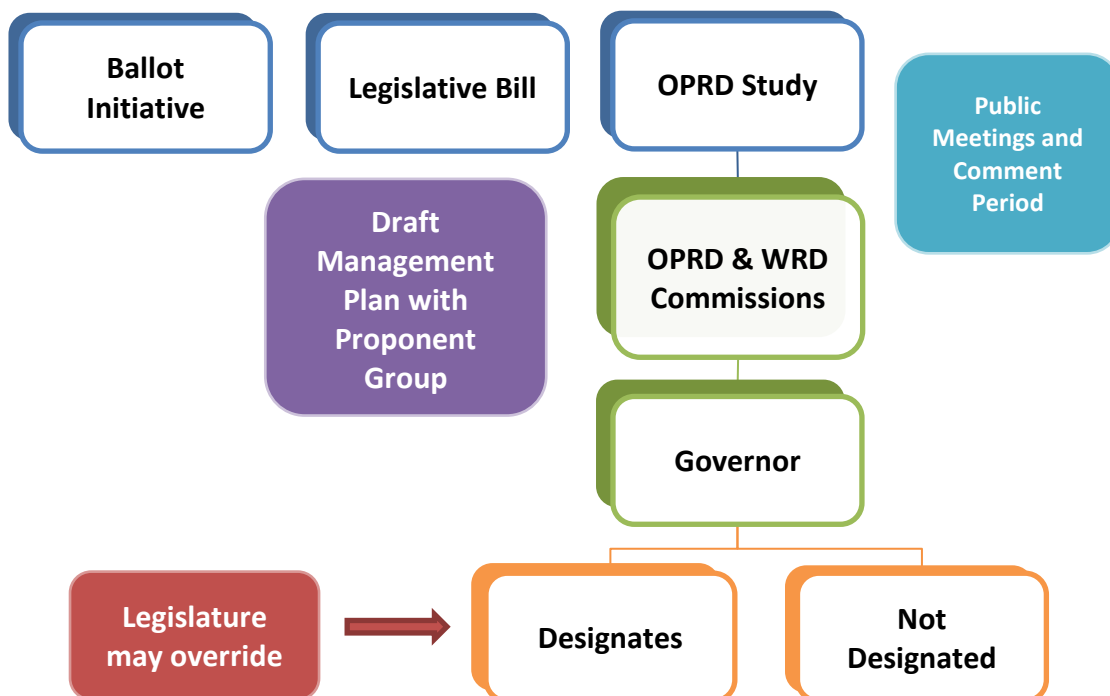


Figure 11. State Scenic Waterway Designation Process



## Nehalem River Study

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### *Eligibility Study Purpose*

An Oregon Scenic Waterway study, initiated by OPRD in 2017, serves as the statutorily required first step in the process to possibly designate a new Oregon Scenic Waterway. That process, established by ORS 390.855, allows for the governor to designate new scenic waterways following study and approval of the Oregon State Parks and Recreation Commission and the Oregon Water Resources Commission. The study, covering approximately 17.5 miles on the Nehalem River, constitutes the first step—a report to the OPRD Commission. The study was done to accomplish two objectives:

1. Determine if the river segments meet the qualifications for designation as an Oregon Scenic Waterway (ORS 390.855); and
2. If the qualifications are met, outline, in *general*, what type of management designation would be appropriate for the waterway, *if* it is found to be eligible, suitable, and ultimately designated.

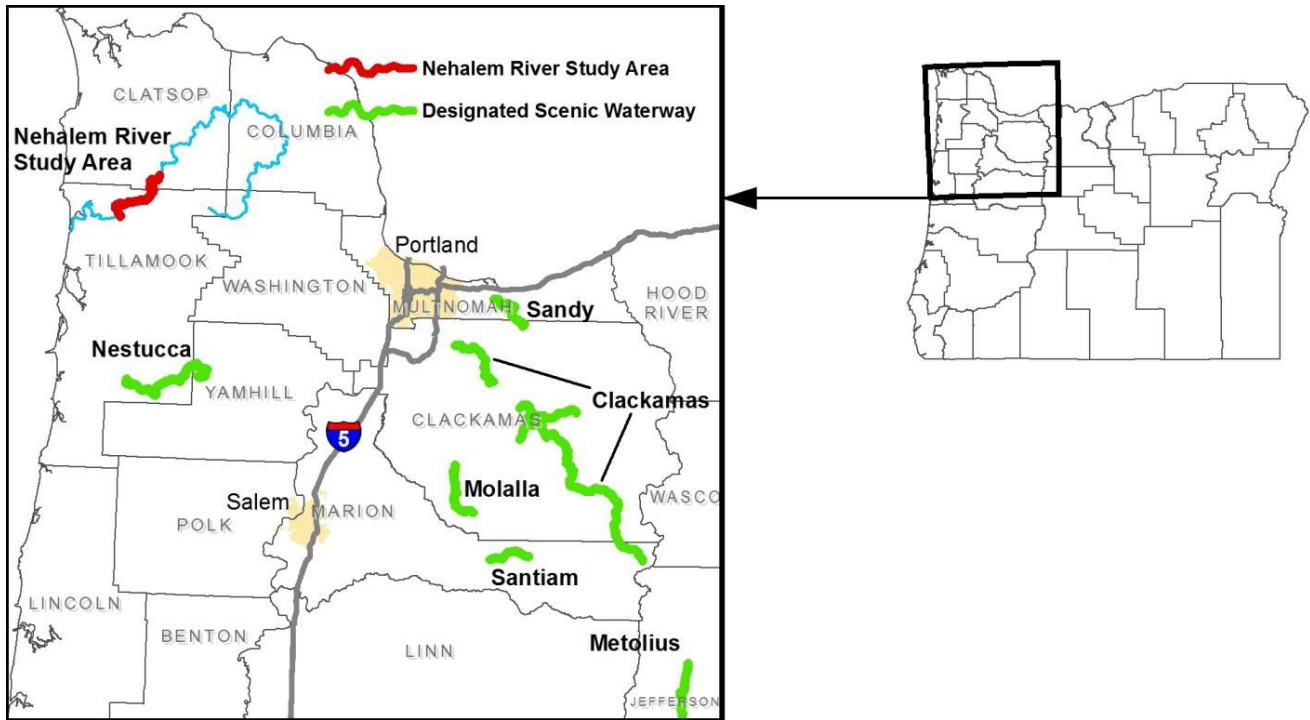
### *Study Location and Area*

The Nehalem River has its headwaters on the east side of the northern Oregon Coast Range, in the Tillamook State Forest, and flows through Washington, Columbia, Clatsop, and Tillamook Counties before draining first into Nehalem Bay and then the Pacific Ocean. The total length of the river is approximately 119 miles. OPRD studied the approximately 17.5 mile section beginning at the Oregon Department of Forestry (ODF) owned and managed Henry Rierson Spruce Run Campground and ending at the confluence of Cook Creek and the Nehalem River, near Cougar Valley State Park. The elevation at water level at the top of the study area is 315 feet. The elevation at the downstream end of the study area is 40 feet. Other major rivers in the vicinity are the Miami and Wilson rivers. The closest State Scenic Waterway is the Nestucca River, approximately 30 miles to the south.

The Nehalem River Study Area referred to in this report is defined as follows: The Nehalem River and all lands within  $\frac{1}{4}$  mile of each bank, beginning at Henry Rierson Spruce Run Campground downstream approximately 17.5 miles to the confluence with Cook Creek, near Cougar Valley State Park (Figure 3).

In May of 2017, the 17.5 mile segment of the Nehalem River was evaluated during a field visit using qualification criteria established by State Statute (ORS 390.855). Staff from the Oregon Department of Forestry (ODF) and the Oregon Water Resources Department (WRD) were in attendance on the first day for a float trip, which started at the day use area adjacent to the Henry Rierson Spruce Run Campground and floated to just above Nehalem Falls Campground. The group chose five locations to rate using criteria developed to help document the scenic quality of the river. The methodology is based on those used by federal land management agencies (e.g., Bureau of Land Management, Forest Service) to conduct scenic resource inventories and includes a description of various landscape elements including landform, vegetation, water, color, adjacent scenery, scarcity, and cultural modifications. The region of comparison for determining scarcity is the state of Oregon. Due to safety reasons, Nehalem

Falls was not rafted. The falls and the remaining study area ending at the confluence of Cook Creek were rated on the second day by OPRD and WRD staff by accessing the river by foot. Two more ratings were performed, for a total of seven locations, each picked as a representative sample of the river.



**Figure 12. Location of Study Area in Clatsop and Tillamook Counties in Northwest Oregon**

### ***Waterway Eligibility Findings***

An evaluation of the various natural, scenic, and recreational features of the study area was completed. The information that was gathered following research, interviews, public input and on-site observations was compared with the scenic waterway qualifications (i.e. free flowing; pleasing to look at, primitive, rural-pastoral; large enough to sustain recreation use without harming the recreational and natural resources). Based on the results of this evaluation, the entire study area along the Nehalem River met the eligibility qualifications for inclusion into the Scenic Waterways program (ORS 390.855).

### ***Field Rating Conclusions***

- The study area is completely free-flowing. WRD determined this before the float trip by using the Water Availability Reporting System database to determine out-of-stream consumptive uses. This analysis resulted in a 0.2% ratio of consumptive over natural stream flow for the Nehalem River. Anything below five percent is considered relatively free-flowing for the purposes of this study.
- The study area offers pleasing views of a rural landscape and with a variety of geologic, plant and wildlife features visible from the river and present in the ¼ mile study corridor. The scenic quality of the study area meets or exceeds the standard of “pleasing” with

areas where the scenery is outstanding in nature. There are cultural modifications (e.g., a few homes, the road, a bridge, a small rail line and evidence of logging). The cultural modifications that do exist are localized in nature such that their visibility does not detract noticeably from the pleasing scenic views of the area. Most of the visual signs of logging are beyond the ¼ mile study corridor.

- The study area offers several ODF-managed camping and day-use areas, views of the waterfall and other river viewing opportunities and a small hiking trail by the falls. Cougar Valley State Park, an undeveloped park with walk in access, is at the southern end of the study area. Recreational fishing can be found along most of the study area. Paddling opportunities exist for boaters of a variety of skill levels depending on flow, with the most likely floatable time periods and flow levels occurring in the spring and late fall (flows in summer months are typically very low).
- It appears that current recreation use is such that the river and its setting are able to maintain existing natural and recreational values. Recreation use numbers are available from the ODF- managed campgrounds and are described in the study report.

## Program Goals

The scenic waterway program promotes cooperative protection and wise use of rivers in the system by all agencies (federal, state and local), individual property owners and recreation users.

Five general program goals include:

1. To protect the free-flowing character of designated rivers for fish, wildlife, and recreation. No dams, reservoirs, impoundments and some forms of placer mining activities are currently allowed on scenic waterways.
2. To protect and enhance scenic, natural, recreation, scientific, fish and wildlife values along scenic waterways. New development or changes of existing uses proposed within a scenic waterway are reviewed before they may take place.
3. To protect private property rights, the program discourages unsightly structures or inappropriate development that could be a nuisance to neighboring landowners and/or even depreciate property values. It prohibits pollution and the disturbance of adjacent surface lands by dredging. It also prohibits public use of private property without explicit consent of the landowner.
4. To promote expansion of the State Scenic Waterway system. The program provides a process for adding new rivers to the system and establishes criteria for candidate rivers.
5. To encourage other local, state and federal agencies to act consistently with the goals of the program, the Oregon Parks and Recreation Department reviews plans and decisions made by other agencies to ensure consistency with the State Scenic Waterways program.

## **Administration of the Oregon Scenic Waterways Program**

Scenic waterways are administered under the authority of the Oregon State Parks and Recreation Commission (ORS 390.805 to ORS 390.925). Administrative rules (OAR 736-40-005 to 736-40-040) have been adopted to govern the program. In addition to the general rules governing the program, specific rules are generated for management of each river segment in the system. These rules are created through the management planning process, and tailored to the actions necessary to maintain the existing character of the designated river corridor.

Oregon statute and the Commission's rules require the evaluation of proposed land use changes within one-quarter mile from the ordinary high water line, on each side of the river, for their potential impacts on the existing special attributes of the river. Property owners wanting to build roads or houses; extract minerals and aggregate, harvest timber, or other similar projects, may need to provide written notification to the Oregon Parks and Recreation Department (OPRD). OPRD's evaluation of the project will be coordinated with other natural resource agencies (federal and state) having regulatory responsibility and with the local jurisdiction. OPRD relies on its river classification and administrative rules for each segment of the scenic waterway to determine whether the proposed project is inconsistent with the designated classification. OPRD works with the landowner to reach a resolution of conflicts. Where such resolution cannot be reached the Commission must decide within one year of the original notification whether to pay the property owner for the land or the development rights. If the Commission does not decide within one year to acquire the land or development rights, then the landowner may proceed in accordance with the original development proposal.

OPRD coordinates the program with local, state, and federal agencies to assure their actions are compatible with Scenic Waterway Act, administrative rules and resource management plans.

## **MANAGEMENT OF SCENIC WATERWAYS**

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### **The Management Planning Process**

The goal of the scenic waterway management planning process is to develop a comprehensive and workable management plan which will protect or enhance the special attributes of the designated river corridor. Primary emphasis is on the protection of scenic, fish and wildlife, and recreational features.

The intent is to maintain the existing scenic condition of the area, without "turning back the clock" on existing land uses.

### **Advisory Group and Draft Management Plan**

OPRD held two Advisory Group meetings (May 24<sup>th</sup> and July 18<sup>th</sup>) and one public workshop (September 6<sup>th</sup>, 2018) for the Nehalem Waterway. The Advisory Groups consist of local landowners, recreational users, local business owners, and local government members. These meetings provided the foundation for the recommendations contained in the draft management plan.

The mechanisms for protection and enhancement to be included in this draft management plan are:

**Scenic Waterway Classification** - Within the management plan, scenic waterways are classified into one or more of six possible classifications, according to the character of the landscape and the amount and type of existing development.

**Administrative Rules** – If scenic waterway designation occurs, classifications are set in a management plan and specific guidelines for new development are established as state administrative rules through a public rule-making process.

**Other Management Recommendations** - Suggestions for actions to protect or enhance corridor values are also included in the management plan. Implementation could be through the OPRD, other state agencies, federal agencies or local agencies, organizations or persons. This includes input to OWRD’s recommendation of scenic flows to the Water Resources Commission.

Concurrently, the Oregon Water Resources Department (OWRD) staff began preparing a scenic flow recommendation to assist the Water Resources Commission in their consideration of designation of the proposed scenic waterways. Following designation (if that occurs), the Water Resources Commission will request that the Water Resources Department (WRD) identify flow quantities necessary for recreation, fish and wildlife uses before issuing water rights within or above designated scenic waterways (ORS390.835(1)). WRD recommends scenic waterway flows to the Water Resources Commission through a formal staff report. The Commission then amends and/or approves the staff report and flow protections are implemented through the water right process for new water rights within and above the scenic waterway. Input from the OPRD Advisory Committee and Public Comment regarding the recreational flow needs of the scenic waterway informs the recommendation that WRD puts forward to the Commission.

### **Scenic Waterway Classification**

Under Oregon law (ORS 390.345), the Scenic Waterways program is administered by the Oregon State Parks and Recreation Commission, and staffed by Oregon Parks and Recreation Department. OPRD works to protect scenic values, recreation and fish and wildlife, based on special attributes of each river. OPRD strives to protect special attributes of the river while recognizing existing land uses and management practices on adjacent lands.

In order to define and achieve management goals, the river is classified into one or more of six possible classifications according to the present level of land development, committed land uses, or landscape alterations (Fig. 3). Once the classifications are set, appropriate guidelines for new development or landscape alterations are established as rules. The major aim of the program is to maintain *the existing* scenic condition of the river.

The following are existing land use and land alteration conditions usually associated with each of the six river classifications; and how each kind of classification should be administered (managed) in the Scenic Waterways program:

**1. Natural River Areas** are generally inaccessible except by trail or river, with related adjacent lands and shorelines essentially primitive. These areas may include an occasional lightly traveled road, airstrip, habitation or other kind of improvement already established, provided the effects are limited to the immediate vicinity. These areas will be administered to preserve their natural, wild and primitive condition while allowing compatible recreational and other uses. Preservation and enhancement of the primitive character of these areas is the goal of this and the next two classifications.

**2. Accessible Natural River Areas** are relatively primitive, undeveloped areas with access by railroad or lightly traveled road but otherwise possess the qualities of a Natural or Scenic River Area. These areas are administered to protect or enhance their scenic character, while allowing compatible outdoor recreational use.

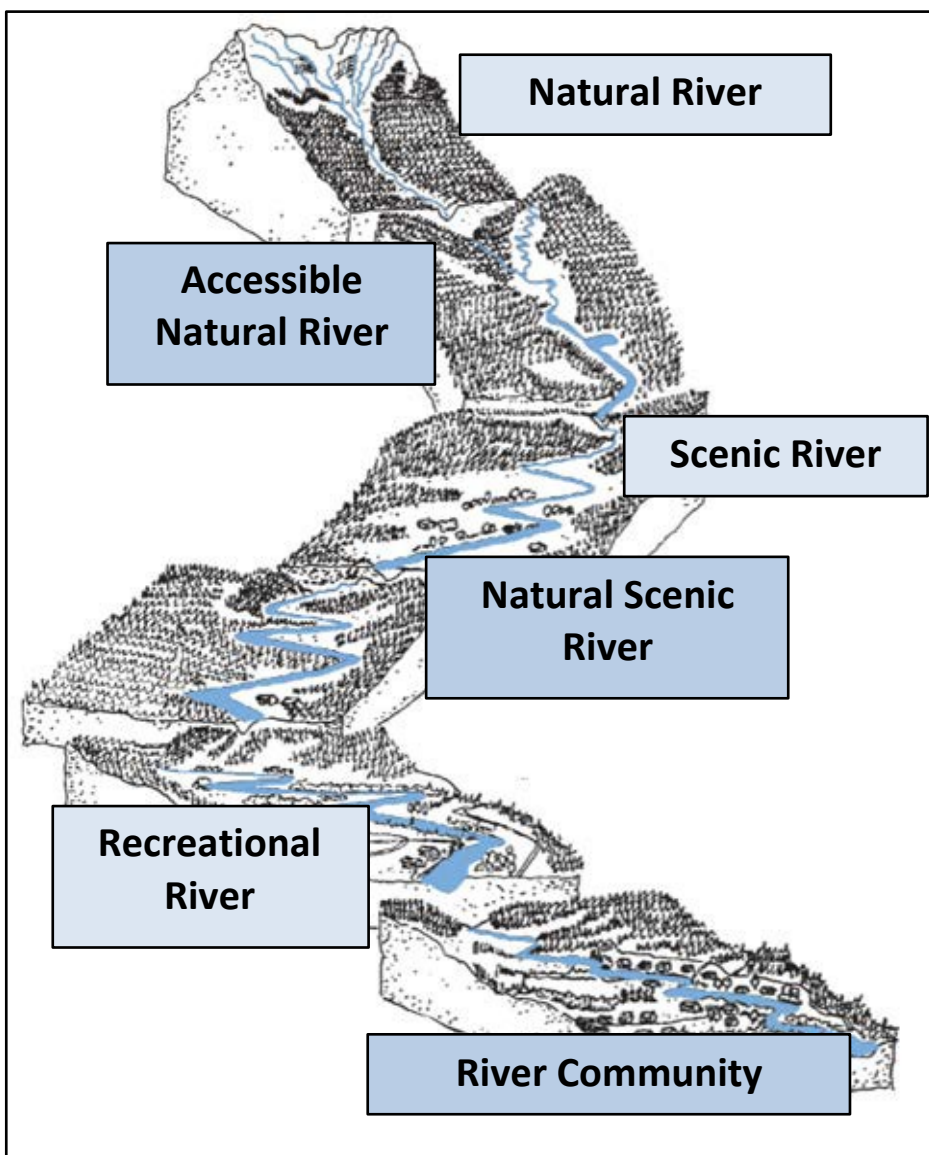


Figure 13. Diagram showing the six types of potential river classifications.

**3. Scenic River Areas** may be accessible in places by roads, but are largely undeveloped and primitive except for agriculture and grazing. Scenic River Areas may not include long stretches of conspicuous or well-traveled roads paralleling the river in close proximity, but may include extensive areas in agricultural use. River segments considered “Scenic” are managed to maintain or enhance their high scenic quality, recreation value, fisheries, and wildlife habitat. The intent is to preserve their largely undeveloped character, while allowing continued agricultural land use.

**4. Natural Scenic View Areas** are designated where one riverbank is inaccessible, undeveloped or primitive in character (possesses the qualities of a Natural or Scenic River Area) while the opposite bank and related lands are accessible and developed. These areas are administered, as appropriate, to preserve or enhance their essentially primitive scenic character, while allowing compatible public outdoor recreational use.

**5. Recreational River Areas** are readily accessible by road or railroad, with some agricultural, commercial and/or residential development along the banks; the river may have undergone some impoundment or diversion in the past. River segments considered “Recreation” are managed to allow continuance of a wide range of compatible river-oriented public outdoor recreation opportunities, to the extent that these do not substantially impair the natural beauty of the scenic waterway or diminish its aesthetic, fish and wildlife, scientific and recreational values.

**6. River Community Areas** are river segments where the density (residential tract or platted subdivision) of existing structures or other developments precludes application of a more restrictive classification. River segments considered “Community Areas” are managed to allow development that is compatible with county zoning and blends into the natural character of the surrounding landscape. This also means protecting riparian vegetation, and encouraging activities that enhance the landscape.

Due to the individual character of each scenic waterway, administrative criteria within each of the six classifications may vary from one scenic waterway to another. Examples can be found in the [administrative rules for existing state scenic waterways](#).

The rules established for each river classification generally allow some new construction and continued use of existing structures and improvements. Though some improvements require notification and approval, many others do not. For example, notification and approval is not generally needed for construction of new fences; maintenance of farm buildings, fences or outbuildings; laying of irrigation lines; crop rotation; removal of danger trees; construction of grain storage facilities under certain conditions; maintenance of existing residences and outbuildings; minor residential remodeling; construction of garage adjacent to existing homes;

certain changes in landscaping; maintenance of roads and bridges; and firewood cutting for personal use.

Mining, road building, construction and placement of some new structures, land clearing, and timber harvest are examples of activities typically requiring approval. River classifications and the associated rules or guidelines determine how the natural and scenic beauty of the river will be maintained.

## **Scenic Waterway Land Management Program**

### **Scenic River Area**

The Oregon Parks and Recreation Department, based on discussions that occurred with the Advisory Committee, proposes to apply one scenic waterway classification, Scenic River Area, to the entire 17.5-mile stretch of the proposed Nehalem Scenic Waterway.

Under the Scenic River Area classification, the river is largely undeveloped except for agriculture and grazing. The Nehalem River has extensive private and public logging operations which fit within the definition of agricultural operations.

The river is completely free-flowing within its natural banks, with the exception of minor cultural modifications made for the bridges, the railroad and road, and a few homes. The few developments that do exist are quite localized, so their visibility does not detract noticeably from the general natural setting of the area.

Two bridges cross the river. One bridge is the county road and crosses the river just south of Nehalem Falls. The second is a railroad bridge that crosses the river at the confluence of the Salmonberry River. Other developments along the river include some visible impacts from timber harvests and a few residential homes on private lands, although most of them are at least partially screened from view of the river. The rural feeling of the area, combined with views of the forested slopes, provide “outstanding to generally pleasing” views of the river and its surrounding area.

The majority of the land along the river is managed forestland. Oregon Department of Forestry owns 80 percent of the land and Weyerhaeuser Company, a private timber company, owns the majority of the remaining land. The Bureau of Land Management owns a few small parcels and the remaining tax lots are privately owned.

Limited river access to the river is available at the Spruce Run Campground and at undeveloped access points along the road for paddlers. Developed recreation facilities along the river include Spruce Run, Beaver Eddy, and Nehalem Falls Campgrounds, which are managed by ODF. Hiking, kayaking, fishing, hunting, and primitive camping uses are also evident along the river. The proposed management goal is to preserve the area’s high scenic quality, recreation value, and fish and wildlife habitat by ensuring that all new developments blend into the natural character of the surrounding landscape, while preserving the largely undeveloped character associated with existing uses.



It is possible to obtain views from the river itself throughout the whole study area by floating the river, when water levels allow. Roads follow the river in most parts; however, some sections of the river cannot be viewed from a vehicle or from the side of the road, but can be accessed by informal trails down to the river on public lands.

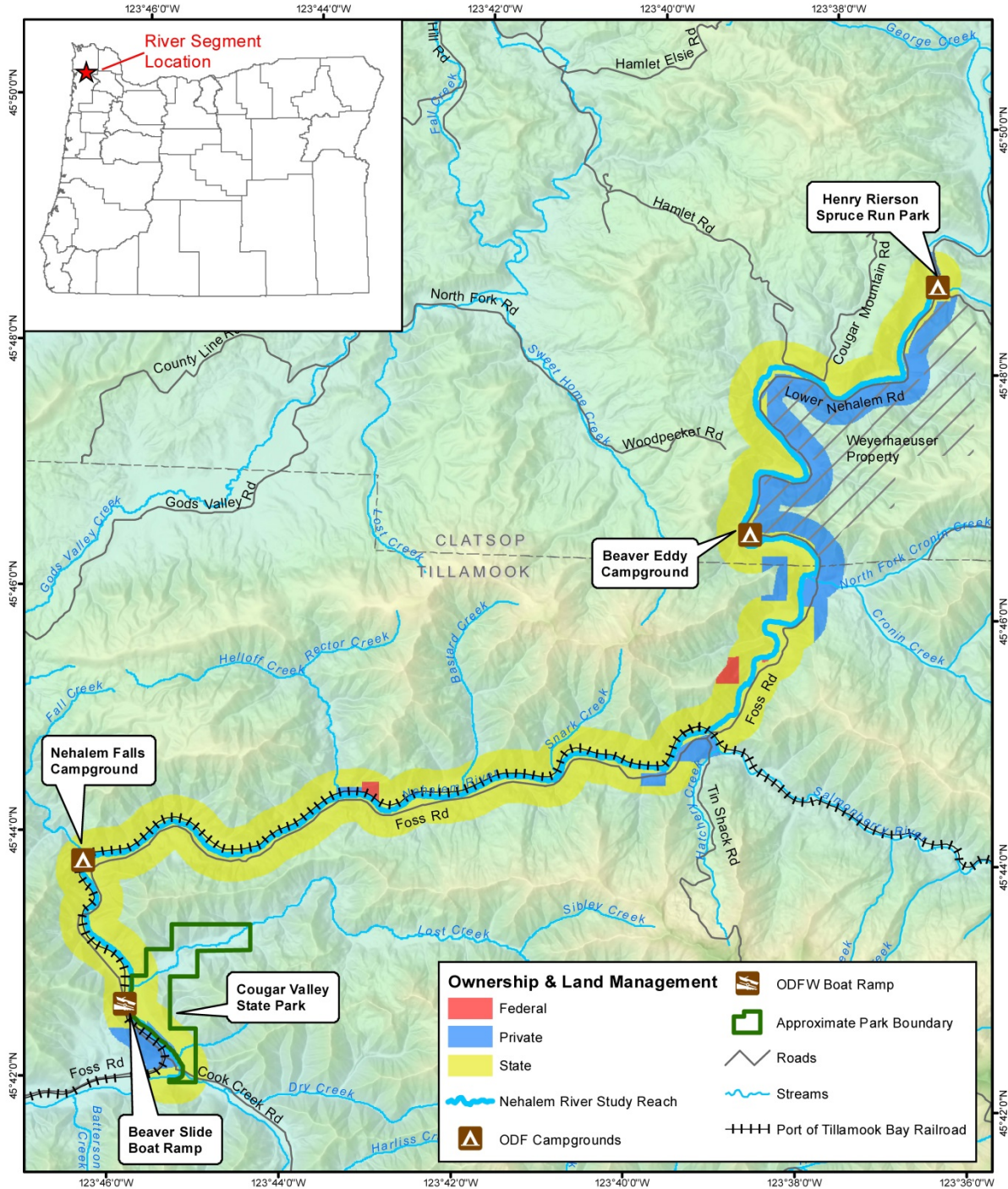


**Photo 4. Beaver Eddy**

Figure 14. Nehalem Scenic Waterway Study Segment Map

# Nehalem Scenic Waterway Study Segment

Oregon Parks and Recreation Dept.  
725 Summer St. NE, Suite C  
Salem OR, 97301



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## Potential Land Management Rules

### For all Scenic Waterway areas

All new structures, improvements and development should be in compliance with the Public Use of Scenic Waterways Rules ([OAR 736-040-0025](#)) and Land Management Rules ([OAR 736-40-030 and 0035](#)) and be consistent with applicable federal, state and local land use and development regulations.

### Nehalem Scenic River Area

#### Proposed draft rule guidance

- In order to preserve the natural setting of the Nehalem River and related adjacent lands, new structures or improvements, which are visually evident as viewed from the river, will be substantially screened by compatible native vegetation to maximize the scenic qualities from the river. The condition of “substantial vegetation screening” shall consist of a density and mixture of native vegetation to completely obscure or allow only a filtered view of the proposed structures or improvements during all times of the year.
- Improvements needed for public recreation use or resource protection may be visible from the river, but must be designed to blend with the natural character of the landscape.
- New roads, trails, driveways and similar linear forms of development should only be permitted when fully screened from view from the river by topography or vegetation. Any existing roads should not be extended or realigned unless fully screened by topography or vegetation. The condition of “full vegetation screening” shall consist of a density and mixture of native vegetation, either existing or re-established within five years, to completely obscure the view of the proposed roads or developments during all times of the year.
- Any erosion control projects intended to protect structures such as roads, homes, or other existing structures, shall be designed to blend into the existing landscape setting. Natural products such as vegetation and rock shall be used.
- Vegetative screening planted for the purposes of screening new or improved developments shall consist of native species and compatible with the adjacent plant community.
- As part of its existing role under the Oregon Forest Practices Act, the Oregon Department of Fish and Wildlife will review applicable activities and include any additional considerations necessary to protect fish and wildlife resources in a manner consistent with the scenic waterway classification, referring to riparian protection guidelines contained in the Northwest Oregon State Forests Management Plan, or other plans, as needed.
- Timber harvest activities, including thinning, or other vegetation management may be allowed provided that:
  - (A) The provisions of the Oregon Forest Practices Act are followed on all private forest land. The provisions of the Northwest Oregon State Forest Management Plan are followed on all public forest land.
  - (B) Any harvest or vegetation management within protected riparian buffers as described in the Oregon Forest Practices Act or Northwest Oregon State Forest Management plan shall be designed to enhance the scenic view. For the purposes of this paragraph, “enhance”

means to benefit forest ecosystem function and vegetative health by optimizing forest stand densities and vegetative composition, fostering forest landscape diversity and promoting sustainable forest values.

### **Potential Management Recommendations**

Advisory Committee and public input on priorities for management that could enhance the recreational experience and protect fish and wildlife on the Nehalem River are summarized here. Ideas expressed pertain to actions that could be carried out by state and federal agencies, landowners, and partners in collaboration with land managers or other agencies, or by other groups or agencies independently.

- 1) Harvest and management methods with low visual impact are preferentially applied including:
  - A. Leaving well-designed clumps of trees in sufficient densities to break up an opening, reduce its apparent size, and avoid blowdown;
  - B. Feathering or meandering the clear-cut and opening edges to reduce the sharp contrasting line between the opening boundary and forest edge;
  - C. Avoiding the retainment of individual trees standing on ridge lines where trees can be viewed against the sky (“flag” trees);
  - D. Preserving a 100-foot forested riparian buffer that maximizes the number of trees left intact to retain the scenic viewshed of the Nehalem River;
  - E. Keeping stumps low, cleaning slash promptly, and protecting the remaining trees and brush from damage during harvest operations.
- 2) Riverside revegetation shall prioritize the use of conifers with the intention of shading out invasive plant species (e.g., knotweed, policeman’s helmet, reed canarygrass).
- 3) Encourage landowners to use and promote restorative actions including reducing fine sediments, increasing physical habitat structure, especially via large wood presence, improving access to wadeable streams, and improving water quality through vegetative shading and reducing agricultural runoff.
- 4) Encourage landowners to treat invasive species such as knotweed and English ivy when constructing improvements or new projects on their property.
- 5) Collaborate with local partners and public agencies to develop and install small interpretive signs with messages about the river corridor in key areas. Potential topics include: river stewardship, leave no trace, recreation, cultural resources, forest education, fisheries, wildlife, geology, water quality, hydrology, respecting private property.
- 6) Develop organized regular river clean-up activities (e.g., trash and other debris), particularly at river access points.
- 7) Explore opportunities to form partnerships to identify and implement actions that will improve water quality and riparian health, facilitate the planting of native species, and implement invasive species management and/or monitoring efforts or otherwise to help protect and enhance the outstanding values of the river.
- 8) OPRD and ODF shall enter into an Intergovernmental Agreement requiring ODF to consult with OPRD throughout the forest management process including allowing OPRD to comment and make voluntary recommendations regarding protection of values for the scenic waterway. This process shall be used as a modification of, and replacement for, the standard Notice of Intent process while still meeting all the statutory requirements for notification.

## Works Cited

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## Appendix B: Draft Management Plan Comment Summary

On September 6, 2018, Oregon Parks and Recreation Department (OPRD) and Oregon Water Resources Department (WRD) held a public meeting in Astoria to receive feedback on the Nehalem River draft management plan. Approximately 30 members of the public attended the meeting along with OPRD and WRD agency staff. Several of those in attendance had prepared oral comments which were recorded and included with all written comments. The public meeting was held in conjunction with the public comment period and ran from August 22 through September 22, 2018.

Over 800 comments were received during the draft management plan public comment period. While the question was specific to the management criteria for the waterway, one respondent was clearly opposed to designating the Nehalem as a Scenic Waterway or to their inclusion within its boundaries, although they did not provide specific comments to its management. The majority of the remaining respondents were supportive of a Scenic Waterway designation and a few did not indicate support or opposition.

On the question of management of the waterway, there was strong support from the public during the comment process to impose tighter logging restrictions and clearer language to protect fish and wildlife. In response to this support, OPRD made the following change to the draft management plan:

1) Added the following item to the proposed management rules:

“As part of its existing role under the Oregon Forest Practices Act, the Oregon Department of Fish and Wildlife will review applicable activities and include any additional considerations necessary to protect fish and wildlife resources in a manner consistent with the scenic waterway classification, referring to riparian protection guidelines contained in the Northwest Oregon State Forests Management Plan, or other plans, as needed.”

The addition of the above item will require OPRD and ODFW, as well as land managers/owners, to work together to ensure the river is managed consistently with the river classification.

In addition, the Oregon Department of Forestry, who manages significant land areas along the proposed waterway, provided comments regarding minor language clarifications throughout the plan, along with a concern about the proposed draft rule guidance for roads, trails, etc. In response to their comments, OPRD made the following changes:

2) Added “either existing or re-established” to clarify that “fully screen from view from the river” does not need to occur immediately. Rather, re-established vegetation can be planted to fully screen the new road, trail, etc. within five years.

The summary present in the following tables includes comments received during the public comment period process.

<b>Type</b>	<b>Location of Commenter</b>	<b>Requests of Department or Comment</b>	<b>Special notes</b>
Individual	Multiple	More protective forestry management language, reforestation and plantings within year of harvest, more protections for fish and wildlife, language for management of maintaining/promoting healthy riparian areas.	Form Comment – received from 275 respondents.
Individual	OR Bend	"Our wild places are rapidly disappearing because those for whom profit is God want to exploit them from a multitude of reasons."	
Individual	OR Portland	"... This (Scenic Waterway) is even more important due to the proximity of ever growing PDX region, and lack of hatchery fish program on Main Stem Nehalem. If, there is a more threatened system in Oregon, I don't know what is.	
Individual	OR Portland	"Please keep informed on your decisions."	
Individual	OR Bend	Native Oregonian that cares deeply about protecting our state's waterways.	
Individual	OR Portland	"Plan seems like this is the least we could do, let's do it!"	
Organization	OR Portland	Handwritten & oral comment: Encourages when plan is finalized to have a no-cut buffer in the corridor, and not allow any logging that would degrade recreational opportunities, scenery, wildlife habitat, or water quality.	
Individual	OR Astoria	Handwritten comment: Kayaks, rafts, and drifts study section of Nehalem, and supports the designation. "Would be honored to have a "wild and scenic" river in back yard.	
Individual	OR Astoria	Handwritten & oral comment: Strongly supports designation, urges OPRD to include strong and clear language to protect fish, such as the Molalla Scenic Waterway Management plan; include 1/4 mile buffer from clear cutting, and one year timeline for reforestation and replanting, such as the Upper Deschutes Scenic Waterway Management Plan.	

Type	Location of Commenter	Requests of Department	Special notes
Organization	OR Pacific City	Handwritten & oral comment: Timber revenues for Tillamook County helps schools, special taxing districts, and county roads. Need some kind of mitigation if that revenue is lost. Knotweed is a major problem that needs to be addressed ASAP. Hopefully if a plan goes forward knotweed treatment will be included.	
Individual	OR Astoria	Handwritten comment: Would love to see the river protected as much as possible, and reduce timber harvesting along the river.	
Individual	OR Astoria	Handwritten comment: Asking OPRD to approve the Proposed Nehalem Scenic Waterway to provide future generations the outdoor experience they deserve. Has observed that protected river (Wild & Scenic) tend to have better water quality for fish and wildlife, and provide a superior camping/boating experience.	
Individual	OR Astoria	Handwritten & oral comment: Strongly supports designation, would like to see more protective language in the management plan: stronger plans for forest management similar to the Upper Deschutes Scenic Waterway. Stronger language protecting the wild fish similar to the Molalla Scenic Waterway. Instream water flows that would provide water levels for fish and recreation during critical months.	
Individual	OR Astoria	Handwritten comment: Nehalem River needs to be sustainably maintained... we need to preserve and enrich the resources we have.	
Individual	OR Astoria	Handwritten comment: Strongly supports the recommendation. Has experienced that protected waterways are clean, provide better habitat for wildlife and a nicer outdoor experience for people.	
Individual	OR Manning	"Have been on the front lines of trying to stop poisoning of our forest, waterways, wildlife, and communities. The spraying of chemical toxins are making coastal inhabitants sick. Its watershed is precious, and must be protected from spraying of deadly chemicals."	
Individual	OR Salem	"We can't afford to lose what we have."	
Individual	OR Mt. Angel	Let's protect the entire river as a monument to future generations!	



Type	Location of Commenter	Requests of Department	Special notes
Individual	OR Astoria	The Nehalem basin is crucial for the survival of the ESA listed Oregon Coast Coho Evolutionary Significant Unit (ESU) in particular. This basin is one of two genetic 'sources' that contributes to the robustness of this ESU. It would be of tremendous benefit to this ESU and recovery efforts if stronger wording protecting these fish were included in this management plan.	
Individual	OR Portland	Have not seen any notice of public meeting on the Nehalem held in the Portland area, even though many Portlanders have a stake in it.	
Individual	OR Nehalem	Owner of property on Foss Rd in Nehalem, at the confluence of the Salmonberry and Nehalem rivers. Has an existing Measure 37 claim allotment for two building sites on the Nehalem, and want to make certain that a Wild and Scenic River designation will NOT in any way affect my existing Measure 37 claims in any respect.	
Individual	OR Damascus	OPRD Should incorporate stronger forest management language such as "timber harvest activities shall not be visually dominant viewed from the river and associated recreation sites". I support the instream flow recommendations to ensure water levels are sufficient for fish and recreation during months when flows are low and temps are high. This is a crucial component.	
Individual	OR Tillamook	Disappointed that the final public meeting in Astoria is a prohibitive distance to many people to travel to attend the meeting. Would recommend considering other, closer options in the future. Strongly support designation. Impacts to existing uses will be minimal and benefits of the designation far outweigh the concerns.	
Organization	N/A	Oral comment - Would like it if Washington, Columbia, Clatsop, and Tillamook County could start a discussion about making the knotweed in the Lower Nehalem go away.	
Individual	OR Astoria	Oral comment - Do everything and anything possible to improve the quality of the river, to help the fish. Look at the degradation of the crawdad population.	

Type	Location of Commenter	Requests of Department	Special notes
Individual	OR Nehalem	Oral comment - Wish the department could address the poor Forest Practices Act, denuding, and sedimentation of the lower Nehalem and the bay, along with addressing clear-cuts and spraying. Would like to see individuals retained on ridgelines.	
Individual	OR Brownsmead	Oral comment - Strongly supports designation. Appreciates that the agency is working to designate the river.	
Individual	OR Portland	Would like to see language allowing for adjustment to the plan in future years as climate conditions change and the needs of the river shift. Would like to note that two land owners who expressed concern about potential limits to property improvements that may result from the protected designation - likely their property value will increase, without any investment on their own parts.	
Individual	Multiple	Encourages strong management plan for conservation of the river corridor, ensure cold clean water in the river throughout the year for the benefit of fish and wildlife and recreation. Should not include activities such as certain types of logging (including clear cut logging and aerial spraying of herbicides) that cause erosion, reduced water quality, or degradation of the recreational, scenic, and wildlife values. Should also account for warming climate, and maximize potential for carbon storage in riparian forests.	Form Comment received from 494 respondents.
Individual	OR Portland	Please designate the Nehalem as a State Scenic Waterway.	
Individual	OR Lake Oswego	Ensure cold, clear, clean water for the benefit of fish, wildlife, and general recreation. Plan should not allow certain types of logging that would cause erosion, reduce water quality, or degrade the recreational, scenic, and wildlife habitat.	
Individual	OR Bay City	More protective forestry management language, reforestation and plantings within year of harvest, more protections for fish and wildlife, language for management of maintaining/promoting healthy riparian areas, determination that the best scientific information was used to determine the flow quantities and support that they are sufficient and "necessary for recreation, fish and wildlife uses."	

<b>Type</b>	<b>Location of Commenter</b>	<b>Requests of Department</b>	<b>Special notes</b>
Individual	OR Klamath Falls	Include effective, clear and robust rules to protect existing natural values, and promote recovery of areas damaged by human activities. Ensure cold, clean water, vegetative cover along the river is protected from logging, road building, or construction projects.	
Individual	N/A	Encourage including a deliberate and in-depth management plan for conservation. Should ensure cold clean water in the river throughout the year. Should not allow activities that could cause erosion, reduced water quality, or degradation of recreational, scenic, and wildlife values.	
Individual	California	Stronger language around protecting specific fish species, stronger forest management language that would not allow timber harvest activities to be seen from the river, developed rec. sties, or from trails. Add language to the management plan that states that reforestation and plantings must take place within a year of harvesting. Support the instream flow recommendations.	
Organization	California	Stronger language around protecting specific fish species, stronger forest management language that would not allow timber harvest activities to be seen from the river, developed rec. sties, or from trails. Add language to the management plan that states that reforestation and plantings must take place within a year of harvesting. Support the instream flow recommendations.	
Individual	OR Nehalem	Support any actions or designations that will better protect the river. Yielding clean cold water and healthy run off cycles should be the highest priority Landowner on the Nehalem River Watershed. Currently serves on the board of the Lower Nehalem Watershed Council.	

<b>Type</b>	<b>Location of Commenter</b>	<b>Requests of Department</b>	<b>Special notes</b>
Individual	OR Hillsboro	Area 1, 3, and 4 of the marbled murrelet Management Area needs to be designated in the scenic waterway. Concern about the Woody Woodpecker Sale near the Nehalem. Near the site is habitat for the marbled murrelet, a thinning project is planned in the area.	
Individual	OR Portland	Support the designation of the 17.5 miles of the Nehalem as a State Scenic Waterway.	
Individual	OR Rogue River	OPRD should add "fish populations" as an outstanding value. Please ensure that the flow recommendations developed for the Nehalem River protect important winter flows, peak, and ecological flows for fish.	
Individual	N/A	Draft report says nothing about important fish populations. Dept should add 'fish populations' as an outstanding value. Ensure flow recommendations to protect important winter, peak, and ecological flows.	
Individual	N/A	OPRD should add "fish populations" as an outstanding value. Please ensure that the flow recommendations developed for the Nehalem River protect important winter flows, peak, and ecological flows for fish.	
Individual	OR Portland	Consider the high value of fish and fish habitat in this stretch of river. Ensure that flow recommendations protect ecological flows needed to support fish and fish habitat. Most of the land abutting the river is already in public ownership, and has high recreational value. Designation will work well with the future development of the rails to trails project in the Salmonberry River canyon.	
Individual	OR Cottage Grove	Add "fish populations" as an outstanding value. Draft report does not address fish populations. Ensure flows protect important winter, peak, and ecological flows for fish.	
Individual	OR Bend	Make sure water flows are sufficient to protect fish populations. Fish populations should be the prime reason for protecting this stream.	
Individual	OR Bend	Add salmon, steelhead, and trout populations in the segment as an "outstanding value". Agency should consider the benefits of fish of such designation in the Plan. Encourage the agency to make sure flow recommendations for the designated segment include peak winter flows.	

Type	Location of Commenter	Requests of Department	Special notes
Organization	OR Salem	<p>Change statement about new road construction, extensions, or realignments (see email attachments for complete statement).</p> <p>Change sentence about timber harvest activities, including thinning, or other vegetation management (see email attachments for complete statement).</p> <p>Developing interpretive signs, please add active forest management as a potential topic for the signs.</p>	
Individual	N/A	<p>Please designate 17.5 miles of the Nehalem. It is an amazing river and stronghold on the North Coast for runs of salmon and steelhead. *Commenter is on the Sandy River Watershed Council.</p>	
Organization	OR Portland	<p>Supports classifying the entire study reach as a scenic river area. TU recommends that the draft management plan to identify the numerous important species that rely on the habitat including spring &amp; fall chinook, coho salmon, steelhead trout, sea-run cutthroat trout, and marbled murrelets. Has language recommendations related to new structures. Has language recommendations for public recommendation improvements, riparian areas, forest practices, vegetation management, education.. Scenic flows must be consistent with legislative direction. Any flow recommendations should protect base flows as well as peak and ecological flows for fish and wildlife. Opportunities for enhancement were included as a "potential" management action but it should be an actual management action.</p>	
Organization	Washington	<p>Opposes including working forestlands in the Nehalem Scenic Waterway. Needs clarification with some aspects of the Scenic Waterway Program. Disagrees with aspects of the draft plan.</p>	

<b>Type</b>	<b>Location of Commenter</b>	<b>Requests of Department</b>	<b>Special notes</b>
Organization	OR Portland	Support classification as a "Scenic River Area". River corridor deserves strong protections from any activity that could cause erosion such as aggressive logging practices. Encourage OPRD to include stronger protections for water quality for fish and wildlife. Any allowed logging should not degrade wildlife habitat. Encourage OPRD to set flows that account for peak and ecological flows. Aerial spray should not be allowed in the river corridor in order to protect the public, water quality, and wildlife. See email for details.	
Individual	OR Astoria	Minimum no clear cutting within 1/4 mile of river. No aerial spraying allowed within this zone, and should be extended to a width of one mile from the river. Rules should be applied on private parcels. Serves on North Coast Watershed Association, and is the Director of the Clatsop County Soil and Water Conservation District - though was not given authority to speak on behalf of those bodies.	

# Appendix C: Scenic Waterway Flow Recommendation: Nehalem River

## Introduction

Oregon Water Resources Department (OWRD) conducted a water availability analysis to determine the rate and volume of surface water currently available within and upstream of the Nehalem River Scenic Waterway study reach. This Scenic Waterway Flow Recommendation document contains a summary of OWRD's approach for recommending flows necessary for supporting the highest and best use of water in the study reach. OWRD also provides a flow recommendation which cites research that suggests a portion of streamflow be retained instream to perform necessary ecological functions. These same flows would also ensure retention of the scenic and recreational qualities of the river. This document also outlines the impacts to current and future water rights holders, as well as the future of water availability within the basin.

## Background

In 1970, the Oregon Scenic Waterways Program (ORS 390.855 to 390.865) was established to identify and designate many of Oregon's premier rivers to protect their outstanding natural qualities, recreational opportunities, and scenic beauty. The process was designed to balance the need to protect values of the river as well as those of the people who live on them. As specified in statute under the Scenic Waterways program, recreational, fish, and wildlife uses would become the highest and best uses of the designated waterways and their waters (ORS 390.835).

In May 2017, Oregon Parks and Recreation Department (OPRD) evaluated 17.5 miles of the Nehalem River for possible designation as a Scenic Waterway during a field visit using qualification criteria established in statute (ORS 390.855). An advisory group composed of local land owners, recreationists, government agencies, and interest groups was established in order to develop draft management plans for land and water use within the proposed Scenic Waterway.

Within the Scenic Waterway Program, OWRD is responsible for setting flows to maintain free-flowing nature of waters in quantities necessary for recreation, fish, and wildlife usage before any new water rights can be issued within and above a designated Scenic Waterway. In order to protect and ensure flows remain instream, the flows are debited from the amount of available water within OWRD's Water Availability Reporting System (WARS). The basic premise of the flow recommendation is to vary flow protection throughout the year to protect the highest and best use of water, while also balancing the need for water to remain available for future storage needs.

## Approach and Process for Scenic Waterway Flow Recommendation

OWRD provided a flow recommendation for the proposed Nehalem Scenic Waterway Designation based upon: 1) OWRD's WARS program; 2) published research citing the need to protect instream flows to support aquatic life; and 3) input from the members of the Nehalem Scenic Waterway Advisory Committee. Following the development of the Scenic Waterway flow recommendation, OWRD will present the flow

recommendation to the Oregon Water Resources Commission (OWRC). If OWRC agrees with the recommendation, waters within and upstream of the Scenic Waterway will be protected through water right allocation and permit conditions for new water rights within and upstream of the Scenic Waterway.

### Nehalem River Scenic Waterway Flows: Background and Recommendation

The affected lands and waters of the proposed Nehalem River Scenic Waterway encompass the following: the Nehalem River and all lands within ¼ mile of each bank, beginning from the Henry Rierson Spruce Run campground downstream approximately 17.5 miles to the confluence with Cook Creek near Cougar Valley State Park (Figure 1).

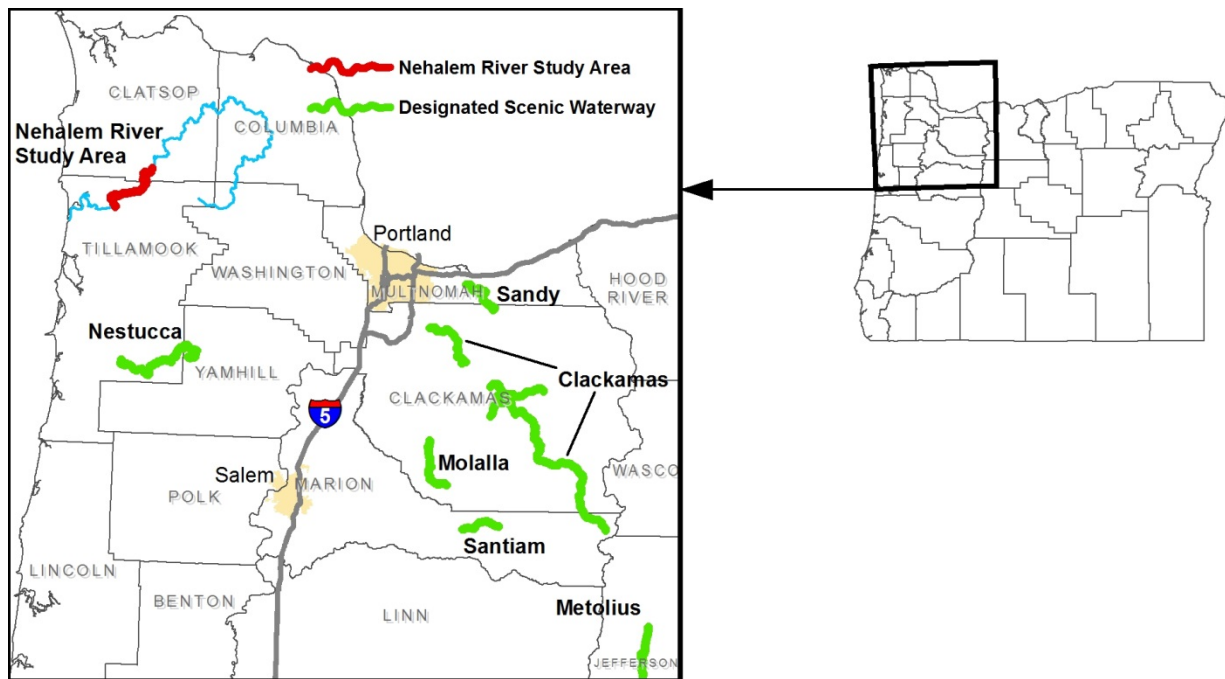


Figure 1: Location of proposed reach of Nehalem River Scenic Waterway. Proposed reach spans across Clatsop and Tillamook counties.

Scenic Waterway flows are not protected as instream water rights. Instead, Scenic Waterway flows are protected during the issuance of new water rights within or upstream of the proposed reach through the use of OWRD’s WARS program which quantifies the amount of water available for appropriation for a given point on a given stream – also known as a water availability basin (WAB). Scenic Waterway flows serve as an instream flow requirement in the water allocation system. The portion of streamflow protected by the instream flow requirement is then removed from the available supply and set aside to remain instream. Final estimates of water availability (WA) are obtained by subtracting existing storage (ST), out-of-stream consumptive uses (CU), and in-stream demands (IS) from natural stream flow ( $Q_{NSF}$ ), as shown by the following equation:

$$WA = Q_{NSF} - ST - CU - IS$$

WARS estimates water availability for expected demands based on a statistical approach to describe how often a rate of flow is present in a stream. This term, referred to as exceedance flow, describes how often



streamflow is exceeded a given percent of time. For instream (instream water rights and Scenic Waterways) and storage purposes, WARS uses the median, natural streamflow ( $Q_{NSF}$ ; e.g. 50% exceedance flow) when considering an application for new water use. This means that instream flows are expected to be met at least 50 percent of the time. Alternatively, for out-of-stream appropriations from live flow, diversions cannot be greater than the 80% exceedance flow. Given the proximity to the downstream end of the proposed reach, WARS uses the NEHALEM R NR FOSS, OR stream gage (Station # 14301000) located just upstream of the Nehalem River confluence with Cook Creek to estimate water availability at the downstream extent of the proposed reach. The 50% exceedance flows at the downstream end of the reach are displayed in Table 1.

The consumptive use and storage within and upstream of the proposed reach accounts for less than 1% (0.2%) of the annual median natural streamflow volume (Table 1). There are currently instream water rights (ISWR) within the proposed reach that are intended to maintain water instream for public use and the protection of aquatic life. Existing ISWR on the lower Nehalem River during the low-flow months (June – October) are very similar to the natural monthly median streamflow, whereas during high-flow months (November – May) the ISWR are much less than natural streamflow (Table 1; Figure 2).

Table 1: Monthly 50% exceedance flows as determined by OWRD’s WARS program at the NEHALEM R > NEHALEM BAY – AB COOK CR AT GAGE 14301000 water availability basin (Watershed ID (WAB) # 30120203). Exceedance flows are in units of cubic feet per second (cfs). ISWR are protected by certificates (MF35A and MF37A). \* Annual values are displayed in terms of the total volume of water available using acre-feet (ac-ft).

Month	50% exceedance flow (cfs)	ISWR streamflows (cfs)	Consumptive use (cfs)
January	4720	270	2.43
February	4130	270	2.40
March	3290	270	2.35
April	2040	270	2.42
May	1010	200	2.87
June	484	150	4.65
July	238	100	8.55
August	135	100	6.53
September	143	100	2.33
October	302	270	1.75
November	2420	270	2.22
December	4420	270	2.40
Annual*	1400000	-	2480

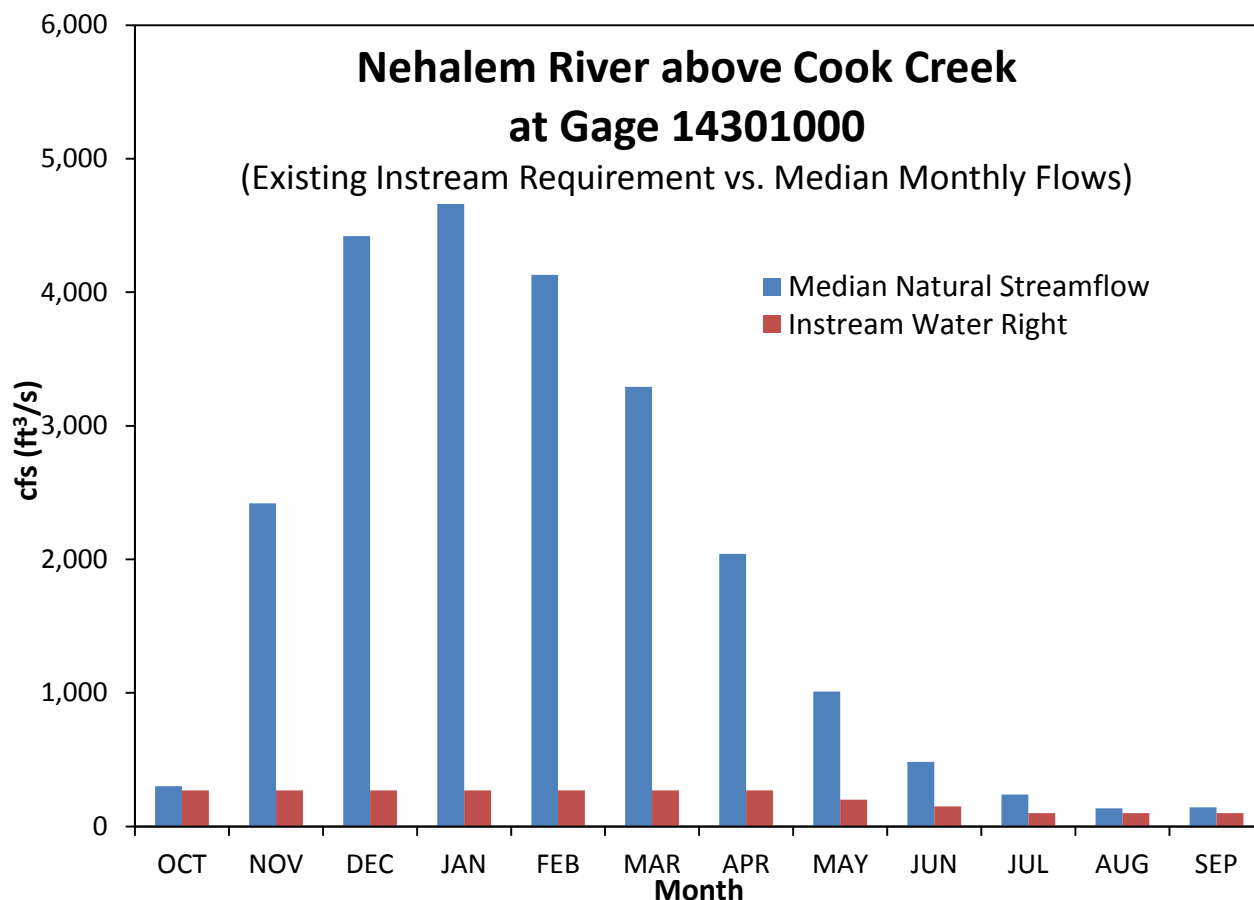


Figure 2: Existing ISWR requirements compared to median monthly natural streamflow (50% exceedance flow).

Since the intent of the Scenic Waterway designation is to maintain the free-flowing nature of the river in necessary quantities, OWRD recommends varying flow protection throughout the year in a manner that will consider the need to protect natural values of the river as well as the need for future water development. During summer (June – September), when air temperatures are high and streamflows are reduced due to low runoff, water temperatures can rise to levels that may negatively impact fish survival (Sullivan et al., 2000; Richter and Kolmes, 2005). As such, OWRD recommends protecting 100% of the remaining median natural streamflow from further allocation. OWRD also recommends the same level of protection for “shoulder” months (May and October) to ensure that elevated flows (floods and pulses) – which provide cues for spawning, migration, and feeding (Bunn and Arthington, 2002), other potential mechanisms for floodplain effects (Sommer et al., 2001), as well as recreational values – remain instream and are completely protected from future allocation.

During periods of increased flows (November – April), OWRD suggests an alternative mechanism for flow protection based on published research and consideration for the potential of increased water use in the future. Based upon research which aimed to establish environmental flow needs in streams in Alberta, CA, the most conservative estimate of flow reduction which would provide an adequate level of protection to the aquatic ecosystem is a 15% instantaneous reduction from natural flow, or 85% of the instantaneous natural flow (Locke and Paul, 2011). Given the estimates of median, natural streamflow produced by WARS (Table 1), the recommendation to protect 85% of median, natural streamflow during winter months would maintain

characteristics of the natural hydrograph important for maintaining aquatic habitat and physical characteristics of the river. In comparison to the protective mechanism of the current ISWR on the Nehalem River (Figure 2), the suggested flow recommendation for the proposed Nehalem River Scenic Waterway would ensure a much greater proportion of flow remains instream (Figure 3).

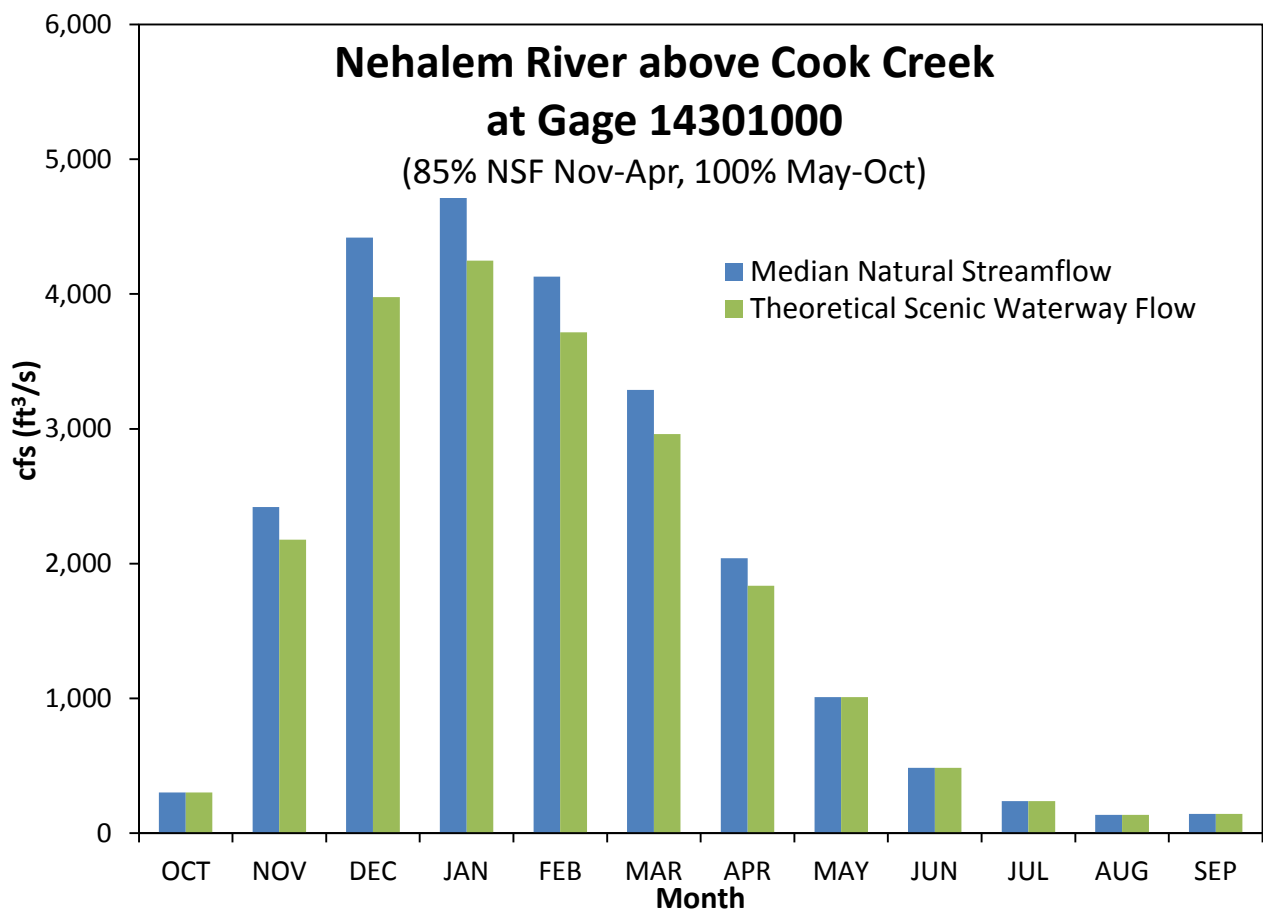


Figure 3: Recommended mechanism for flow protection of the proposed Nehalem River Scenic Waterway compared to median monthly natural streamflow (50% exceedance flow). The difference between the two adjoining bars represents the amount of water that would be available for future allocation following designation of the Scenic Waterway.

### Impact of Scenic Waterway Designation on Existing and Future Water Development and Availability

The Scenic Waterway Program is intended to protect the existing scenic nature of the waterbody. Although some rivers may be considered primitive and natural, land use and water development may already exist. In the case that development already exists, it is important to note that the Scenic Waterway designation will have no impact on current water rights holders within, downstream, or upstream of the proposed reach. In addition, future water rights holders will not be affected downstream of the proposed reach. However, the Scenic Waterway designation will limit surface water allocation within and upstream of the proposed reach. Furthermore, there remains the potential for limitation to water rights pertaining to groundwater if a

preponderance of evidence suggests that use of groundwater will measurably reduce surface water flows necessary to maintain free-flowing character (ORS 390.835(9)).

When compared to the current consumptive use within the basin, OWRD’s recommended protective mechanism would leave a significant quantity of water available for future appropriation through storage rights (Table 2). However, it is important to note that any future development within of the Scenic Waterway would be limited to off-channel storage outside of the ¼-mile buffer from each bank due to restrictions on land use and the requirement to maintain the free-flowing nature of the river (ORS 390.835(1)). Furthermore, after accounting for Scenic Waterway flow requirements, although water would be available at the 50% exceedance flow for storage, there would be no water available for any month at the 80% exceedance flow for live-flow diversions (Table 3). Timing of future surface water availability for off-channel storage would be limited to winter storage months of November – April.

Table 2: Comparison of current consumptive use within and upstream of the proposed Nehalem River Scenic Waterway to the water availability that would remain following designation. The estimate of remaining water availability for instream and storage rights (50% exceedance flow) includes 100% protection of remaining water availability for May – October and 85% protection for November – April. \* Annual values are displayed in terms of the total volume of water available using acre-feet (ac-ft).

Month	50% exceedance flow (cfs)	Scenic Waterway flow (cfs)	Consumptive use (cfs)	Remaining water availability at 50% exceedance following designation (cfs)
January	4720	4012	2.43	706
February	4130	3511	2.40	617
March	3290	2797	2.35	491
April	2040	1734	2.42	304
May	1010	1010	2.87	0
June	484	484	4.65	0
July	238	238	8.55	0
August	135	135	6.53	0
September	143	143	2.33	0
October	302	302	1.75	0
November	2420	2057	2.22	361
December	4420	3757	2.40	661
Annual*	1400000	-	2480	188312

Table 3: Months when water would be available for future appropriation under the 50% (instream and storage) and 80% (live-flow diversions) exceedance flows as determined by WARS for WAB # 30120203 based upon the recommended Scenic Waterway flow protection.

Month	50% exceedance flow	80% exceedance flow
January	YES	NO
February	YES	NO
March	YES	NO
April	YES	NO
May	NO	NO
June	NO	NO
July	NO	NO
August	NO	NO
September	NO	NO
October	NO	NO
November	YES	NO
December	YES	NO
Annual	YES	NO

### Summary

- Scenic Waterway flows are protected as instream water rights and debited from OWRD’s WARS program to be protected from future allocation
- OWRD’s recommendation is to protect 100% of remaining median natural streamflow from May – October, while protecting 85% of remaining median natural streamflow from November – April
- Scenic Waterway designation would not affect current water rights holders
- Scenic Waterway designation would limit water available for future allocation within and upstream of WAB # 30120203
- Water availability would be limited to off-channel storage rights from November – April
- There would be no water available for future live-flow diversions under the Scenic Waterway flow recommendation

## References

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Richter, A. & Kolmes, S.A. 2005. Maximum Temperature Limits for Chinook, Coho, and Chum Salmon, and Steelhead Trout in the Pacific Northwest. *Reviews in Fisheries Science*, 13:1, 23-49.

Sommer, T.R., Nobriga, M.L., Harrell, W.C., Batham, W., & Kimmerer, W.J. 2001. Floodplain rearing of juvenile chinook salmon. *Canadian Journal of Fisheries and Aquatic Sciences*, 58, 325-333.

Sullivan, K., Martin, D.J., Cardwell, R.D., Toll, J.E., & Duke, S. 2000. An analysis of the effects of temperature on salmonids of the Pacific Northwest with implications for selecting temperature criteria. Sustainable Ecosystems Institute, Portland Oregon.

Statutes related to Oregon's Scenic Waterway Program can be found in ORS 390.805 to 390.925

## Oregon Parks and Recreation Commission

November 28, 2018

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Agenda Item:	7a	<b>Information</b>
Topic:	Heritage Division Update	
Presented by:	Ian P. Johnson, Associate Deputy SHPO	

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### Staff Changes in Heritage Division

Heritage Programs expects to announce new appointments for the open limited-duration State Archaeologist and Review and Compliance Specialist positions at the November OPRD Commission meeting. These positions were previously filled by Jamie French, who was appointed to the GIS Archaeologist position, and Jessica Gabriel is now with OPRD's Stewardship Division. Interviews for these positions concluded in late October.

The Heritage Division partnered with the Oregon Department of Transportation (ODOT) and Oregon Department of Energy (ODOE) to address an increasing volume of projects reviewed under state and federal historic preservation laws. In 2017, the Oregon Legislature approved House Bill 2017, Keep Oregon Moving, which provides funding for transportation infrastructure projects around the state. ODOT has placed one reviewer in the office to address built-environment resources, buildings, and bridges, and will assign an archaeologist to the office sometime in early 2019. The appointed staff represents the State Historic Preservation Office's perspective, but are ODOT employees. In a separate arrangement, ODOE contracted with Historical Research Associates (HRA) to provide staff to assist the SHPO for large energy projects in support of the agency's Energy Facility Siting Council (EFSC) review process. HRA staff provides recommendations for review by the SHPO that are then forwarded to ODOE.

### State Advisory Committee on Historic Preservation Meets in Portland

At its October 19<sup>th</sup> meeting in Portland the State Advisory Committee on Historic Preservation (SACHP) reviewed and recommended that the Laurelhurst Historic District and Central Oregon Canal Historic District: Ward Road to Gosney Road be listed in the National Register of Historic Places. The proposed Laurelhurst Historic District spans thirty-two city blocks east of the Willamette River, and includes 1,750 buildings, sites, and objects, including Laurelhurst Park. Developed between 1910 and 1948, the area is recognized as an example of city planning and for its collection of architecture. Residents are generally supportive of the district and little opposition has been voiced so far. The office expects that the district will be listed in March 2019. Following two previous hearings, the SACHP approved the Central Oregon Canal Historic District: Ward Road to Gosney Road segment following a statement of support by the canal operator, the Central Oregon Irrigation District (COID). The property is located in unincorporated Deschutes County, east of Bend. The canal segment is nominated by residents living within the proposed district. The SACHP initially delayed making a recommendation to

address issues of incomplete or incorrect documentation raised by COID. The SACHP is a nine-member governor-appointed commission whose members hold credentials in many historic preservation-related fields. Nominations recommended by the SACHP go to the National Park Service, which maintains the Register under the authority of the National Historic Preservation Act of 1966.

### **Governor Snell Crash Site Listed in the National Register of Historic Places**

The Governor Earl W. Snell Aircraft Crash Site in Lake County was listed in the National Register of Historic Places on October 18<sup>th</sup>. The Snell Aircraft Crash Site is the location of the 1947 airplane crash that killed Oregon Governor Earl W. Snell and his party, including the Secretary of State, Robert Farrell, and the President of the Oregon Senate, Marshall Cornett, as well as the pilot, Cliff Hogue. The site is located at an elevation of approximately 5,900 feet above sea level on the Fremont-Winema National Forest. The crash resulted in the loss of three of the highest-ranking members of Oregon's state government and left Oregon without key leadership positions in the capital. As a direct result, state laws were enacted after the crash to restrict the number of officials travelling together. Earl Wilcox Snell was a popular and ambitious politician, elected Oregon's Governor in 1942 and subsequently re-elected in 1946. The United States Forest Service prepared and nominated this property to the National Register and Oregon's State Advisory Committee on Historic Preservation supported the listing.

**Prior Action by Commission:** none

**Action Requested:** none

**Attachments:** none

**Prepared by:** Ian P. Johnson, Associate Deputy SHPO



## Oregon Parks and Recreation Commission

November 28, 2018

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Agenda Item:	8a	<b>Action</b>
Topic:	Wallowa Lake Management Units Master Plan Approval	
Presented by:	David Stipe, Planning + Design Manager Ian Matthews, Planner	

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**Background:** OPRD creates and updates master plans for state parks in accordance with Oregon Administrative Rules Section 736-018. The Wallowa Lake Management Units Master Plan was initiated in 2016 in order to update the existing 2001 Wallowa County State Parks Master Plan. The updated master plan addresses Wallowa Lake State Park, Minam State Recreation Area, and the Wallowa Lake Highway Forest State Scenic Corridor. Iwetemlaykin State Heritage Site is also in the Wallowa Lake Management Unit but is not included in the updated master plan because it has a more recent master plan (2009). The Draft Plan was developed during 2017-2018 with public and stakeholder input.

Key components of the Draft Plan and related public comments are summarized in the attached Executive Summary. The complete Final Draft Plan can be viewed and downloaded at [wallowastateparksplan.com](http://wallowastateparksplan.com) on or after November 1st, 2018.

If approved by the Commission, the Plan will need to be approved by Wallowa County before it can be adopted into state rule.

**Prior Action by Commission:** No prior action.

**Action Requested:** Commission approval is requested for the Final Draft Wallowa Lake Management Units Master Plan.

**Attachments:** Wallowa Lake Management Unit Plan Executive Summary

**Prepared by:** Ian Matthews

## **Executive Summary – Wallowa Lake Management Units Plan (2018)**

The Wallowa Lake Management Units Plan sets forth management and development recommendations for three of the four parks in the Wallowa Lake Management Unit: Wallowa Lake State Park, Minam State Recreation Area, and the Wallowa Lake Highway Forest State Scenic Corridor. The Plan updates the 2001 Wallowa County State Parks Master Plan. A master plan for the fourth park in the management unit, Iwetemlaykin State Heritage Site, was completed in 2009. Iwetemlaykin is not addressed in this Plan.

### **Process and Public Involvement**

The planning process began in the summer of 2016 with internal OPRD scoping and park resource assessments. Preliminary park development concepts were completed in the summer of 2017 and the first round of public and advisory committee meetings was held in September 2017 in Hermiston and Joseph, Oregon. Conceptual designs were revised and finalized following the first set of meetings and a draft master plan was completed in the summer of 2018. A second round of public and advisory committee meetings was held in September 2018 in La Grande and Joseph, Oregon.

In total, four public meetings were held and attended by approximately 20 members of the public. Two advisory committee meetings were held; 17 advisory committee members attended one or both meetings. Advisory committee members included representatives from local businesses, local, state, and federal government agencies, local elected representatives, Native American tribes, and private citizens. Key issues raised at the meetings included:

- Managing increasing river use (boating and rafting) at Minam SRA
- Desire to limit use and maintain the “rustic” character of Minam SRA vs. desire to expand recreation opportunities and improve existing facilities
- Appropriate location and extent of equestrian use at Minam SRA
- Visitor safety at Minam SRA (primarily centered around the lack of a pedestrian river crossing, which results in some pedestrians using the highway to travel between the park and Minam Store and Hotel).
- Concern as well as support for establishing an official boat launch along the Wallowa Lake Highway Forest SSC.
- Desire for event center facilities at Wallowa Lake SP that could be used for local functions.
- Desire to retain and improve the natural setting along the lake at Wallowa Lake SP.
- Concern about impacts to important cultural and ethnographic resources in the parks, primarily on the part of the Tribes, for whom the parks have special significance.

Prior to the meetings, notification was sent to adjacent property owners and advertisements were placed in local and statewide newspapers. OPRD also conducted a Spanish-language advertising

campaign on social media and local TV networks in an effort to reach out to Spanish-speaking residents and park visitors. A survey in English and Spanish was also posted on the plan website.

## **Management and Development Proposals**

The Plan identifies natural resource management and development proposals for each of the three parks. Highlights include:

### Wallowa Lake State Park

- Restoration of the Wallowa River to improve salmon habitat and associated recreation facility enhancements.
- Marina enhancements, including an ADA fishing pier and kayak launch, additional boat docks, and parking lot circulation improvements.
- A new event center on the edge of Wallowa Lake (200 person capacity).
- A new welcome center for visitor orientation and education.
- A new yurt village within the existing campground (10 yurts).
- Additional maintenance facilities near the existing office buildings.
- Bivouac camping at the Little Alps Trailhead.

### Minam State Recreation Area

- Major enhancements to the boat launch area at Minam, including a designed parking lot and overflow parking area, picnic shelter, viewpoint, and seasonal camping for hikers, bikers, and boaters behind the existing Minam Station building.
- Relocation of the existing gravel equestrian parking lot and restoration of the meadow north of Minam Station.
- Minor enhancements to the Minam Campground, including improved ADA campsites, solar power upgrades, and a small walk-in campground next to the river.
- A new ADA river access trail near the campground.

### Wallowa Lake Highway Forest State Scenic Corridor

- Accessibility upgrades to paths, picnic facilities, and river access.
- Formal designation of the “5-mile” boat launch site.

As is generally the case with OPRD master plan updates, funding has not been secured for project development. Projects will be implemented as funding becomes available over the next 15 to 20 years.

**The complete Final Draft Plan can be viewed and downloaded at [wallowastateparksplan.com](http://wallowastateparksplan.com) on or after November 1st, 2018.**

**Oregon Parks and Recreation Commission**

**November 27, 2018**

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Agenda Item: 8b

**Action**

Topic: Construction Contract Award Approvals

Presented by: Clifton Serres, Engineering Manager

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**Project 1**

**Title:** North Falls Visitor Center Complex

**Location:** Silver Falls State Park

**Description:** This project will renovate and remodel an unfinished, approximately 9,000 sq. ft. structure acquired by ORPD in 2005. It has been designated as the focus facility for the North Falls-area expansion in the adopted Master Plan. This contract provides an initial phase of work that will improve the exterior envelope, structural elements, and electrical and mechanical systems in support of future park use. Two host sites will also be installed to provide security in the immediate vicinity.

The renovated Center will consist of four floors. The basement will provide office/general space for up to five staff members, a staff restroom, four lockable storage rooms, and equipment areas. The first floor will provide a conference room, main lobby, dining area, kitchen, secondary lobby, vestibule, front porch, and covered rear porch, and three public restrooms. The second floor will provide four office areas and a staff restroom. The third floor will house HVAC equipment and not serve as an occupied area.

Project funding has been augmented by a limitation adjustment approved by the Oregon EBoard.

*Project Manager:* Austin VanNette

*Project Number:* 033084 *Project Budgets (Amended):* \$722,000.00

*Procurement Number:* TBD *Procurement Budget (Amended):* \$675,000.00

*Schedule:*

Advertise	Bid Close	Contract Award	Contract Completion
October, 2018	Nov./Dec., 2018	December 2018 (est.)	June, 2019

**Project 2**

**Title:** Replace Drainfield – A Loop, B Loop & Dump Stations

**Location:** Champoeg State Heritage Area

**Description:** This project will replace three existing drainfields and numerous septic tanks with one master septic system in a new location. The new system design will allow for the future installation of sewer hook-ups in all campsites in A-loop and B-loop, and in the group camp area as well.

The existing system has been experiencing numerous issues over the past few years. This project will correct these deficiencies and bring the park into compliance with our permitting requirements as issued by the Oregon Department of Environmental Quality. This new system will also significantly simplify park maintenance.

Project funding has been augmented by a limitation adjustment approved by the Oregon EBoard.

*Project Manager:* Austin VanNette

*Project Number:* 032219 *Project Budgets (Amended):* \$800,000.00

*Procurement Number:* TBD *Procurement Budget (Amended):* \$775,000.00

*Schedule:*

Advertise	Bid Close	Contract Award	Contract Completion
October, 2018	November, 2018	11/15/18 (est.)	Spring of 2019

**Prior Action by Commission:** Approval of 17-19 FIP Project List.

**Action Requested:**

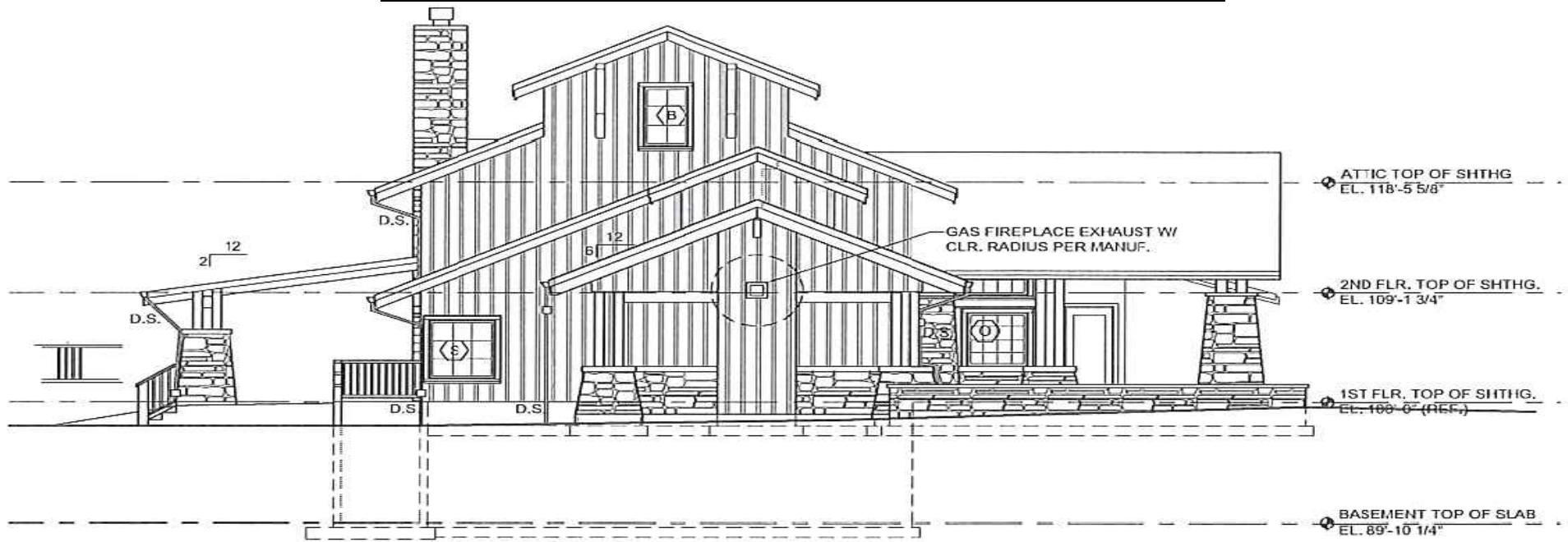
*Projects 1 and 2:* Staff seeks Commission conditional approval of award to the apparent low bidders, in the event the apparent low bids are greater than \$500,000. Approval would be conditioned on the following criteria:

1. Contractor meets all OPRD criteria for determining the lowest responsive, responsible bidder including, but not limited to having capacity to perform the stated work; ability to meet all contract insurance and bonding requirements; and is in good standing with the Construction Contractors Board.
2. In the event of a bid protest, OPRD staff will work with the Department of Justice (DOJ) to resolve the protest issue and can provide a recommendation for award.
3. Sufficient OPRD funds are available to complete the work.

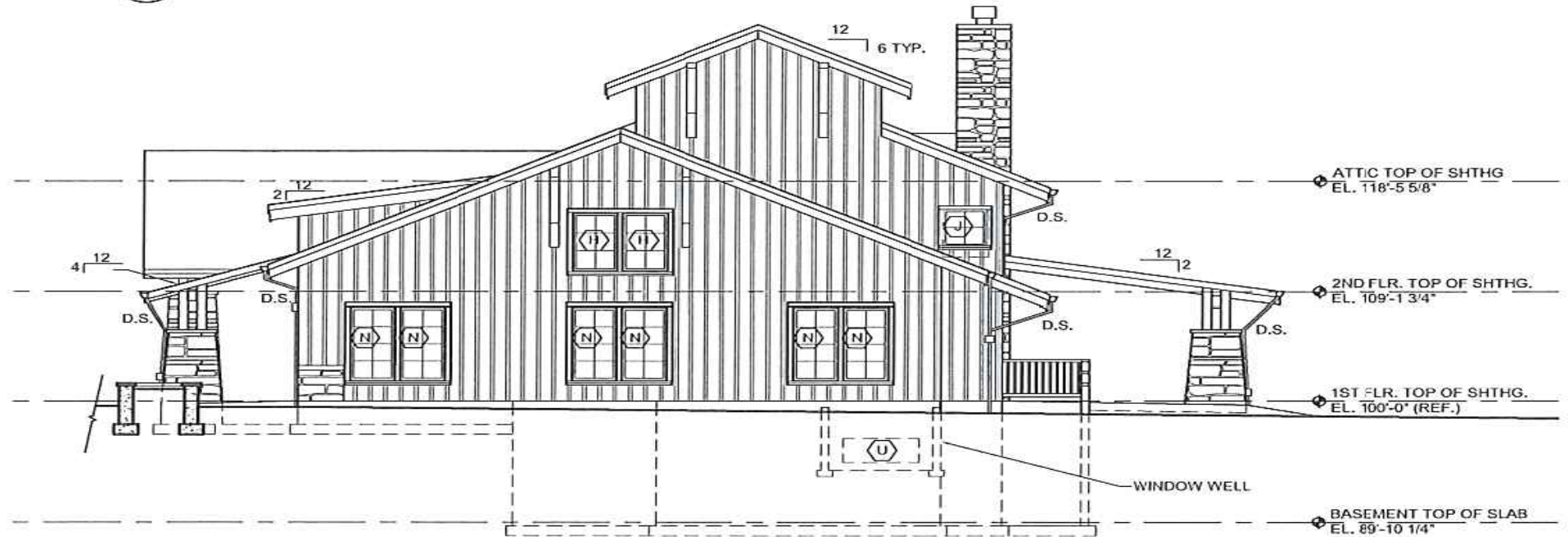
**Attachments:** Exhibits Projects 1 and 2.

**Prepared by:** Clifton J Serres

# Project 1 - North Falls Visitor Center Complex

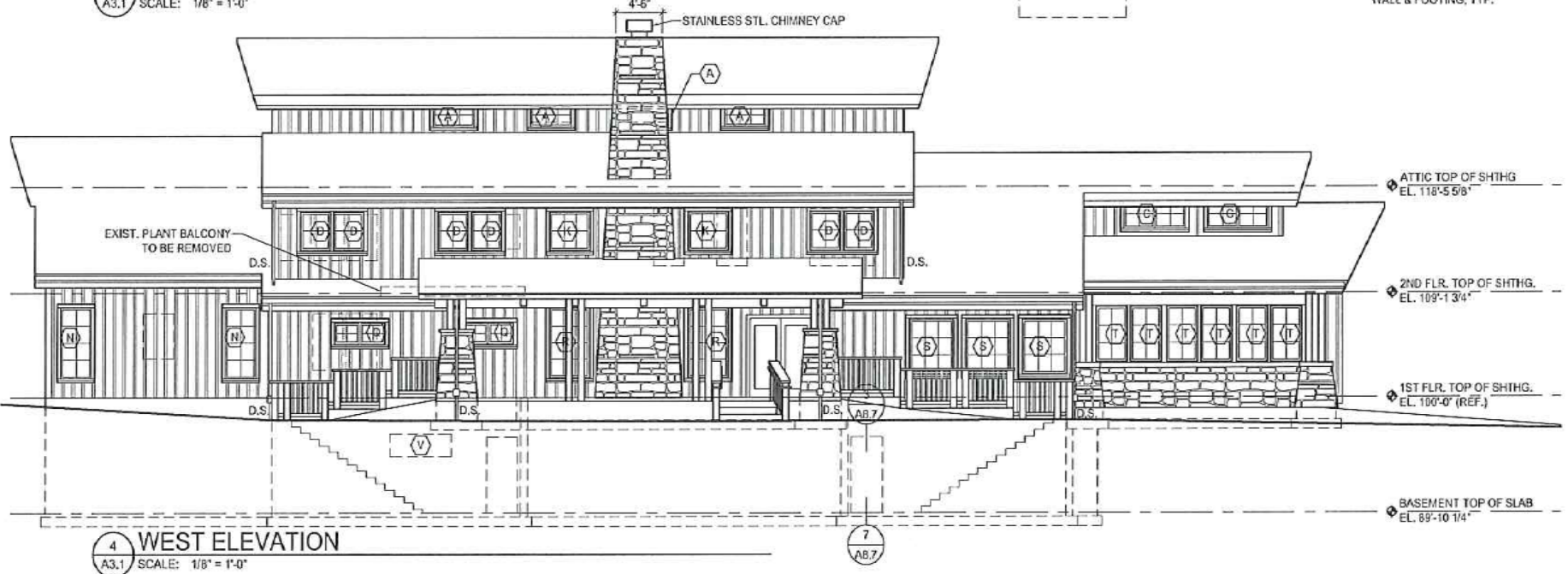
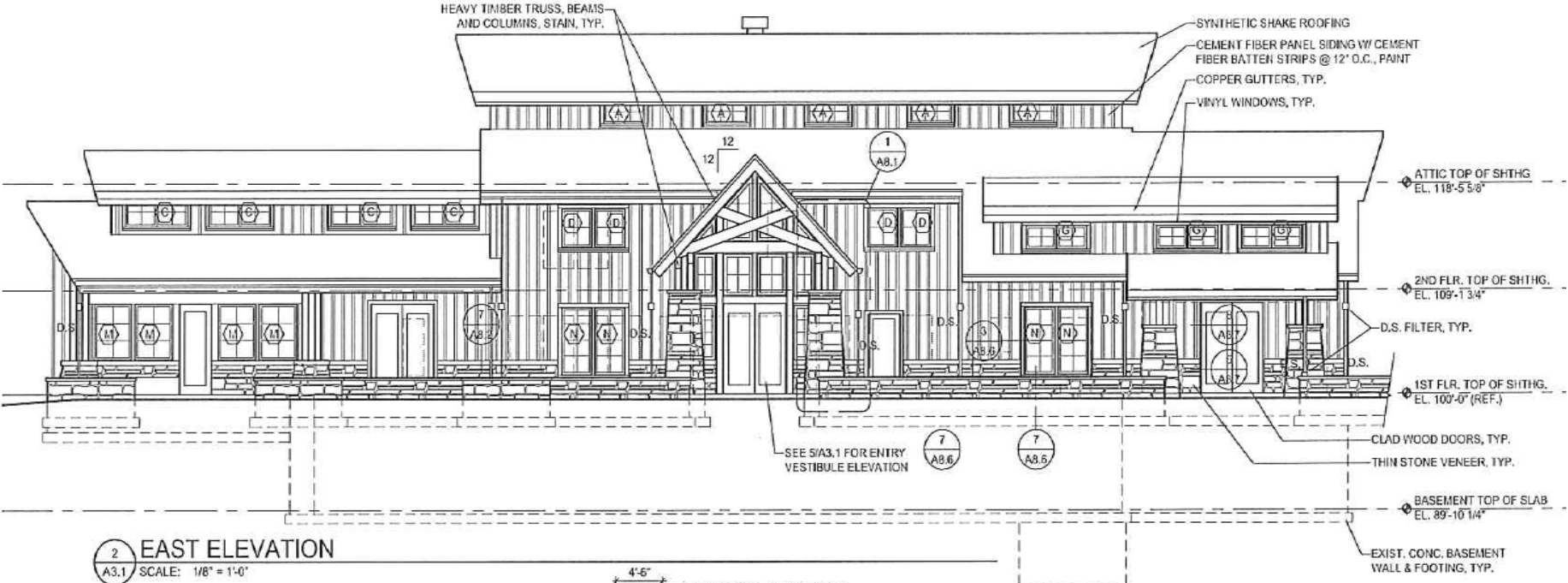


**1 SOUTH ELEVATION**  
A3.1 SCALE: 1/8" = 1'-0"

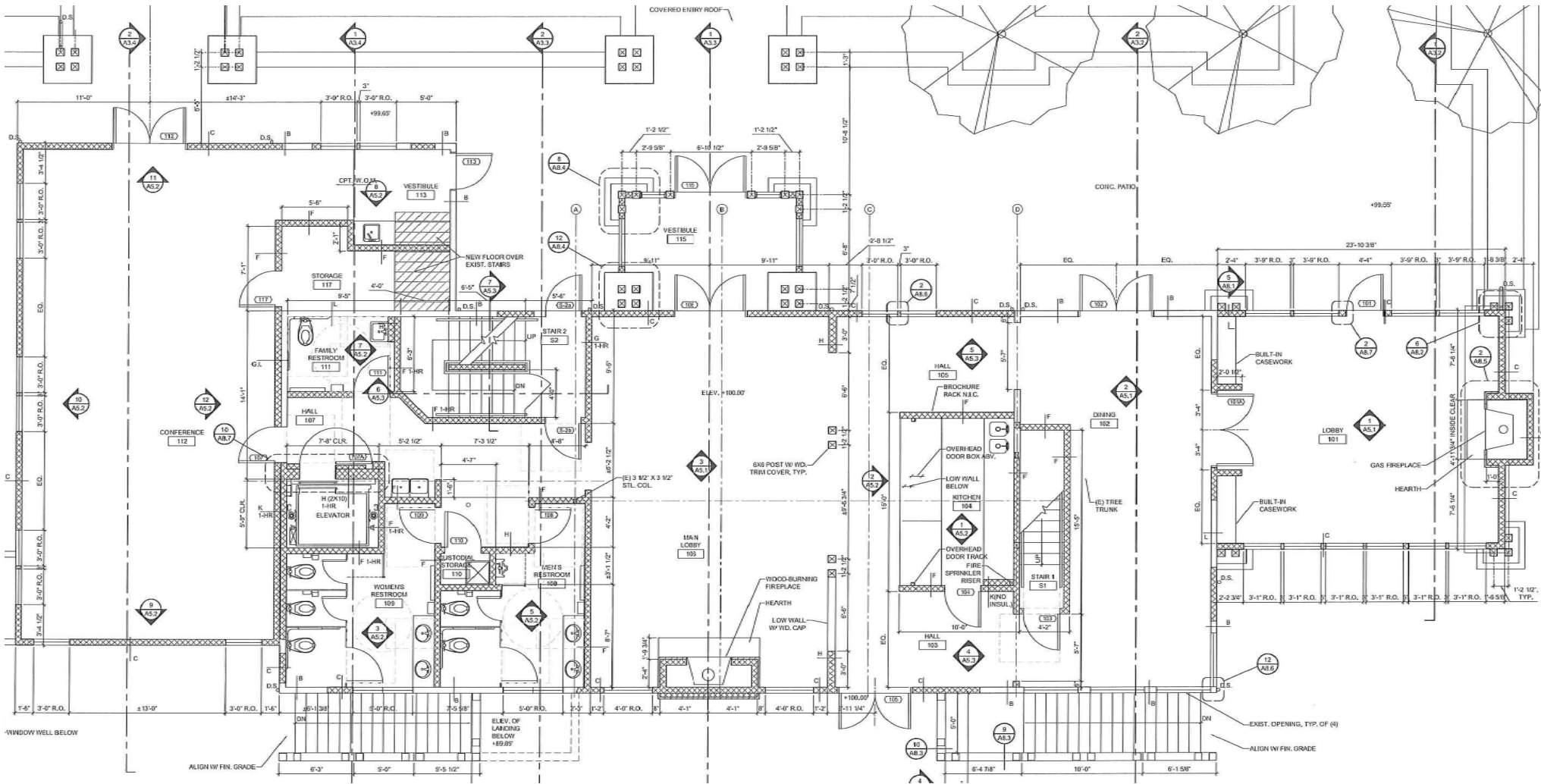


**3 NORTH ELEVATION**  
A3.1 SCALE: 1/8" = 1'-0"

# Project 1 - North Falls Visitor Center Complex



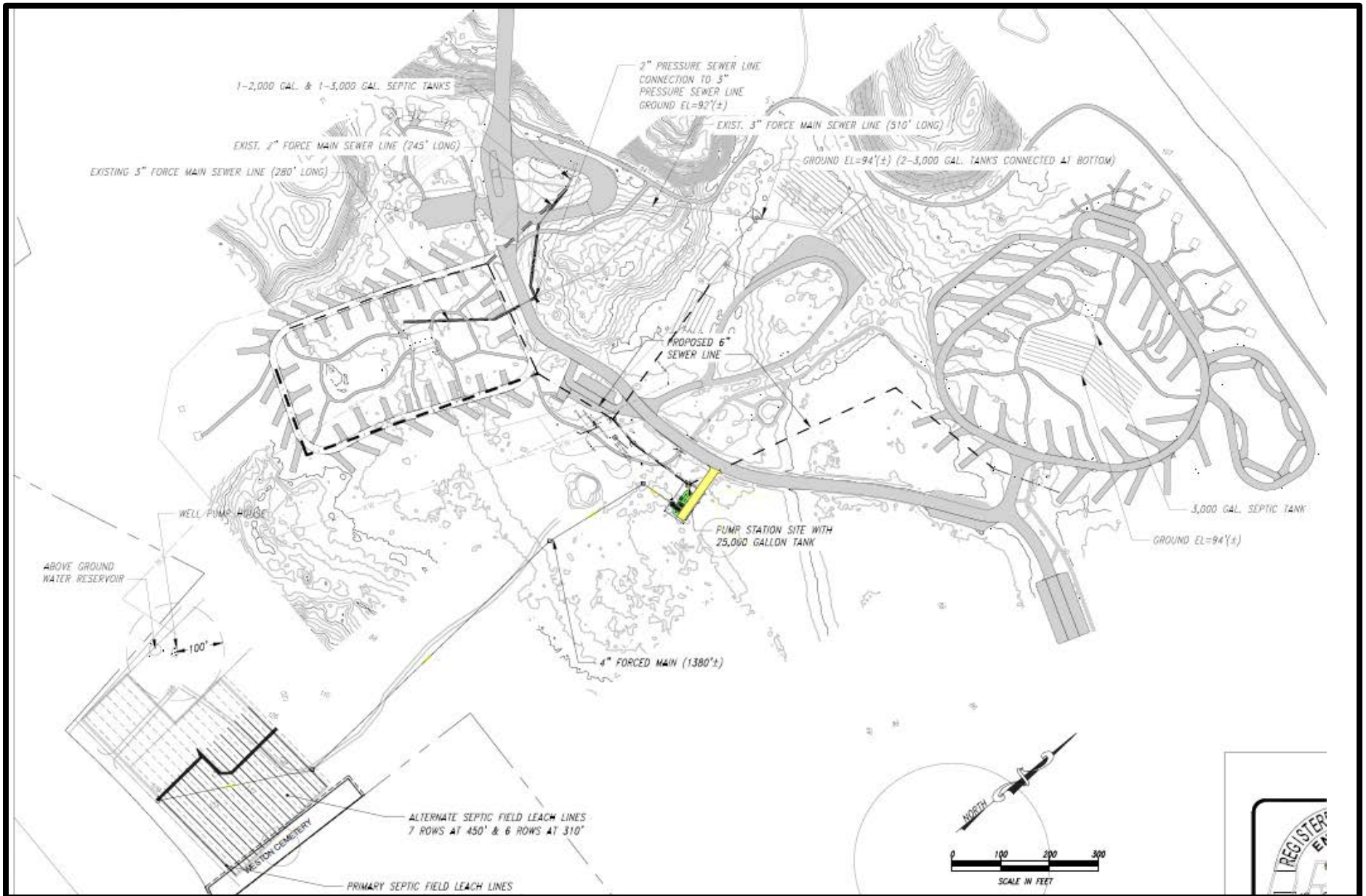
# Project 1 - North Falls Visitor Center Complex



Floor Plan 1



# Project 2 – New A-Loop, B-Loop, & Dump Station Drainfield – Champoeg State Heritage Area



## Oregon Parks and Recreation Commission

November 28, 2018

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Agenda Item: 8c Information

Topic: Update on Local Government Approval of Draft Brian Booth State Park Comprehensive Plan

Presented by: David Stipe, Planning + Design Manager  
Ian Matthews, Planner

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**Background:** OPRD creates and updates master plans for state parks in accordance with Oregon Administrative Rules Section 736-018. A Draft Master Plan was produced for Brian Booth State Park (located 7 miles south of Newport in Lincoln County) in 2014. The Draft Plan was formulated between 2012 and 2014 with extensive public input. It outlines natural resource management and development proposals for the newly established park, including plans for the new 164 campsite Chester Armstrong Campground. The Draft Plan was approved by the Commission in its February 2014 meeting, allowing OPRD to move forward with state rulemaking and Lincoln County land use approval.

Following Commission approval of the Draft Plan, Lincoln County formulated and adopted a new land use zone specific to parks with master plans, with the intent to allow OPRD to apply for a zone change and apply the new zone to Brian Booth State Park. The County process to update their zoning code took several years. In 2016, following the County's adoption of the new zone type, OPRD submitted an application to the County for approval of the Draft Brian Booth Master Plan and zone change to Park Master Plan Zone (the new zone adopted by the County).

OPRD appeared before the Lincoln County Planning Commission at a public hearing on three occasions, November 14, 2016, April 9, 2018 and July 9, 2018 to discuss the master plan, proposed rezone and the potential recommendations from the planning commission on the park development outlined in the plan.

Lincoln County Planning Commission recommendations on the plan were issued on September 4, 2018. Planning + Design staff have developed a draft response to the planning commission's recommendations on the plan in coordination with Dennis Comfort, Coast Region Manager and Chris Havel, Associate Director. The draft response is currently being reviewed by OPRD lead counsel. County approval of the plan is required before any park development can occur.

**Prior Action by Commission:** The Commission approved the Draft Brian Booth State Park Comprehensive Plan on February 4, 2014.

**Action Requested:** None

**Attachments:** Lincoln County Planning Commission Recommendation Letter.

**Prepared by:** David Stipe



## DEPARTMENT OF PLANNING AND DEVELOPMENT

210 S. W. 2nd ST  
Newport, OR 97365  
(541) 265-4192  
Fax (541) 265-6945

**DRAFT**

Under OAR 660-034-0000 through OAR 660-034-0040 and OAR 736-018-0000 through OAR 736-018-0140, Lincoln County is required to provide a written recommendation to the Oregon Parks and Recreation Department (OPRD) on the *2014 Draft Master Plan for Brian Booth State Park*.

### THE LINCOLN COUNTY PLANNING COMMISSION RECOMMENDS THE FOLLOWING:

- (1) OPRD shall restrict access to Seal Rock View Subdivision from the Brian Booth State Park. The Planning Commission recommends (and OPRD shall confirm) that OPRD shall: (a) build and maintain fencing at the perimeter of the park bordering the neighborhood, (b) provide signage at the border of the park informing visitors that entry into the Seal Rock View neighborhood from the park is prohibited, and (c) provide park visitors information instructing visitors to access the beach at the Ona Beach Curves.
- (2) OPRD shall remove all references to "Offsite Trail Connections" in the *2014 Draft Master Plan*.
- (3) OPRD shall negotiate and execute a "service agreement" with the Seal Rock Rural Fire Protection District (SRRFD) *prior to* the Lincoln County Planning Commission taking action on a zone change. The zone change would, as proposed by OPRD, apply Lincoln County's Parks Master Plan (PMP) zone to parcels within the boundaries of the park presently zoned Agricultural Conservation (A-C) and Timber Conservation (T-C)).
- (4) Within three years of the date of the adoption of the plan, OPRD shall undertake a scoping exercise with representatives of the community to examine issues related to impeded drainage at the mouth of Beaver Creek at Ona Beach which is causing waters to back up upstream on private property.
- (5) OPRD shall, on a continuing basis, work with adjacent property owners within the Beaver Creek drainage to mitigate impacts on adjacent private properties caused by the restoration/expansion of marshes within park boundaries.
- (6) OPRD shall, on a continuing basis, undertake a nutria control program at Brian Booth State Park.

**DRAFT**

DRAFT

- (7) Prior to construction, OPRD shall prepare a traffic circulation plan to identify safe and efficient ways for park visitors to gain access to all parts of the park. The Planning Commission observed that the Brian Booth State Park, in the present configuration, is effectively three or four distinct public park facilities physically disconnected from one another. For example, the Planning Commission is concerned that: (a) designated parking and the nature of access for visitors hiking to Snaggy Point remain unidentified, (b) traffic impacts and safety issues at the entrance of the park may need further review given the proposed scale of the park and the close proximity to the Ona Beach Curves, and (c) pedestrians and bicyclists are likely to walk and ride on the narrow shoulder of Beaver Creek Road, a County Road, because OPRD has not identified and constructed better/safer/adequate methods to access different parts of the park.
- (8) OPRD shall prohibit horses on the west side of U.S. Highway 101 and the beach because: (a) the size of the beach at that location is highly limited, and (b) providing a safe passageway under the highway that can accommodate both equestrians and pedestrians is a challenge.
- (9) A majority of the Planning Commission believes that the scale of the campgrounds and the associated number of visitors proposed to be overnighting in the park is too large. The Planning Commission voted to recommend that the campgrounds be limited in scale to accommodate 250 individuals per evening.
- (10) OPRD should re-name the Brian Booth State Park to a different name that will honor the culture and history of the local community.

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Date

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Richard Johnson  
Chair, Lincoln County Planning Commission

DRAFT

**Oregon Parks and Recreation Commission**

**November 28, 2018**

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Agenda Item: 9a

Information

Topic: Key Performance Measure Report

Presented by: Tanya Crane, Budget Manager

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Attached is the 2018 Key Performance Measure Report completed, approved by the Director and submitted to the Legislative Fiscal Office (LFO) and the Department of Administrative Services Chief Financial Office (DAS CFO) on September 20, 2018.

**Prior Action by Commission:** 2017-19 Key Performance Measures were approved in April 2016.

**Action Requested:** None.

**Attachments:** 2018 Key Performance Measure Report.

**Prepared by:** Tanya Crane

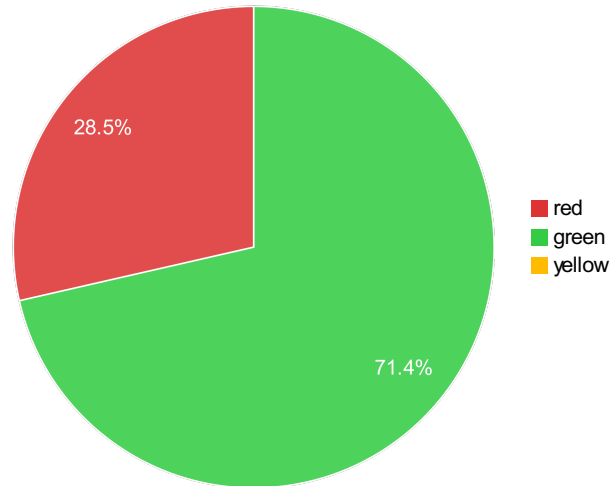
# **Parks and Recreation Department**

Annual Performance Progress Report

Reporting Year 2018

Published: 9/17/2018 7:08:18 AM

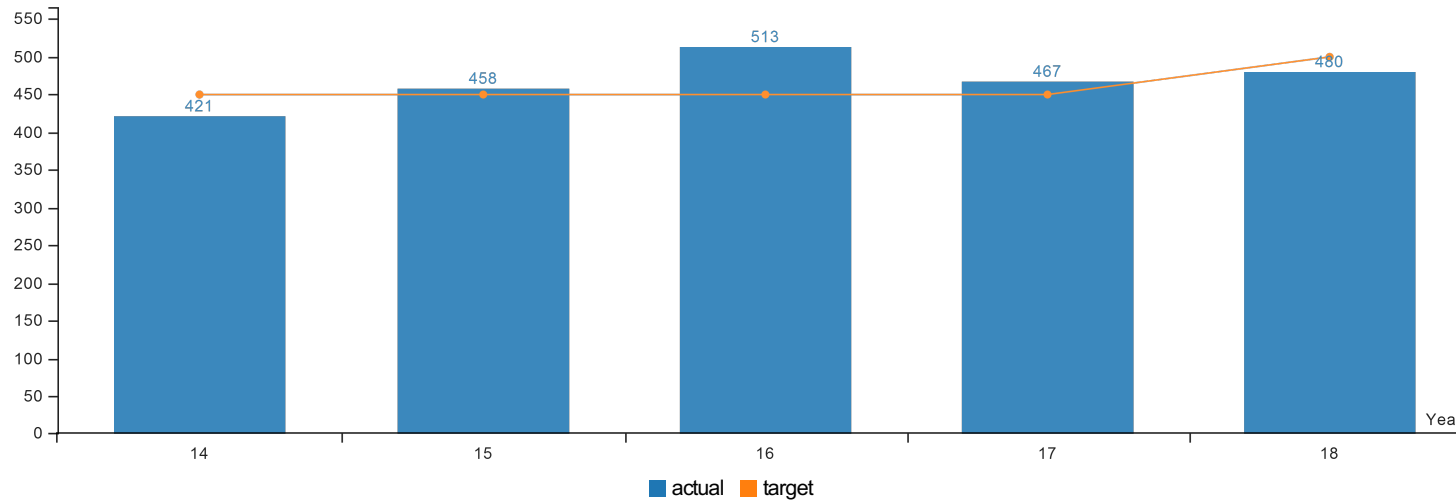
KPM #	Approved Key Performance Measures (KPMs)
1	PARK VISITATION - Visitors per acre of Oregon Parks and Recreation Department property.
2	HERITAGE PROGRAM BENEFITS - Number of properties, sites, or districts that benefit from an OPRD-managed heritage program
3	Grant Programs - Percent of Oregon communities that benefit from an OPRD-managed grant program
4	PROPERTY ACQUISITION - Recreation lands index: Park lands and waters acquired by OPRD as a percentage of total goal. (Linked to Oregon Benchmark #91)
5	FACILITIES BACKLOG - Percent reduction in facilities backlog since 1999.
6	CUSTOMER SATISFACTION - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.
7	COMMISSION BEST PRACTICES - Percent of total best practices met by the State Parks and Recreation Commission.



Performance Summary	Green	Yellow	Red
	= Target to -5%	= Target -5% to -15%	= Target > -15%
Summary Stats:	71.43%	0%	28.57%

KPM #1	PARK VISITATION - Visitors per acre of Oregon Parks and Recreation Department property.
	Data Collection Period: Jul 01 - Jun 30

\* Upward Trend = negative result



Report Year	2014	2015	2016	2017	2018
<b>Visitors Per Acre of Oregon Parks and Recreation Department Property</b>					
Actual	421	458	513	467	480
Target	450	450	450	450	500

#### How Are We Doing

FY 2018 results are 480 visitors per acre which is a 2.8% increase from 467 visitors per acre in FY 2017, and is below the target of 500 per acre. The main contributing factor to this increase is a small increase in property acquisition (denominator) along with a larger increase in visitation (numerator). The Department has continued to increase park acreage in order to best serve an increasing population while maintaining a quality visitor experience. The total visitation in FY 2018 was 54.3 million, a 2.9% increase from FY 2017.

#### Factors Affecting Results

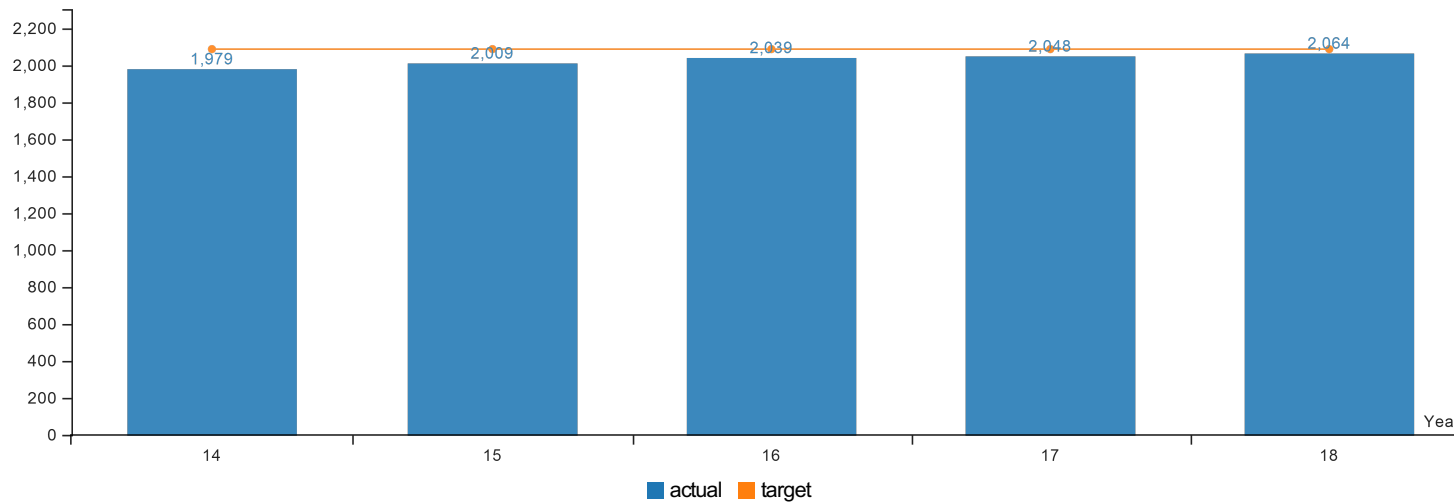
Factors affecting the numerator (visitor attendance) include weather, economic conditions, perceived attractiveness of the recreational offering, and park closures (e.g. due to construction, etc.).

Factors affecting the denominator (acreage) include availability of land for acquisition (e.g. willing sellers) and availability of funds for purchase.



KPM #2	HERITAGE PROGRAM BENEFITS - Number of properties, sites, or districts that benefit from an OPRD-managed heritage program.
	Data Collection Period: Jul 01 - Jun 30

\* Upward Trend = positive result



Report Year	2014	2015	2016	2017	2018
<b>Number of Properties, Sites, or Districts That Benefit From an OPRD-Managed Heritage Program</b>					
Actual	1,979	2,009	2,039	2,048	2,064
Target	2,087	2,087	2,087	2,087	2,087

### How Are We Doing

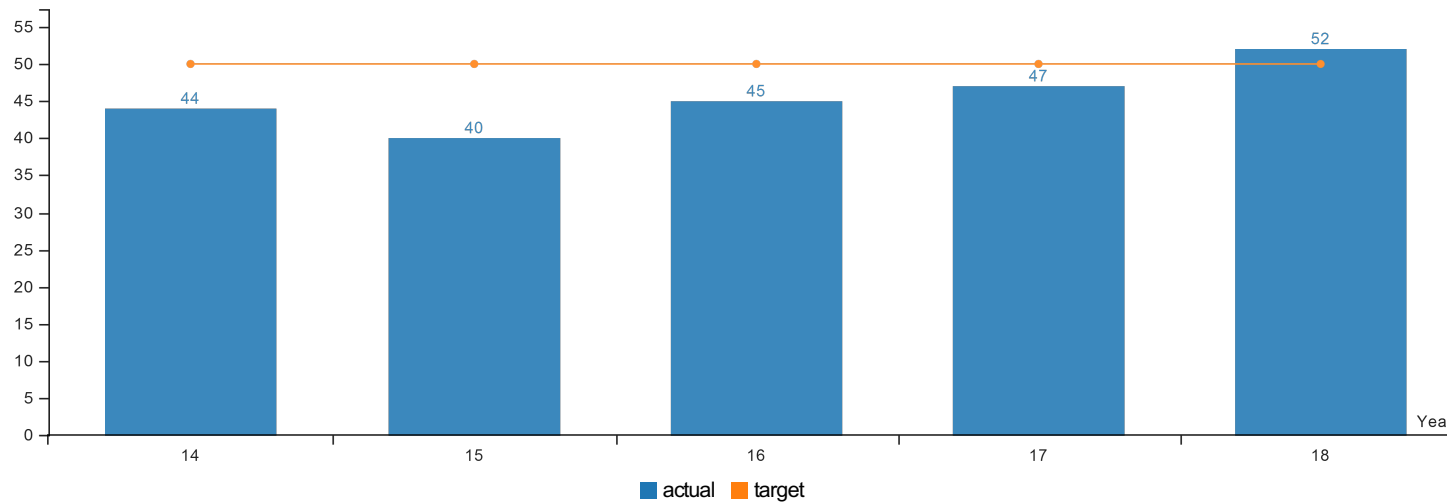
Oregon continues to perform well when compared against neighboring western states, listing far more properties in the National Register than either Idaho or Nevada. Oregon recognized a comparable number of properties to Washington, a more populous state with similar historic resources. Twelve new properties were added to the list in Oregon, including two historic districts that enjoyed broad public support. These include the Peacock Lane Historic District in Portland and the Redmond Downtown Historic District in Redmond. Several properties were also listed by federal agencies on their own lands. A total of 2,064 properties, including 131 historic districts, located across the state's 36 counties and representing many aspects of our rich history, are now listed in the National Register.

### Factors Affecting Results

The overall numbers of new designations is relatively steady in comparative states over the last several years, including in Oregon. The State's comparative success is remarkable considering that the National Register program coordinator position was vacant between June and December 2017, which reduced the expected number of listings. Efforts over the next several years under the recently published Oregon Historic Preservation Plan will focus on reaching out to non-traditional and underrepresented populations to achieve greater geographic and thematic diversity in the stories represented by our recognized historic places.

KPM #3	Grant Programs - Percent of Oregon communities that benefit from an OPRD-managed grant program.
	Data Collection Period: Jul 01 - Jun 30

\* Upward Trend = positive result



Report Year	2014	2015	2016	2017	2018
<b>Percent of Oregon communities that benefit from an OPRD-managed grant program</b>					
Actual	44%	40%	45%	47%	52%
Target	50%	50%	50%	50%	50%

#### How Are We Doing

FY 2018 results include an unduplicated count of the number of communities that were awarded Department grants for FY 2017 and FY 2018. Results show that 52% of Oregon communities (145 of 277) have benefited from an OPRD-managed grant program over this time period. This year's percentage is higher than the 47% reported last year.

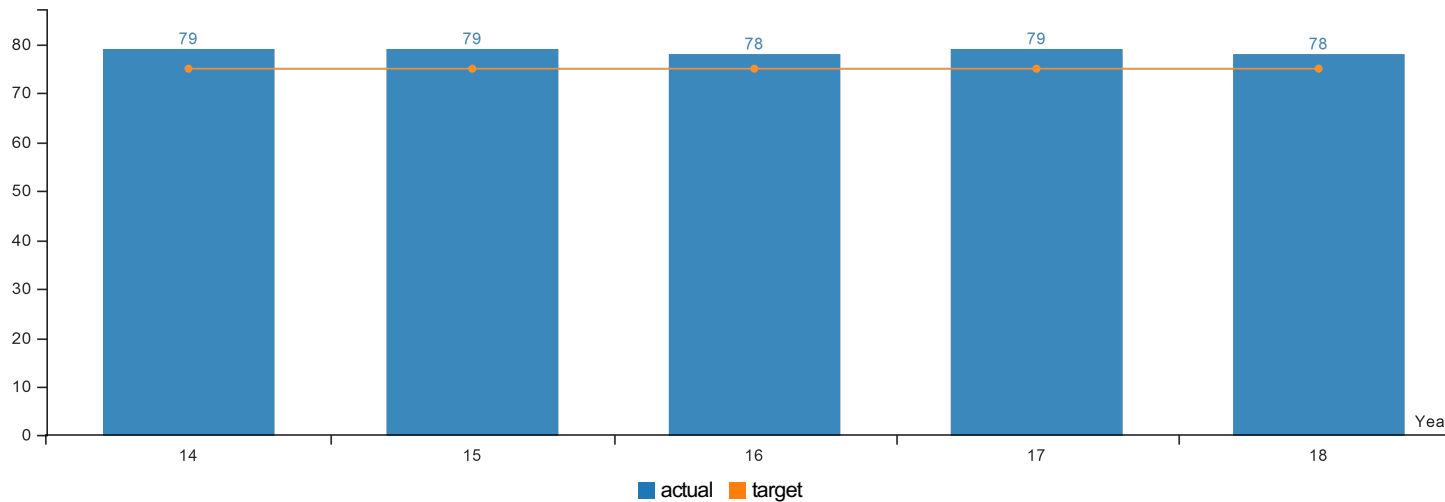
Success in meeting this measurement is attributed to continued outreach efforts and education. In 2017, grant training was provided at the annual Oregon Parks and Recreation Association (ORPA) conference. In addition, a number of grant advisory committee members, as well as staff, reach out to unsuccessful grant applicants in an effort to provide direct education and assistance.

#### Factors Affecting Results

Availability of grant funding, grant program requirements for local match and other local commitments, maximum allowable grant award amounts, number of grant applicants and geographic distribution of grant applicants are the factors that affect results.

KPM #4	PROPERTY ACQUISITION - Recreation lands index: Park lands and waters acquired by OPRD as a percentage of total goal. (Linked to Oregon Benchmark #91)
	Data Collection Period: Jul 01 - Jun 30

\* Upward Trend = positive result



Report Year	2014	2015	2016	2017	2018
<b>Park Lands and Waters Acquired by OPRD as a Percentage of Total Goal</b>					
Actual	79%	79%	78%	79%	78%
Target	75%	75%	75%	75%	75%

**How Are We Doing**

Targets for this measure indicate the desire of moving towards a total goal of approximately 35 acres per 1,000 population. The data are measured and reported by fiscal year. The information assists the Department in making decisions about future expansion of the system as park areas reach capacity, and keeping the balance between recreation opportunities and natural resource protection.

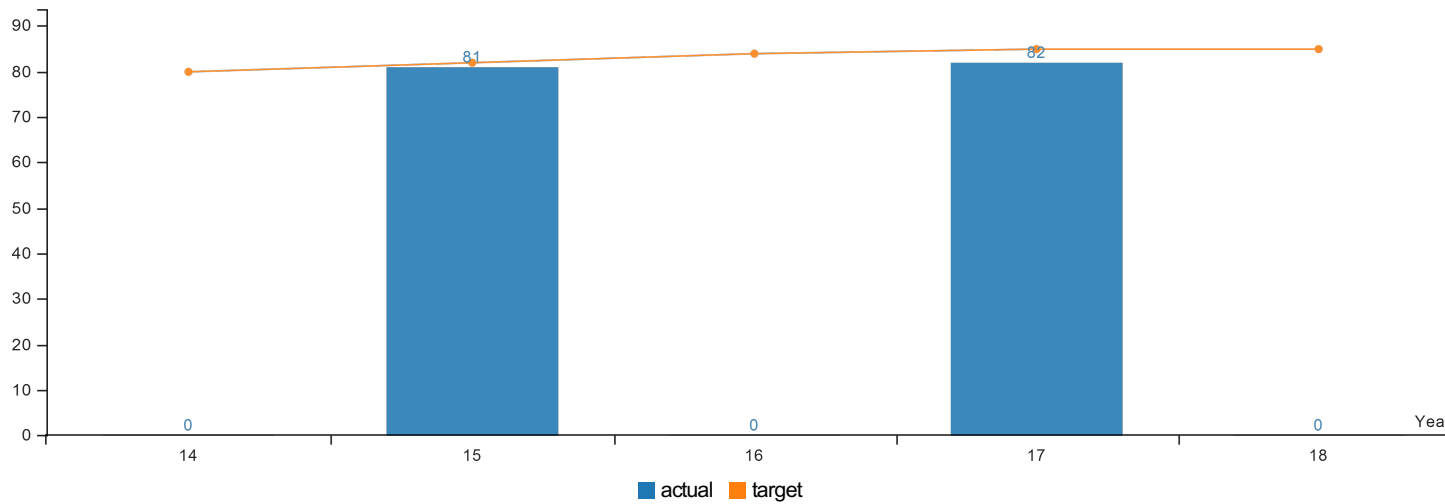
FY 2018 results indicate that the agency was at 78% of the total goal, and above the target of 75%. Results decreased slightly from last year since park acreage was acquired slower than the rate that Oregon's population increased.

**Factors Affecting Results**

Oregon's population has been increasing at a higher rate than many states, thus impacting the denominator in calculating results. Acquisition is affected by the availability of land meeting agency criteria, the availability of adequate funds for purchase, and real estate prices.

KPM #5	FACILITIES BACKLOG - Percent reduction in facilities backlog since 1999.
	Data Collection Period: Jul 01 - Jun 30

\* Upward Trend = positive result



Report Year	2014	2015	2016	2017	2018
<b>Percent Reduction in Facilities Backlog</b>					
Actual	No Data	81%	No Data	82%	0%
Target	80%	82%	84%	85%	85%

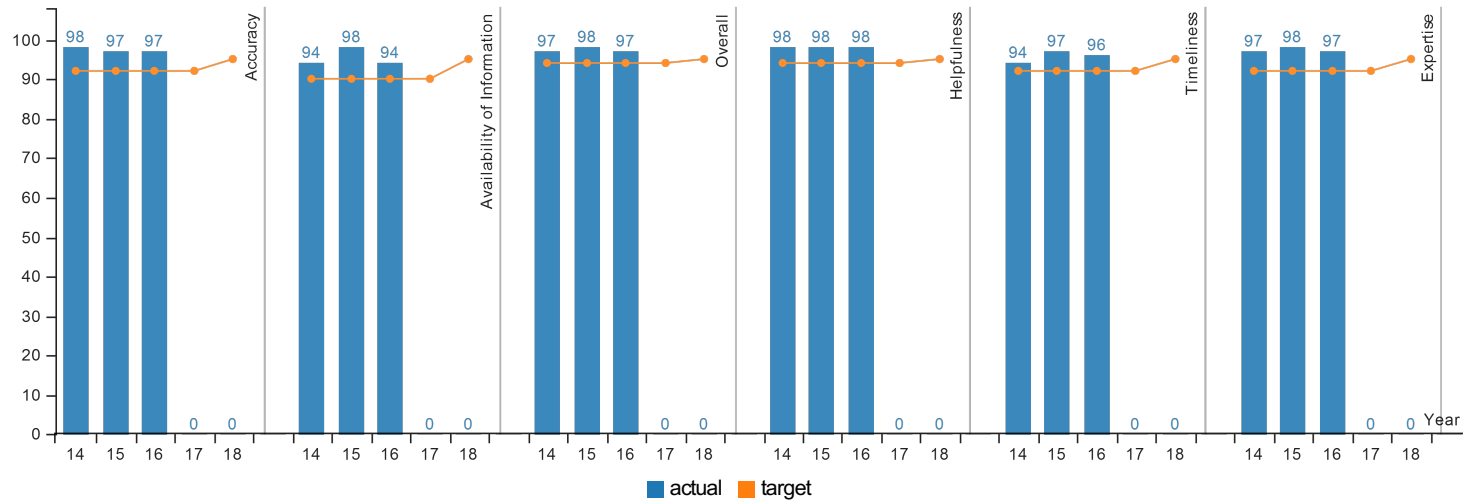
#### How Are We Doing

While data is tracked continuously, it is reported biennially, with the next reporting of data to be done at the end of FY 2019. FY 2017 data shows that progress continues to be made in reducing the maintenance backlog. Efforts are continuing to re-assess additional maintenance backlog and deferred maintenance that has accrued since 1999.

#### Factors Affecting Results

The Park Construction Priorities are funded each biennium from the Parks and Natural Resources Fund. Investments are made in two areas: 1) major maintenance to reduce backlogged repairs and deferred maintenance, including improvements in efficiency and sustainability; and 2) enhancements to meet future needs. The backlog reduction could be impacted by decisions to increase or decrease the focus of resources on the enhancement projects. The Department continues an emphasis on buying down of the original backlog. Emergent maintenance issues arise that compete for funding.

KPM #6 CUSTOMER SATISFACTION - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall customer service, timeliness, accuracy, helpfulness, expertise and availability of information.  
 Data Collection Period: Jul 01 - Jun 30



Report Year	2014	2015	2016	2017	2018
<b>Accuracy</b>					
Actual	98%	97%	97%	No Data	0%
Target	92%	92%	92%	92%	95%
<b>Availability of Information</b>					
Actual	94%	98%	94%	No Data	0%
Target	90%	90%	90%	90%	95%
<b>Overall</b>					
Actual	97%	98%	97%	No Data	0%
Target	94%	94%	94%	94%	95%
<b>Helpfulness</b>					
Actual	98%	98%	98%	No Data	0%
Target	94%	94%	94%	94%	95%
<b>Timeliness</b>					
Actual	94%	97%	96%	No Data	0%
Target	92%	92%	92%	92%	95%
<b>Expertise</b>					
Actual	97%	98%	97%	No Data	0%
Target	92%	92%	92%	92%	95%

How Are We Doing

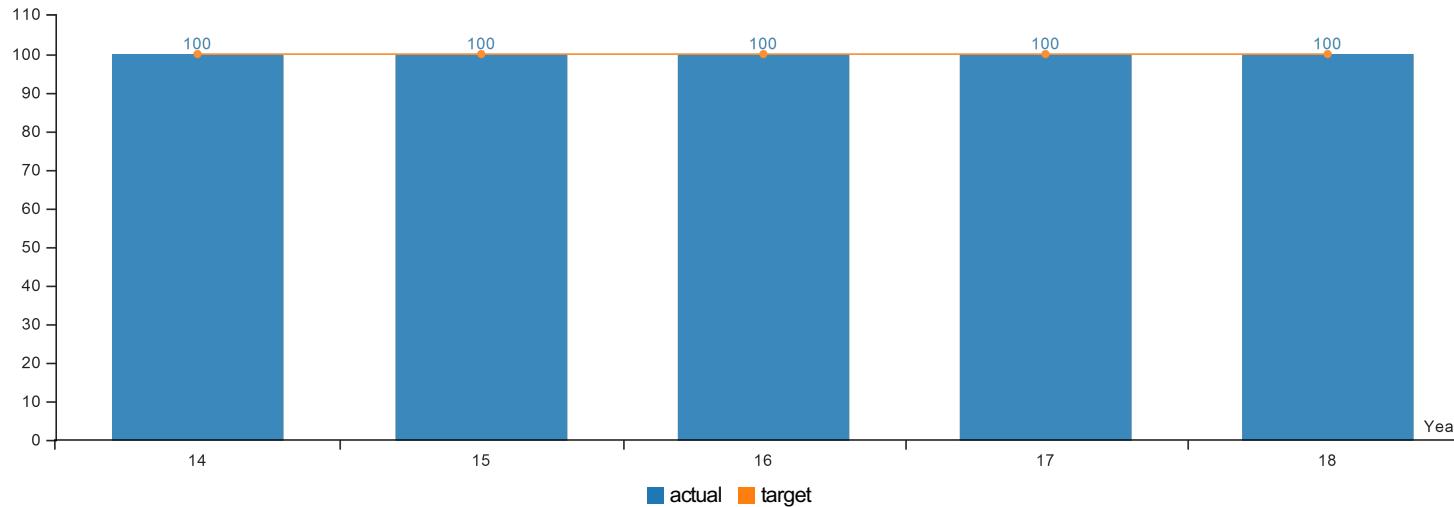
The data source for this KPM is no longer functioning, and OPRD anticipates there won't be a working replacement until 2019. OPRD is in the process of switching data sources from an automated phone survey to a web-based survey, and were unexpectedly unable to retrieve data from the obsolete system before it was deactivated. There will be a gap in the data until the new system starts producing results. A new reporting system is currently in the pilot stage.

**Factors Affecting Results**

Satisfaction dips when parks are crowded, even if the quality of service remains high.

KPM #7	COMMISSION BEST PRACTICES - Percent of total best practices met by the State Parks and Recreation Commission.
	Data Collection Period: Jul 01 - Jun 30

\* Upward Trend = positive result



Report Year	2014	2015	2016	2017	2018
<b>Percent of Commission Best Practices Met</b>					
Actual	100%	100%	100%	100%	100%
Target	100%	100%	100%	100%	100%

#### How Are We Doing

This measure is required of all agencies by the Department of Administrative Services. A list of 15 mandated best practices include business processes, oversight duties, budgeting and financial planning, and training.

Annual self-evaluation are conducted by members of the Oregon State Parks and Recreation Commission where commissioners independently evaluate group performance, then collectively discuss their findings to produce a consensus report. The process for self-evaluation and discussion will be improved over time.

The first data was available in November, 2007. The most recent data applies to FY 2018.

#### Factors Affecting Results

Many measures are subjective, and require experienced Commissioners to develop reasoned answers. Newly-appointed Commissioners can affect the results.

**Oregon Parks and Recreation Commission**  
**November 28, 2018**

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Agenda Item: 9b

Information

Topic: Procurement Report

Presented by: Daniel Killam, Deputy Director of Administrations

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The attached report includes:

- 5 New agreements for a total of \$26,365
- 15 New contracts for total of \$868,603
- 25 Amendments for a total of \$772,108

**Action Requested:** None.

**Attachments:** Procurement Report

**Prepared by:** Sarah Santos



**OREGON PARKS AND RECREATION DEPARTMENT**

Procurement Report  
August - September 2018

Executed	Contractor	Location	Project	FIP	Original Contract \$	Current Amend-ment	Amend-ments To Date	Current Contract Value	Comments
<b>GOODS AND/OR SERVICES CONTRACTS</b>									
08/14/18	Lighthouse Lamp Shop, Inc.	Heceta Head Lighthouse State Scenic Viewpoint in Lane County	First Order Fresnel Lens Protection	X	\$36,127			\$36,127	Amendment 1 extends the end date to 9/30/18
08/16/18	Staton Companies	Thompson's Mill Heritage Site in Linn County	Hay barn demolition	X	\$44,667			\$44,667	New contract
08/31/18	Dirt Mechanics, LLC	Silver Falls State Park in Marion County	Trail connector alignment		\$5,000			\$5,000	New contract
09/06/18	Larvik Disposal Co.	Wallowa Lake State Park in Wallowa County	Waste and recycling services		\$100,000	\$12,000	\$12,000	\$112,000	Amendment 1 extends term and increases compensation to continue services until 06/2019.
08/29/18	Western Wood Structures, Inc	Brian Booth State Park in Lincoln County	Boardwalk materials		\$138,962	\$4,075	\$4,075	\$143,037	Amendment 1 increases bridge size and increases compensation.
09/24/18	Morse Bros. Inc. Prestress Division (aka Knife River)	Silver Falls State Park in Marion County	Prestressed/Precast concrete decks for bridges	X	\$155,880	(\$8,000)		\$146,880	Amendment 1 to PO removes cost of delivery of decks which now will be done by another contractor.
09/20/18	Bartlett Excavation & Construction LLC	Prineville Reservoir State Park in Crook County	Road maintenance		\$50,000			\$50,000	Amendment 1 extends the end date to 10-31-2022.
08/13/2018	Cycle Country	State Capitol State Park in Marion County	Electric Utility Vehicles		\$30,812			\$30,812	New Contract
08/20/18	CXT Inc	Jasper State Recreation Site in Lane County	Vault Toilet		\$37,428			\$37,428	New contract
09/20/18	SHI International	Headquarters in Marion County	Autodesk IDSP Annual Maintenance		\$15,397			\$15,397	New contract
<b>PERSONAL SERVICES CONTRACTS</b>									
09/07/18	The Greg Prothman Company	statewide	Professional recruitment services for senior management positions		\$149,000			\$149,000	new contract. Price per recruitment is \$17,500 plus approved expenses.
09/26/18	Cascade Interpretive Consulting LLC	Wolf Creek In and Tavern State Heritage Site in Josephine County	Develop new visitor experience plan		\$8,000			\$8,000	New contract
<b>PUBLIC IMPROVEMENTS CONTRACTS</b>									
08/13/18	LTM Inc. dba Knife River Materials	Bullards Beach Management Unit in Coos County	2018 Paving improvements	X	\$69,595			\$69,595	New contract
08/13/18	Tapani, Inc.	Cottonwood Canyon State Park in Gilliam and Sherman Counties	Experience center development	X	\$1,744,098	\$126,700	\$294,286	\$2,038,384	Change order 2 adds 2 Kiosks, revises utility drawings, adds quantity of utilities, and makes landscaping substitutions
09/06/18	LTM Inc. dba Knife River Materials	Humbog Mountain State Park in Curry County	2018 Paving improvements	X	\$409,835			\$409,835	New contract
08/30/18	PLI Systems Inc.	Tryon Creek State Natural Area in Multnomah County	Red fox trail bridge abutment repair	X	\$35,885	\$1,036	\$1,036	\$36,921	Change order 1 adds funds for required permits
09/04/18	Tidewater Contractors, Inc.	Harris Beach State Park in Curry County	Campground paving phase 2	X	\$389,275	\$7,758	\$68,015	\$457,290	Change order 2 for final contract project close
08/30/18	Voss Construction, LLC	Heceta Head Lighthouse State Park in Lane County	Interior column repair	X	\$98,070	\$10,057	\$10,057	\$108,127	Change order 1 adds funds for removing interior bricks to view metal column
09/13/18	Tornado Soft Excavation, LLC	Willamette Mission State Park in Marion County	Culvert repair	X	\$82,422	\$27,039	\$27,039	\$109,461	Change order 1 adjusts final quantities for work performed
09/10/18	Banzer Construction Co.	Sitka Sedge State Natural Area in Tillamook County	Initial development	X	\$298,238	\$97,137	\$185,464	\$483,702	Change order 2 adds water service and components to day use area, additional paving of Sandlake Road and cabin residence, landscape berm for host site and cabin residence, and a double-gate at the host site

**OREGON PARKS AND RECREATION DEPARTMENT**

Procurement Report  
August - September 2018

Executed	Contractor	Location	Project	FIP	Original Contract \$	Current Amend-ment	Amend-ments To Date	Current Contract Value	Comments
<b>PUBLIC IMPROVEMENTS CONTRACTS (Continued)</b>									
09/21/18	Tapani, Inc.	Cottonwood Canyon State Park in Gilliam and Sherman Counties	Experience center development	X	\$1,744,098	\$479,400	\$773,686	\$2,517,784	Change order 3 adds 4 rustic cabins
09/25/18	Farline Bridge, Inc.	Silver Falls State Park in Marion County	Replacement of two vehicle bridges	X	\$796,233	(\$42,060)	(\$42,060)	\$754,173	Change order 1 adds tree removal and a timber approach rail, substitutes a metal guardrail with a powder coated rail and drilled shafts with pile driving, and deletes striping, ACP repair, and potable water HDPE pipe and appurtenances
09/25/18	Road and Driveway Co.	Beverly Beach State Park in Lincoln County	Entrance road paving	X	\$44,266			\$44,266	New contract
<b>ARCHITECTURAL AND ENGINEERING SERVICES CONTRACTS</b>									
08/12/18	Bradford Consulting Engineers, Inc.	Champoeg State Heritage Area in Marion County	Structural and Electrical analysis and design for installation of new wet well lift station	X	\$16,986			\$16,986	New contract
08/14/18	Signal Architecture +Research	Cottonwood Canyon State Park in Gilliam and Sherman Counties	Construction administration and landscaping	X	\$50,000	\$6,000		\$56,000	Amendment 1 is to re-work of donor plaque design, review on-site sandblasting, make adjustments to design on final work, and extend end date to 10/31/18
08/27/18	DC Engineering	Frenchglen Hotel State Heritage Site in Harney County	HVAC design	X	\$2,500			\$2,500	New contract
08/28/18	ESA Vigil-Agrimis	Champoeg State Heritage Area in Marion County	Bank erosion & outfall stabilization design	X	\$42,260	\$6,556		\$48,816	Amendment 2 is for additional work
08/28/18	Miller Consulting Engineers, Inc.	Banks - Vernonia State Trail in Columbia and Washington County	Trestle repair design	X	\$38,200			\$38,200	Amendment 2 extends the contract term and revises the critical date schedule
08/31/18	Landis Corporation dba Landis Consulting	Prineville Reservoir State Park in Crook County	New potable water well phase II design services	X	\$17,250	\$3,010		\$20,260	Amendment 2 extends contract term and increase budget due to emergency work revisions and coordination.
09/04/18	Landis Corporation dba Landis Consulting	Nehalem Bay State Park in Tillamook County	Professional electrical design services to provide power to areas of park.	X	\$13,700			\$13,700	Amendment 1 extends the contract term .
09/06/18	Landis Corporation dba Landis Consulting	Umpqua Lighthouse State Park in Douglas County	Electrical design and upgrades for shower building	X	\$21,565			\$21,565	New contract
09/13/18	Landis Corporation dba Landis Consulting	Milo McIver State Park in Clackamas County	Well and chlorinator engineering	X	\$18,915	\$11,400		\$30,315	Amendment 1 for additional design to address the PH level
09/21/18	Miller Consulting Engineers, Inc.	Champoeg State Heritage Area in Marion County	Design an anchor system to attach bridge to existing abutments and piers	X	\$8,200			\$8,200	New Contract
09/20/18	KPFF, Inc.	Joseph Stewart State Park in Jackson County	Design and analysis to replace existing floating marina dock system	X	\$178,457			\$178,457	Amendment 1 extends the deadlines for deliverables
<b>RELATED SERVICES CONTRACTS</b>									
08/06/18	Miller Consulting Engineers, Inc.	Smith Rock State Park in Deschutes County	Pedestrian bridge evaluation	X	\$12,200		(\$200)	\$12,000	Amendment 3 extends the contract term date.
08/21/18	Anderson Krygier, Inc.	Smith Rock State Park in Deschutes County	Capacity assessment		\$22,615		\$19,910	\$42,525	Amendment 4 reinstates contract and extends term due to project delay.

**OREGON PARKS AND RECREATION DEPARTMENT**

Procurement Report  
August - September 2018

Executed	Contractor	Location	Project	FIP	Original Contract \$	Current Amend-ment	Amend-ments To Date	Current Contract Value	Comments
<b>RELATED SERVICES CONTRACTS</b> (Continued)									
08/13/18	Balance Architecture + Design, P.C.	Tryon Creek State Park in Multnomah and Clackamas counties	Arnold Park cabins preservation plan	X	\$20,000			\$20,000	Amendment 1 extends contract term to allow more time for deliverables.
09/25/18	Archaeo-Physics LLC	KamWah Chung State Heritage Site in Grant County	Geophysical survey to identify archaeological remains		\$5,352			\$5,352	New Contract
<b>INTERGOVERNMENTAL AGREEMENTS</b>									
08/24/18	Calapooia Watershed Council	Truax Island Access in Linn County	Floodplain restoration		\$0			\$0	New agreement
08/22/18	Oregon State Police Department	South Coast District, Southern Willamette Valley, Portland-Columbia Gorge Area and Fort Stevens Management Unit	Law enforcement		\$132,000	\$30,000	\$162,000	\$294,000	Amendment 2 updates the contact information, added Fort Stevens Management Unit and updated the Consideration section to allow continuation of services.
08/24/18	Portland State University	Bandon State Natural Area in Coos County	Snowy plover monitoring		\$40,000			\$40,000	Amendment 1 revises invoicing language
09/07/18	Long Tom Watershed Council	Sam Daws Landing in Linn and Lane Counties	Floodplain restoration		\$17,500			\$17,500	New agreement
09/18/18	Southern Oregon University	Kam Wah Chung State Heritage Site in Grant County	Geophysical survey		\$8,865			\$8,865	New agreement
09/20/18	Oregon State Police Department	State Capitol State Park in Marion County	Fallen Trooper Memorial maintenance agreement		\$0			\$0	New agreement
09/26/18	Oregon Military Department	Tamalo Management Unit in Deschutes County	Youth work crews		\$0			\$0	New agreement

**Oregon Parks and Recreation Commission**  
**November 27-28, 2018**

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Agenda Item:	9c	Informational
Topic:	Report of Scenic Waterway Program Notification Actions, Ocean Shore Permits Issued, and Timber Harvest Revenue from August 17 through October 25, 2018.	
Presented by:	Trevor Taylor, Stewardship Manager	

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Pursuant to a duly adopted delegation order, and acting in accordance therewith, the Director, or her designee, has approved the following actions on behalf of the Oregon Parks & Recreation Commission:

**SCENIC WATERWAYS NOTIFICATIONS**

August 24, 2018 approved Notification of Intent 9-399-18 from Weyerhaeuser Company to harvest timber on 26.4 acres adjacent to the North Fork Clackamas River and tributary Bee Creek, within the Clackamas River Scenic Waterway. The project includes a 130' no-cut buffer along the Clackamas River and reforestation is required.

August 27, 2018 approved Notification of Intent 2B-1022-18 from Brad and Michaela Ballreich to construct a single family home, attached garage, covered patio and driveway within the General Patch Bridge River Community Area of the Upper Deschutes River State Scenic Waterway. The project includes minimal removal of vegetation necessary in the project footprint. No vegetation in front of the home that provides screening will be removed. The proposal was approved because it is designed to meet the criteria set in rules, including maximum height, river setback and design.

August 31, 2018 approved Notification of Intent 2A-234-18 from David and Abigail King to construct a 357 square-foot addition to an existing single family home along with the replacement of an existing deck. The materials and colors to be used will meet the criteria for muted tones that blend into the natural surroundings. The entirety of the proposed improvement project is set well beyond the minimum 100 foot setback from the river. The project includes minimal removal (one tree) of vegetation necessary for replacement of the deck. The proposal was approved because it is designed to meet the criteria set in rules, including maximum height, river setback and design.

September 17, 2018 approved Notification of Intent 2B-1023-18 from Scott Brown to construct a single family residence within the Upper Deschutes Scenic Waterway. The proposal was approved as it will be finished in muted tones to blend in with the natural surroundings, meets the height and river setback standards and because vegetation screening will be maintained to ensure the structure is screened from river.

October 18, 2018 approved retroactive Notification of Intent 2B-1024-18 from United States Forest Service to mitigate illegal tree and shrub removal on their property that was completed by an adjacent neighbor within the Upper Deschutes State Scenic Waterway. The retroactive NOI approval was granted as it ensures the area will be re-vegetated with 25 pine seedlings, and 50 native plant seedlings. This work by the USFS will be done with the neighbor(s) who completed the illegal tree removal, and the USFS will work with OPRD to inform all homeowners in the area about the State Scenic Waterway program.

October 23, 2018 approved Notification of Intent 2B-1025-18 from Sunriver Airport LLC to expand and improve the existing airport taxiway and to install a 30' weather tower that is FAA compliant. The project was approved because all activities are in compliance with the program, including the installation of evergreen trees along the road to screen the weather tower from the Upper Deschutes Scenic Waterway.

October 23, 2018 approved Notification of Intent 2B-1026-18 from Louis and Jean Lucero to construct a single family residence on their property located within the Upper Deschutes Scenic Waterway. The project abides by the high water setback, height restriction and includes materials that blend in with the surrounding natural area. Furthermore, homeowners have agreed to install vegetation post-construction to ensure that the structure will be completely screened from the river.

### **OCEAN SHORES ALTERATION DECISIONS**

On September 17, 2018, four Ocean Shore Permits were issued for a project affecting four consecutive properties. Each permit represented a portion of a larger shoreline protection structure project involving the placement of riprap to protect a home on nearby property which is threatened by active erosion and restoration of a public beach access way. The overall project involves a total of four individual properties, extending along 110 feet of shoreline, with a height of 23-25 feet, a width of approximately 48 feet, and a slope of 2H:1V (horizontal:vertical). The project includes a total of approximately 1,450 yards of armor stone and backing material. Details of each of the permits are described below.

Ocean Shore Permit #2892-18 was approved for Ronald and Barbara Brocklehurst. The Brocklehurst portion of the project consists of the northerly 25 linear feet of the above-described structure, on property located at 4705 Lincoln Avenue in Depoe Bay, and further identified on Lincoln County Assessor's map #8-11-21CD as tax lot 2201.

Ocean Shore Permit #2893-18 was approved for Robert Johnson. The Johnson portion of the project consists of 50 linear feet of the above-described structure, on property located at 4675 Lincoln Avenue in Depoe Bay, and further identified on Lincoln County Assessor's map #8-11-21CD as tax lot 2300.

Ocean Shore Permit #2894-18 was approved for Lincoln County. The Lincoln County portion of the project consists of 10 linear feet of the above-described structure, where horizontally-placed armor stones through the riprap structure will restore a public beach access damaged by beach erosion. The subject property consists of a public right-of-way located between 4675 and 4705 Lincoln Avenue in Depoe Bay, and further identified on Lincoln County Assessor's map 8-11-21CD between tax lots 2201 and 2300.

Ocean Shore Permit #2895-18 was approved for Scott Nangle. The Nangle portion of the project consists of the southerly 25 linear feet of the above-described structure, on property located at 4665 Lincoln Avenue in Depoe Bay, further identified on Lincoln County Assessor's map #8-11-21CD as tax lot 2400.

### **TIMBER REVENUE REPORT**

On May 5, 2018 the department received \$1,000.00 revenue for a log load (5 mbf) of timber from the hazard tree removal project completed at North Santiam State Recreation Area.

On August 31, 2018 the department received \$27,602.00 (183.73 MBF) in revenue from the Cape Creek Timber sale at Cape Lookout State Park. The purpose of the commercial harvest was to improve the stand health and expedite older growth forest conditions through thinning.

On September 15, 2018 the department received \$5,580.42 (11.27 mbf) in revenue with the Sunset Highway State Scenic Corridor for a temporary road access permit to allow Weyerhaeuser timber company to access a harvest unit on their property.

**Prior Action by the Commission:** None

**Action Requested:** None

**Attachments:** None

**Prepared by:** Stewardship Section Staff

# Oregon Parks and Recreation Commission

November 28, 2018

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Agenda Item: 9d Information  
Topic: Smith Rock Plan Update  
Presented by: David Stipe, Planning + Design Manager

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## Planning + Design Unit Primary Responsibilities

The Planning + Design (P+D) team primarily focuses efforts on the following:

- Park, Management Unit and Regional Recreational Facility Planning
- Design and Trail Services Program Administration
- Statewide Comprehensive Outdoor Recreation Plan (SCORP) Development
- Statewide Trail Plan

## Park and Management Unit Plan Update

The Oregon Administrative Rule (ORAR 736.018) provides direction to OPRD for the development of park master plans. The need for and process by which plans are developed is stipulated in the OAR. The purpose for parks is generally defined as follows;

“To plan for the protection and public enjoyment of state park resources”

The park planning process as specified in the statute includes the following steps:

- Natural and Cultural Resource Assessments
- Local Government Coordination
- Public Engagement

The master plan process generally takes 18-22 months to complete in minimally includes four public meeting.

**Smith Rock Park Plan Update** - In the 17|19 biennium Planning + Design has undertaken the update of the plan for Smith Rock State Park in Terrebonne Oregon.

Since 2007, Smith Rock state park has seen unprecedented growth in visitation creating a need for the update of the 1991 park plan. To date, the Planning + Design team has hosted 6 public meetings and received public comment on proposed improvements to the park from nearly 2000 interested Oregonians. The Planning + Design team plans to complete the draft updated plan for the park in the summer of 2019.

**Prior Action by Commission:** none

**Action Requested:** none

**Attachments:** none

**Prepared by:** David Stipe

# Oregon Parks and Recreation Commission

## 2019 PLANNING DATES

January						
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### 2019 Commission Meeting

February - Woodburn Area  
 April - Silver Falls or Estacada  
 June - Prineville  
 September - South Coast  
 November - Medford/Ashland

Revision Date: 10/17/18

Huddle Meetings
Packet Materials DUE!
Agenda & Packet Posted to OPRD Site
Mail Out Packets
State Holidays
Presentation Material Due/Business Meeting
All Managers Meeting
Leadership Group Meeting
Legislative Days
Legislative Session    January 22nd - June 30th