

## Oregon Parks and Recreation Commission

### November 16, 2016 Meeting

---

Agenda Item:	10a	Information
Topic:	Forestry Projects - Forest health, management planning	
Presented by:	Trevor Taylor, Stewardship Manager and Craig Leech, Park Forester	

---

**Background:** Oregon Parks and Recreation Department (OPRD) Stewardship Section has been working on various forest health/management projects over the biennium. These projects include the following:

**Racket Ridge** - A forest thinning project that took place at Silver Falls State Park was completed this summer. The project was a timber sale comprised of two separate units totaling 56 acres. The Racket Ridge thinning was designed to implement the forest management objectives outlined in the Forest Management Policy. The three main objectives of the policy achieved with this project were to: improve forest health, increase biodiversity and continued stewardship of OPRD forests.

**Northgate** - A 358 acres area within Silver Falls State Park was acquired in 2005 and 2006 which consist mainly of old Christmas tree plantations. We have identified 70 distinct management units within this planning area. Many of these units have been targeted for restoration work this biennium totaling 66 acres which include pre-commercial thinning by mastication and chainsaw and some Christmas bough collection. The restoration objectives for these areas are to establish a native forest toward the anticipated pathway of older forest structure.

**North Group Camp** - A forest thinning project of 18 acres at the north group camping area within Silver Falls State Park was designed to implement the forest management objectives outlined in the Forest Management Policy. This project was in response to future development in the area.

**Weigh Station Fire** - A 687 acre fire occurred in July 2016 at the Deadman Pass area of the Blue Mountains. 175 acres of the Blue Mountain State Scenic Corridor owned by OPRD were within the perimeter of the fire. Restoration work will involve timber salvage, native grass seeding, debris clean-up, seedling planting, and invasive weed control and monitoring.

Proposed projects for the upcoming biennium may include:

**Chester Armstrong Campground/Forest Thinning** - A 20 acre area located at Brian Booth State Park is in the initial planning stages for a future campground. This forest area is in need of a thinning project to remove trees for planned roads and spacing of trees to increase the vitality of the forest stand.

**Sam Boardman** - The Sam Boardman State Scenic Corridor is in need of view shed enhancements. In coordination with Oregon Department of Transportation, 15 separate sites along the corridor will be treated to enhance views along the southern Oregon coast.

**Elmer Feldenheimer** - An initial 80 acre forest thinning project shall be completed in the next biennium to meet the objectives of the 2014 Ecola-Feldenheimer Natural Resource Management Plan in Elmer Feldenheimer State Natural Area.

**LL Stub Stewart** - A 25 acres forest thinning project is designed to implement the forest management objectives outlined in the Forest Management Policy.

**Prior Action by Commission:** None

**Action Requested:** None

**Attachments:** Forest Management Policy and Vicinity Map

**Prepared by:** Trevor Taylor, Stewardship Manager; Craig Leech, Park Forester



*Nature*  
**HISTORY**  
*Discovery*

# OPRD Policy # NAT.020: Forest Management Policy

Authorized:

*Tim Wood, Director*

Date:

12/30/2013

## INTRODUCTION & OVERVIEW

### Purpose

The purpose of this policy is to establish a framework for effective forest management.

### Goals

The goals of this policy are to accomplish the following:

- Reduce the risk of catastrophic loss of forest resources from insects, disease, and fire.
- Maintain or enhance the diversity, productivity, and integrity of native forest systems.
- Reduce risk of injury to park visitors, volunteers and staff through hazard tree management

We will know we have achieved our goals if the following results are found:

- We are able to timely develop and implement risk management strategies based on location and assessment outcomes; able to balance natural process with risk mitigation techniques to respond appropriately to preserve, enhance forest health where needed.
- There are few or no staff, volunteer or visitor incidents due to tree incidents. Accidents are minor and result in minor injury or damage.

### Scope

*Applicability:* This policy applies to all forest management activities performed on OPRD owned and leased properties.

*Audience:* This policy applies to OPRD managers involved in park operations.

*Topics:* to be completed later.

### Background

Forest management has been an important part of the department operations due to the type of lands owned or leased by OPRD. Many of these forest properties require the expertise of forest managers to develop forest management strategies for enhancement thinnings, salvage operations, risk mitigation and protection measures throughout the State. This policy was

developed by the Stewardship Section to give guidance for making and implementing forest management strategies.

### **Authority**

The authority for this policy is established in the following laws:

**ORS 477.747**, which requires certain agencies, including OPRD, to “promote the effective use of state resources by adopting and implementing policies and management plans to begin efforts to restore and recover forestlands burned by fire so that social, economic and environmental values are not lost due to delay.”

**ORS 526.905**, which directs the Department of Administrative Services to coordinate with various agencies, including OPRD, to adopt forest management plans or policies that:

(a) Establish forest health programs and management strategies designed to reduce the risk of catastrophic loss of forest resources from disease and insect infestation.

(b) Establish goals and strategies for managing forest fuel accumulation in order to reduce the risk of catastrophic fires in areas historically subject to frequent, periodic fires.

### Related Laws, Rules, Policies & Procedures

This policy is also influenced by the following:

OAR 736-018-0060, which establishes the following forest management goals:

- (1) Protect the natural qualities of sensitive forest resources.
- (2) Manage forests to control fire and destructive pests, improve growth and vigor, rehabilitate damaged areas, and create desirable conditions.
- (3) Manage forests for safe, attractive, and compatible recreation opportunities.

## **POLICY PROVISIONS**

### **Definitions**

Best management practices: Forest management activities designed to minimize impacts to natural resources within the forest system.

Forest management strategies: Forest vegetation management such as fuel reduction, commercial or pre-commercial thinning, and restoration of historic habitats or forest health to achieve goals outlined in this policy.

Biodiversity: Diverse habitats at various levels of scale, which provide opportunities for native plants and animals to live and reproduce.

Forest Resiliency: The ability of a forest to respond to natural disturbance without significant detrimental effects to the ecological processes of the forest system.

Native Forest Systems: Communities of plants and animals that have developed over time without having been introduced by humans, and which are interdependent and interact with their physical environment.

Prescription: Silvicultural treatments prescribed, stand by stand, by foresters on the ground to achieve immediate objectives in concert with long term goals.

Stewardship: Protecting and enhancing all natural and cultural resources within a forest system.

Sustainable Forests: Forest systems at any scale ranging from stands to eco-regions that maintain their health, productivity, diversity and overall integrity, in the long run, in the context of human activity and use.

## **Policy Statements**

### ***General***

1. It is the policy of OPRD to manage forests through a variety of approaches, and to evaluate and adjust tactics to ensure they remain effective and achieve agency goals in this area.
2. To support its goals of effective forest management, OPRD is committed to the following:
  - a. Actively manage forestlands to maintain or restore healthy, diverse, and sustainable native forest systems today and in the future.
  - b. Develop and implement structure-based management prescriptions to accelerate the development of older stage forest systems where appropriate and promote biodiversity at various levels of scale.
  - c. Implement “best management practices” that conserve, protect or enhance soil productivity, water quality, fish and wildlife habitat, and air quality.
  - d. Promote forest ecosystems that maintain function, diversity and resiliency within the context of natural disturbance.
  - e. Promote active fuels and vegetation management, where appropriate, to minimize risk of loss due to wildfire.
  - f. Promote timely restoration and recovery of forestlands burned by wildfire.
  - g. Monitor forest conditions to study the effectiveness of management strategies and share the knowledge gained.
  - h. Develop adaptive management actions as forest conditions change over time and knowledge is gained.
  - i. Promote cooperative forest management strategies among adjacent landowners.
  - j. Integrate forest management planning with the development of comprehensive park plans.
  - k. View sheds that benefit adjacent landowners will only be considered within the context of forest management strategies or if view enhancement provides public benefit based on established or traditional views.
  - l. Implement an active hazard tree management program, which ensures a safe

- recreational experience for park visitors.
- m. Provide leadership in the management and stewardship of public forestlands in Oregon.
  - n. Under the over-arching goal is practicing good forest stewardship, optimize revenue for cost-effective forest management.
  - o. Promote continuous learning and application of knowledge gained.

### **Exceptions**

There are no exceptions to this policy.

### **Roles and Responsibilities**

Assistant Director for Operations: Ensure policy is reviewed periodically to ensure it remains relevant. Obtain proper approval.

Policy Owner: Review policy according to revision schedule and revise when necessary. Educate users on its provisions and evaluate its effectiveness.

OPRD Managers: Comply with policy and make staff and resources available for invasive species management.

**Evaluation:** Suggested elements for evaluating this policy's effectiveness may include but are not limited to the following:

- Evaluation of forest management techniques and guidance;
- Results of injury or loss investigations;
- Formal or informal survey of policy users;
- Comments submitted to the Policy Owner or the Policy Advisor.

### **Failure to Comply**

Failure to comply with this policy may be cause for disciplinary action up to and including dismissal.

## **PROCEDURES, FORMS and RELATED POLICIES**

Related Policies:

- NAT.030 Hazard Tree Management

## **ADMINISTRATION**

**Owner:** Operations Directorate

Approval: Assistant Director for Operations

Responsibility delegated: Stewardship Manager

Contact for questions: OPRD Forester

**Dates:**

First approval date: 10/02/2004

Effective date: 12/30/2013

Revision schedule: every 3 years; more frequently if needed.

Next revision date: 12/30/2016

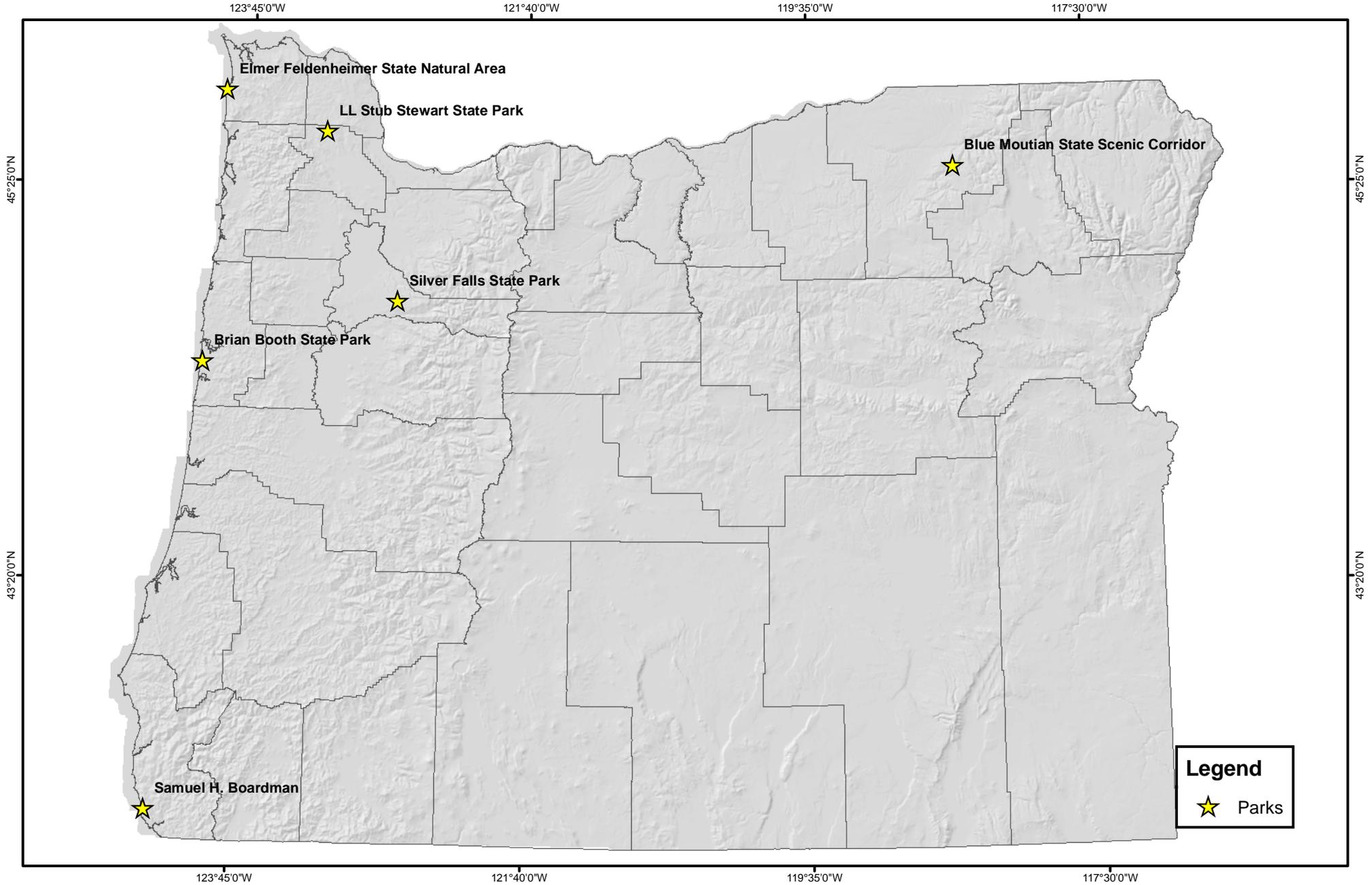
*This policy supersedes policy number COM 20-03 Forest Management Policy, effective September 2, 2004, any preceding versions of that policy or procedure.*

**Feedback:**

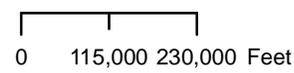
Your comments are extremely important to improving the effectiveness of this policy. If you would like to comment on the provisions of this policy, you may do so by e-mailing [policy.feedback@state.or.us](mailto:policy.feedback@state.or.us). To ensure your comments are received without delay, please list the policy number and name in your e-mail's subject. Your comments will be reviewed during the policy revisions process and may result in changes to the policy.

# Vicinity Map Forestry Project

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



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.



NAD 1983 2011 Oregon Statewide Lambert Ft Intl



NMOB-02847 never  
E:10/21/2016  
P:10/21/2016  
Document not saved

## Oregon Parks and Recreation Commission

November 16, 2016

---

Agenda Item:	10b	<b>Action</b>
Topic:	Denial of Grande Ronde Scenic Waterway Notice of Intent to Build a Fishing Cabin	
Presented by:	Trevor Taylor, Stewardship Section Manager	

---

### **Background:**

David and Connie Howell own property within a Natural River Area section of the Grande Ronde State Scenic Waterway. They have submitted a Notice of Intent form proposing to build a rustic fishing cabin that would be within view of the river. State Scenic Waterway regulation OAR 736-040-0047 (2)(b)(A) for this Natural River Area requires that any “new structures and associated improvements shall be totally obscured from view from the river.” This property also sits within a ‘Wild’ segment of the federally-designated Grande Ronde Wild and Scenic River Corridor.

### **History:**

- October of 2010, the Howells submitted a Notice of Intent form proposing to build two cabins on their property. They proposed to build one cabin on a site next to the river and the other on a terrace above the river. This application was denied by the Commission.
- February of 2012, the Howells applied for a Conditional Use Permit through the Wallowa Planning Department. It had been over a year since the original Notice of Intent was filed. Understanding that OPRD no longer had any jurisdiction over the application, OPRD sent a letter to the Planning Commission requesting that, if they approved of a cabin location, that they only allow the location on the terrace. However, this permit process did not move forward.
- July of 2016, the Howells again applied for a Conditional Use Permit with Wallowa County. The Planning Commission deferred a decision until the OPRD could consider the proposal.
- July of 2016, the Bureau of Land Management submitted a letter to the Wallowa County Planning Department recommending the Conditional Use Permit be denied because the proposal does not fit within the intent of the Grande Ronde Wild & Scenic River Corridor designation.

- September of 2016, staff met with the Howells on-site to discuss a new application because the Howells had decided to change their proposal. At this time, they wanted to propose one, larger cabin in the location on the terrace above the river. Staff evaluated the potential impacts on the scenic values of the Grand Ronde River. Staff determined that the cabin would be visible from the river at its proposed location and requested that the Howells relocate the proposed cabin. Mr. Howell was unwilling to adjust the cabin location, although he was willing to plant some screening vegetation. Screening at this location may obscure the cabin somewhat, but due to the landscape and location of the cabin, it could not be fully obscured and would likely remain visible from several locations on the river. Staff notified Mr. Howell of the regulations and said that they could file a new Notice of Intent, but that the final determination would be made by the Oregon Parks and Recreation Commission.
- October of 2016, the Howells filed a new Notice of Intent form with the cabin located on the terrace in the same location as noted above in a location that would be visible from the river.

**Staff Recommendation:**

We propose denying application approval at this time because the proposed cabin would be visible from the river and therefore out of compliance with OAR 736-040-0047 (2)(b)(A).

**Prior Action by Commission:** Denied a State Scenic Waterway application on September 22, 2010.

**Action Requested:** Approval of staff recommendation to notify applicant that proposal would impair the natural beauty of the scenic waterway and violate administrative rules and therefore cannot be approved.

**Attachments:**

1. Howell Scenic Waterway NOI\_2016
2. BLM Letter\_2016
3. Howell Conditional Use Permit\_2016
4. Howell Conditional Use Permit and OPRD Recommendation\_2012
5. SSW Howell Denial Letter\_2010
6. Howell Scenic Waterway NOI\_2010

**Prepared by:** Jean Jancaitis, Mountain Region Natural Resource Specialist

**The COPY CLUB**

1701 Adams Avenue

La Grande, Oregon

Phone: 541-963-9043 Fax: 541-963-0581 Email: copyshipmail@yahoo.com

To: Parks + Rec. Dept.

Date sent: 8-5-16

Attention: Jean

Number of pages: 8

Fax: 541-388-6391

Phone: 541-388-6211

From: Dave + Connie Howell

Phone: 541-980-5492

**Message:**

Dear Jean

Please review ~~at~~ and let us

know. —————

Dave Howell

P.S.  
Want to build  
only one Cabin

*copy*



Oregon

John A. Kitzhaber, MD, Governor

Parks and Recreation Department  
Region 3 Office  
1645 NE Forbes Road, Suite 112  
Bend, OR 97701  
(541) 388-6211  
FAX (541) 388-6391  
www.oregonstateparks.org

February 28, 2012



Wallowa County Planning Department  
Wallowa County Courthouse  
101 South River Street, Room B-1  
Enterprise, OR 97828

**Re: Fishing Accommodation Cabins Proposed along Grande Ronde River (T5N, R42, taxlot 4200)**

Dear County Commissioners,

Thank you for the opportunity to comment on a request for a "Conditional Use Permit to allow the construction of two cabins to be used as private temporary accommodations for fisherman within the Grande Ronde Wild & Scenic Corridor".

As you'll recall, the applicant applied to Oregon Parks and Recreation Department's (OPRD) State Scenic Waterway Program on April 9<sup>th</sup> 2010 for permission to place fishing accommodation cabins along the Grande Ronde River in the same location as Location "A" on the map attached to the County's notification letter to OPRD dated February 14<sup>th</sup> 2012. The OPRD denied the applicant permission for cabin placement in this location on October 14<sup>th</sup> 2010. The denial gave OPRD until April 9<sup>th</sup> 2011 to institute proceedings to acquire the land involved, OPRD waived this opportunity and showed no interest in property acquisition.

Based on the information provided in a letter and map dated February 14<sup>th</sup> 2012, the OPRD would like to recommend that Wallowa County proceed with approval for proposed cabin Location "B", under the condition that additional Ponderosa pine trees be planted to aid in future screening of the river. Proposed cabin placement Location "A" on the map is problematic from a couple perspectives. First, proposed cabin placement in Location "A" would be highly visible from the river diminishing the "Natural River Areas" values outlined in the State Scenic Waterway Classifications (OAR 736-040-0040(1)(a)). This classification is the highest class awarded in the State Scenic Waterway Program. Second, proposed cabin placement in Location "A" is within the 100 year floodplain which has the potential to cause adverse impact to natural hydrologic function (i.e. accelerated downstream erosion) and degrading in-stream fish and wildlife habitat.

Proposed cabin placement Location "B" (with vegetation screening) offers the ability to allow fishing accommodations while sustaining the outstanding scenic and natural values of the Grande Ronde River.

Sincerely,

Greg Ciannella  
Program Coordinator  
541.388.6236

## STAFF REPORT - Supplemental

WALLOWA COUNTY PLANNING DEPARTMENT  
WALLOWA COUNTY COURTHOUSE  
101 S. RIVER STREET, ROOM B-1  
ENTERPRISE, OR 97828

- 
- 01. APPLICANT:** Dave and Connie Howell  
P O Box 218  
Cove, OR 97824
- 02. OWNER:** Same
- 03. REQUEST:** Conditional Use permit to allow private accommodations for fishing in the Timber Grazing (T/G) zone.
- 04. LOCATION:** The property description is Township 05 north , Range 42 east, tax lot 2400
- 05. PARCEL CHARACTERISTICS:** The parcel contains a total of 244 acres and is zoned T/G. It is bordered on the north by the Grande Ronde River and is surrounded by either T/G or Timber Commercial (T/C).
- 06. ADDITIONAL COMMENT:**

From our Introductory Provisions (1.020(01)): " In addition to complying with the provisions of this ordinance; all land use, land division, or land improvement must comply with all other local, state, or federal laws."

This proposal is located in a "Natural River Area" of a Wild and Scenic portion of the Grande Ronde River, and as such is afforded the highest protection under state and federal law. Such protection is only awarded river reaches which are unaffected by development. Both the BLM (who owns adjoining property) and Oregon Parks and Recreation Dept (who administers the state program on this section of river) have concerns about this proposal.

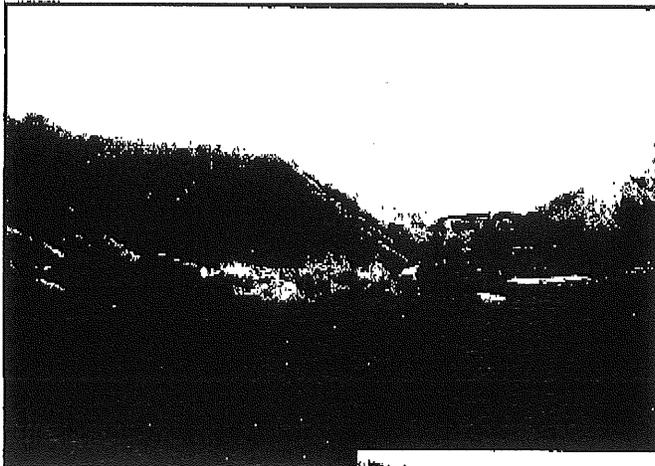
Federal law has no jurisdiction on private land, however, state law does have some teeth. For a Natural River Area, development must not be visible from the river, if located within 1/4 mile of the river. However, if the state disallows the use, the state then has one year to purchase the property. If the purchase is unsuccessful, then the applicant may proceed with his proposal. Therefore, it seems that it would behoove the state to reach a compromise with the applicant re this development to preserve as much of the untouched nature of this reach of the river as possible.

I visited the property on April 22<sup>nd</sup>, along with Mr. Howell and Greg Ciannella from Oregon Parks and Rec Dept. Attached are a revised map showing site options and pictures from the site visit.

I see three options:

1. Locate cabins in area "A" by the river. This is the option favored by the applicant.
2. Locate cabins on bluff back from and above the river. This may be a compromise solution.

# Howell Site Visit - April 22, 2010



Conveyance

From the access road looking downstream



Where we're headed.  
From the access road looking upstream



# Howell Site Visit - April 22, 2010

Cabin  
Site  
"A"



Second  
Cabin  
Site  
"A"

Tent  
site



# Howell Site Visit - April 22, 2010



Cabin Site "B"



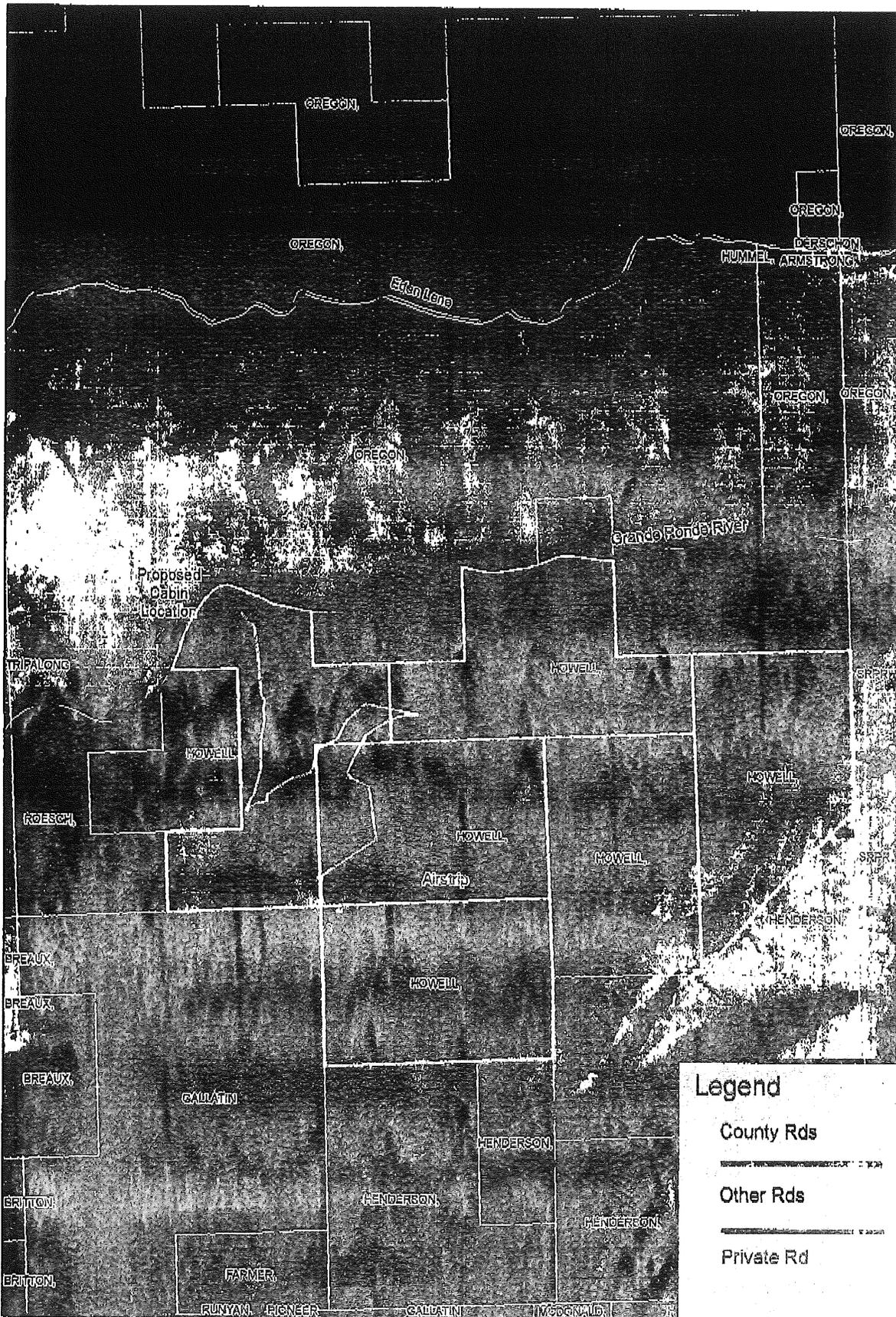
Cabin Site "B"



Cabin Site "B"

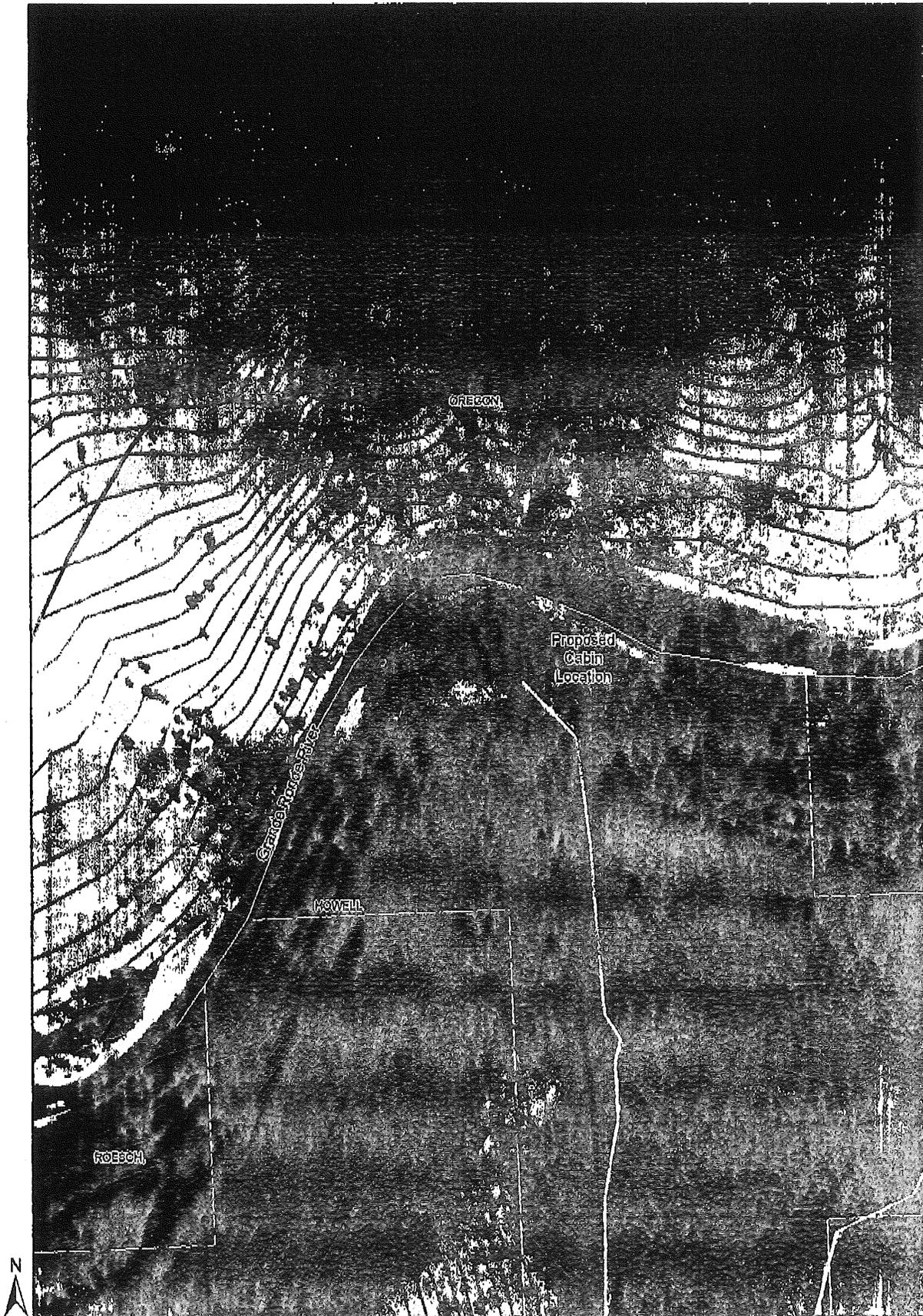
# Howell Fishing Accomodations

## 05N 42 tax lot 2400 -- AREA MAP



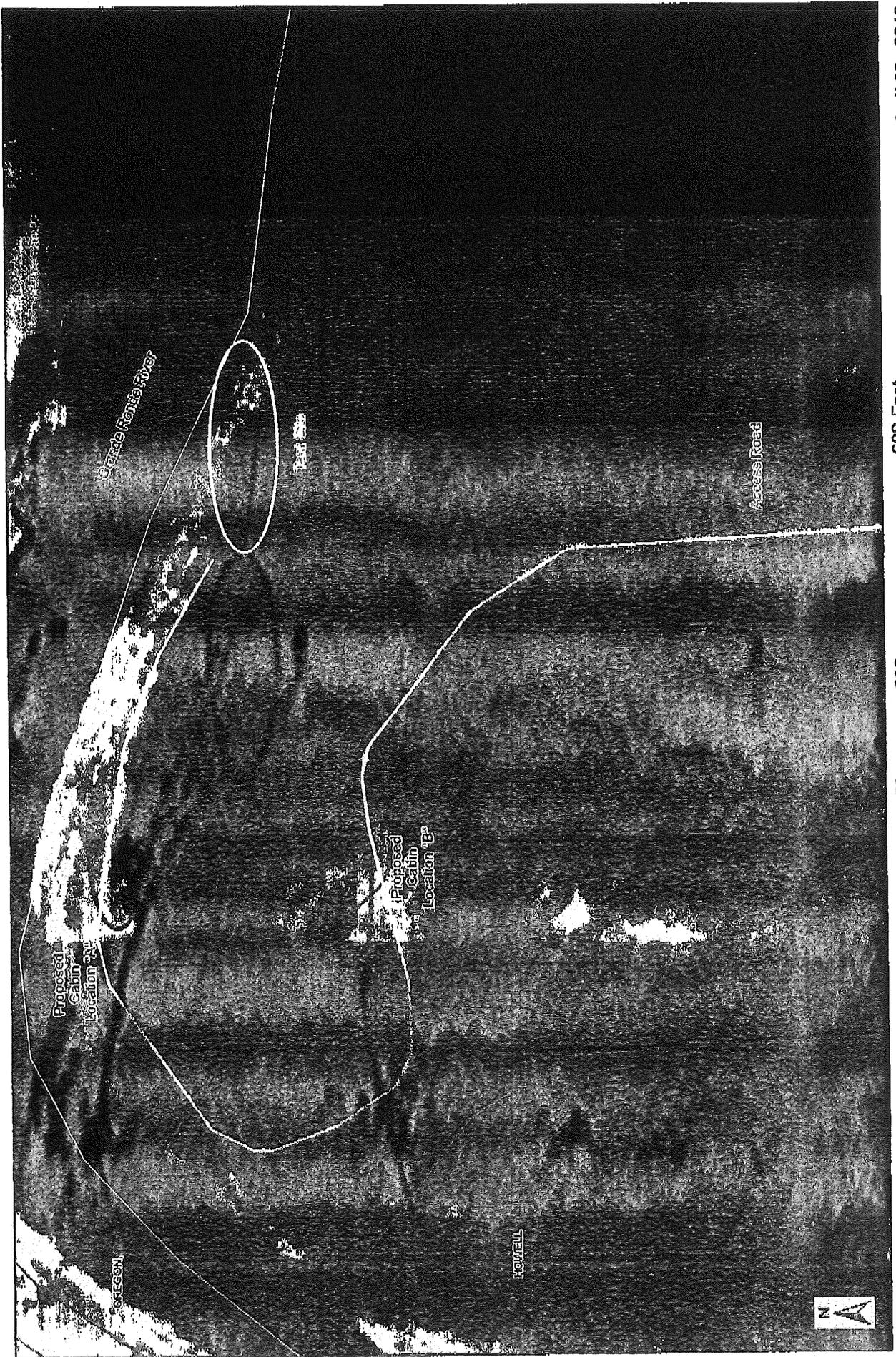
# Howell Fishing Accomodations

05N 42 tax lot 2400 -- 40 ft topo with 1/4 mile wild & scenic buffer



# Howell Fishing Accommodations

05N 42 tax lot 2400 -- 40 ft topo



April 22, 2010

600 Feet  
300  
150  
0

**OREGON PARKS AND RECREATION DEPARTMENT  
 NOTIFICATION OF INTENT TO MAKE IMPROVEMENTS,  
 CHANGE LAND USE, OR ENGAGE IN REGULATED ACTIVITIES  
 WITHIN THE OREGON SCENIC WATERWAY SYSTEM**

To process your application promptly, the Oregon Parks and Recreation Department must have completed, detailed information fully describing your plan to make improvements, change land use, or engage in regulated activities within a scenic waterway. Please supply all the information requested below which is in any way applicable and tell us of anything else which may affect the situation.

1. Name DAVID W HOWELL Telephone 541-980-5490

2. Address PO. Box 218 COVE OR 97824

3. Name and address of legal landowner if different from above:

a. Name SAME Telephone SAME

b. Address 78816 Promise Rd

4. Location of improvement, land use change or activity:

County WALLOWA Township 05 N Range 42 E Section \_\_\_\_\_ Tax Lot 2400

5. Scenic Waterway GRANDE RONDE - RIVER

6. Type of Improvement, change of land use or activity proposed and its purpose:

FISHING

7. Logging Proposal - Please complete Timber Harvest or Salvage Activities supplement sheet.

8. When do you want to begin? N/A  
 How long will it take? \_\_\_\_\_

9.  Attach an 8½" x 11" map showing the following: (The map may be hand-drawn, need not be professional, but accuracy of detail, distance, scale, etc. is important. Appropriate photographs may be helpful.)

- |   |   |
|---|---|
| <input type="checkbox"/> a. North   | <input checked="" type="checkbox"/> g. Well or other water supply (existing and/or proposed)                      |
| <input type="checkbox"/> b. Shape, size and dimensions of the property.                                 | <input checked="" type="checkbox"/> h. Sewage disposal system (existing and/or proposed)                          |
| <input checked="" type="checkbox"/> c. Location of the river and direction of its flow                  | <input checked="" type="checkbox"/> i. Utility poles and lines (power and telephone, existing or proposed)        |
| <input checked="" type="checkbox"/> d. Principal features of terrain and vegetation                     | <input checked="" type="checkbox"/> j. Location of proposed structures, improvements or activities <u>FISHING</u> |
| <input checked="" type="checkbox"/> e. Roads, driveways, etc. (existing and/or proposed) <u>SEE MAP</u> | <input checked="" type="checkbox"/> k. Nearest distance from proposal to river <u>200'</u>                        |
| <input checked="" type="checkbox"/> f. Existing structures and improvements                             |   |

10. Complete the following where applicable:

A. Proposed building or structure:

1. Exterior dimensions: Length 20' Width 16' Height from natural grade 12'

2. Siding: Material and Color WOOD

3. Roof: Material and Color med BROWN

- 4. Architectural style: \_\_\_\_\_
- 5. How much clearing of vegetation will be necessary?  
 \_\_\_\_\_ *N/A* \_\_\_\_\_
- 6. Does the site need leveling or grading?  Yes  No
- 7. If so, how much? \_\_\_\_\_
- 8. How will excess material be disposed of?  
 \_\_\_\_\_

9. Attach drawings, photographs or working plans of the proposed structure which will clearly show its exterior appearance on all sides. Documentation should not be larger than 8½" x 11" in size.

B. Road construction:

- 1. Width *N/A New Construction* Length (in feet) \_\_\_\_\_
- 2. Equipment to be used \_\_\_\_\_
- 3. Percent of slope \_\_\_\_\_
- 4. Type of surface \_\_\_\_\_
- 5. How will the road be drained?  
 \_\_\_\_\_
- 6. How will excess material be disposed of?  
 \_\_\_\_\_

11.  If the proposed improvements, change of land use or activity are not fully and clearly described in by the foregoing, attach a detailed description.

12. Signature of applicant *Dave Howell* Date *4/7/10*

13. Signature of legal landowner *Dave Howell* Date *4/7/10*

**NOTICE: Legal landowner is responsible for any violations under the Scenic Waterway Act (ORS 390.805 to 390.925). You should not begin any regulated activity until written approval is obtained. If you have any questions, please contact Oregon Parks and Recreation Department, 1115 Commercial St. NE, Suite 1, Salem, OR 97301-1002; telephone 503-378-6305.**

**PROPOSALS RELATING TO OREGON SCENIC WATERWAYS SHOULD BE SUBMITTED DIRECTLY TO THE APPROPRIATE SCENIC WATERWAY COORDINATOR AS LISTED ON THE FOLLOWING PAGE.**

# STAFF REPORT

WALLOWA COUNTY PLANNING DEPARTMENT  
WALLOWA COUNTY COURTHOUSE  
101 S. RIVER STREET, ROOM B-1  
ENTERPRISE, OR 97828

---

01. **APPLICANT:** Dave and Connie Howell  
P O Box 218  
Cove, OR 97824
02. **OWNER:** Same
03. **REQUEST:** Conditional Use permit to allow private accommodations for fishing in the Timber Grazing (T/G) zone.
04. **LOCATION:** The property description is Township 05 north , Range 42 east, tax lot 2400
05. **PARCEL CHARACTERISTICS:** The parcel contains a total of 244 acres and is zoned T/G. It is bordered on the north by the Grande Ronde River and is surrounded by either T/G or Timber Commercial (T/C).
06. **PROPOSAL:**
- Permit private accommodations for fishing occupied on a temporary basis in the T/G zone.
  - The property and surrounding property owned by the Howells currently contains a number of structures, which includes an airstrip and hanger, and one home and outbuildings.
  - The Howells own a total of about 1561 acres in the area.
  - These parcels were created via partition plat in 2001 and 2002.
07. **STAFF COMMENT:**
- The proposed use is a conditional use in the T/G zone.
- Please review the enclosed maps and applicants narrative.
08. **REVIEW CRITERIA:**  
Article 5, Public Hearing Review, Sections 5.025(01-03) and 5.035  
Article 9, Conditional Use Permit, Sections 9.015 and 9.020;  
Article 16, Timber/Grazing, Section 16.020(22) including 16.025(05), (06) & (07);  
and any other applicable zoning ordinances or goals of the Wallowa County Land Development Ordinance and/or laws of the State of Oregon.

---

**Staff Report**

Howell Fishing Accommodations CUP#10-03

March 10, 2010

Page 1 of 3

**SECTION 5.025, NOTICE OF PUBLIC HEARING:**

01. Public Hearing Review requires notice of hearing be given to all owners of property lying within:
  - C. Seven hundred and fifty (750) feet of the exterior boundary of the subject property where the subject property is within a farm or forest zone.

The Director will provide notice to other parties should it be determined their interests may be affected by the proposal or they have other need for notice. The notice shall be mailed or otherwise delivered no later than ten days prior to the hearing date.

02. Notice of public hearing shall be placed in a newspaper of general circulation no later than 10 days prior to the hearing date nor greater than twenty 20 days prior to the hearing date.
03. Notice of public hearing shall be posted on the Wallowa County Courthouse Public Notice Board no later than 10 days nor greater than 20 days prior to the hearing date.

**SECTION 5.035, REVIEW PROCESS AND DECISION:**

01. The Public Hearing Review authority may impose such conditions of approval upon a permit as are deemed necessary to insure the use or development complies with the applicable standards and criteria.

**SECTION 9.015, REVIEW PROCEDURE:** Application for a Conditional Use Permit shall be subject to the public hearing review process.

**SECTION 9.020, REVIEW CRITERIA:** After taking into account location, size, design, and the general nature of the proposed use; the hearing body must determine that the development will comply with all of the following criteria to approve a Conditional Use Permit.

01. The proposed use will be consistent with the purpose of [and is allowed conditionally in] the zone in which the use proposed.
02. The use will not create excessive traffic congestion, noise, dust, glare from lights, or other conditions that may be hazardous.
03. The proposed use will not overburden the public services of water, sewer, storm drainage, electrical service, fire protection, and school.
04. The site is suitable to accommodate the proposed use, such as: topography, soils, and parcel size.
05. The proposed use will not interfere with uses permitted on adjacent parcels.
06. The application satisfies the pertinent criteria of Article 36, Salmon Habitat Restoration.
07. In addition to the above and for uses within the Timber Grazing Zone, when the predominant use is

---

**Staff Report**

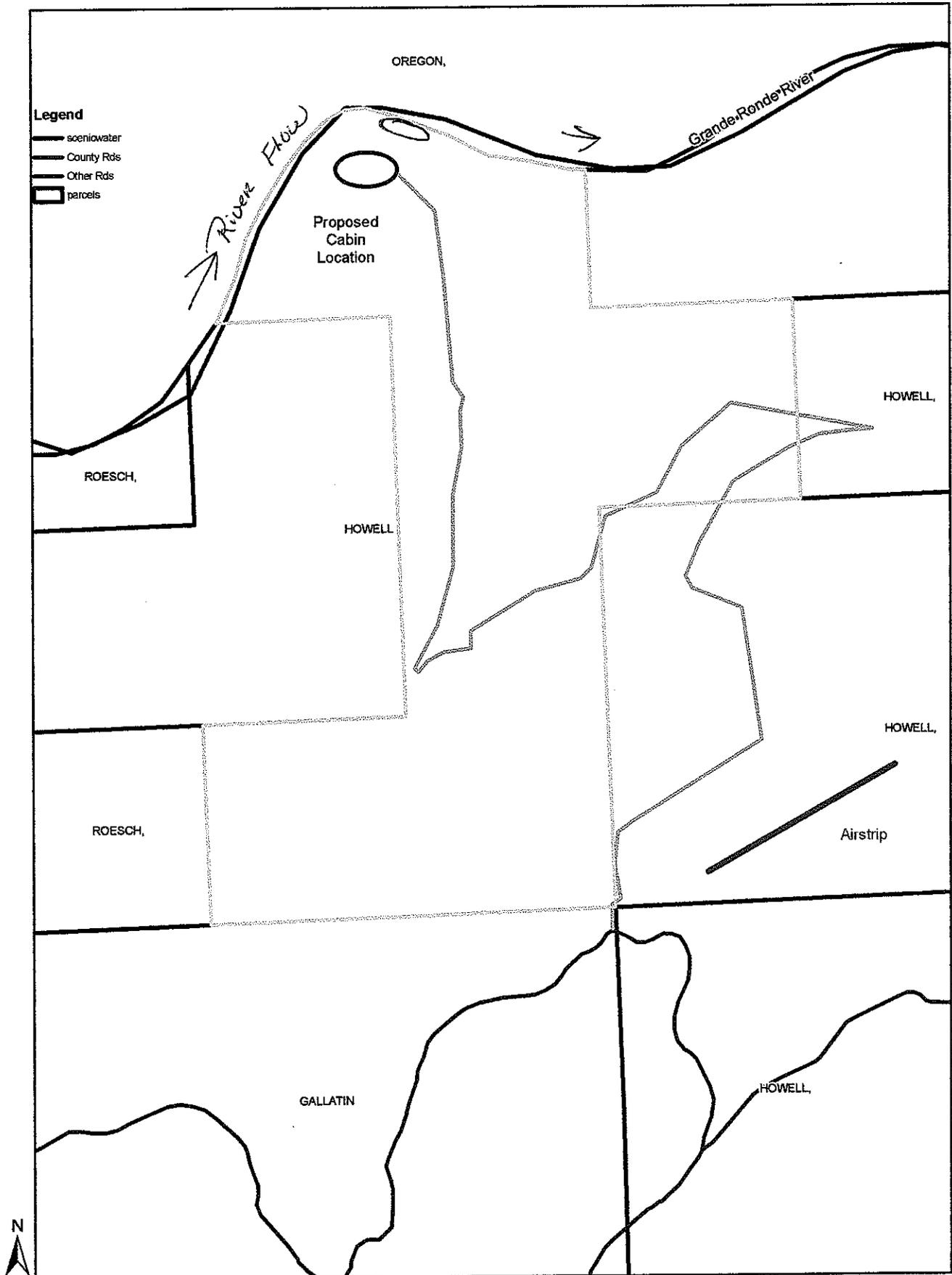
Howell Fishing Accommodations CUP#10-03

March 10, 2010

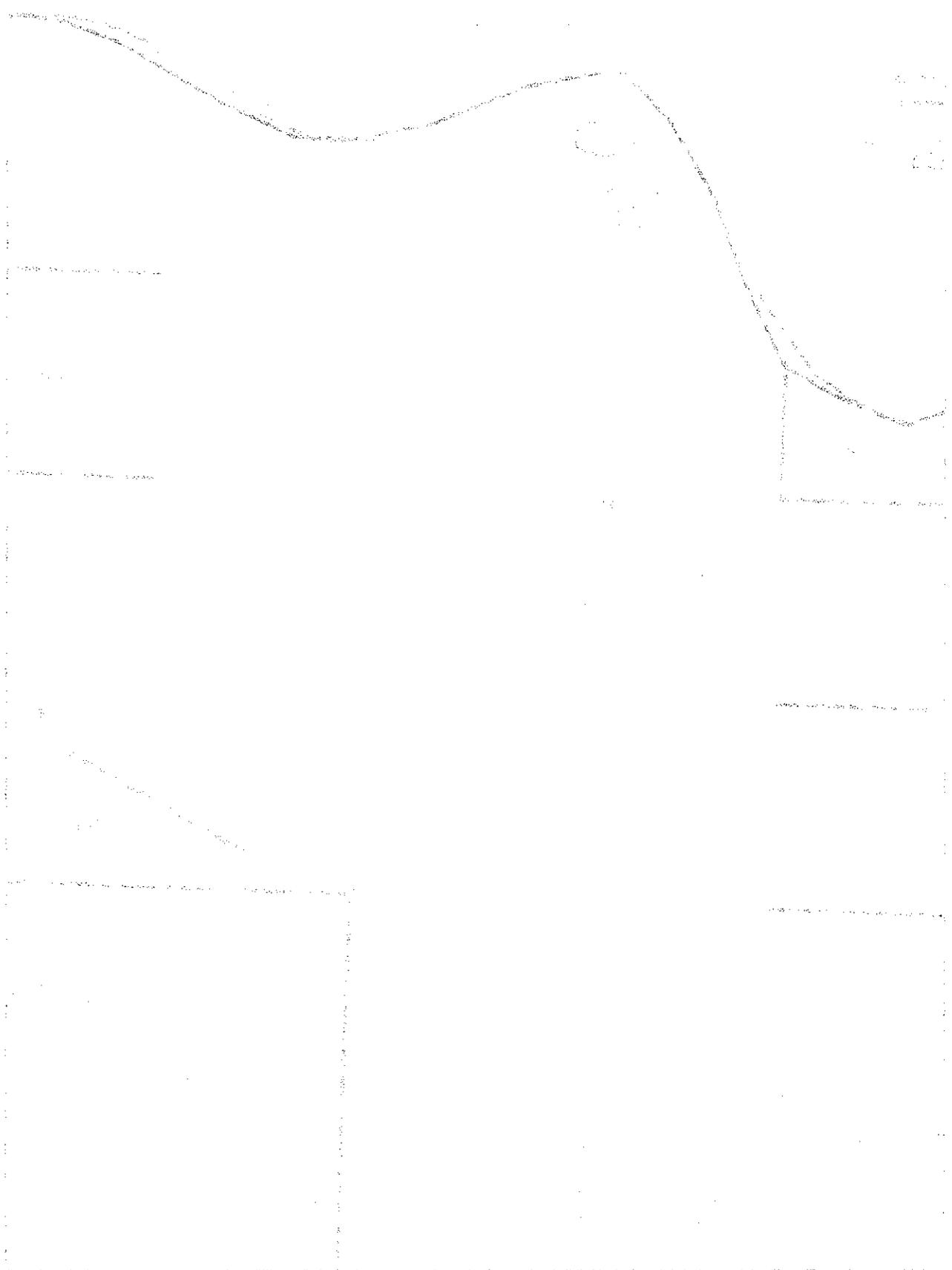
Page 2 of 3

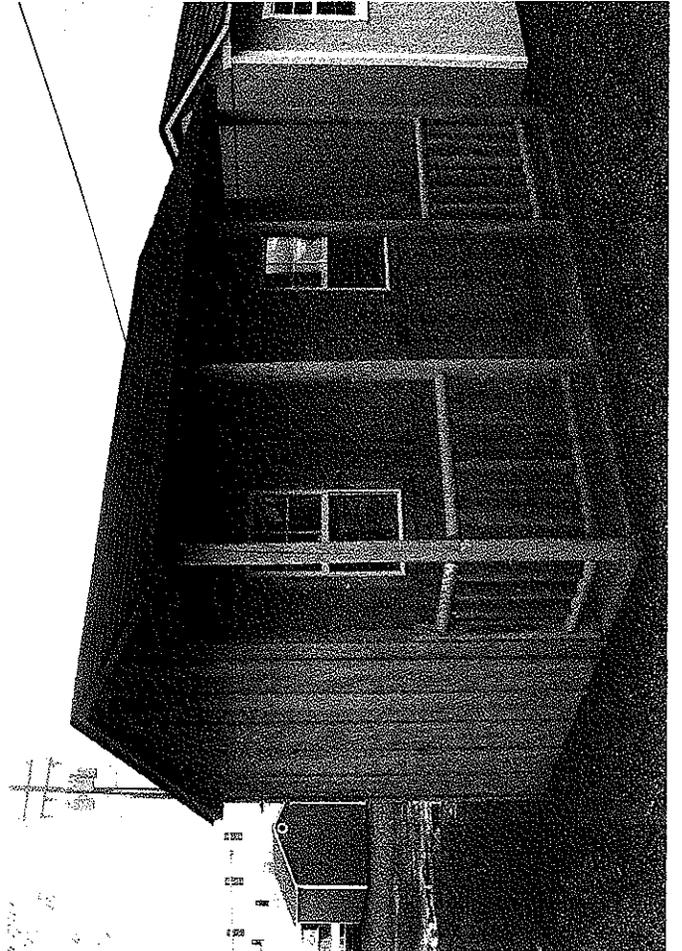
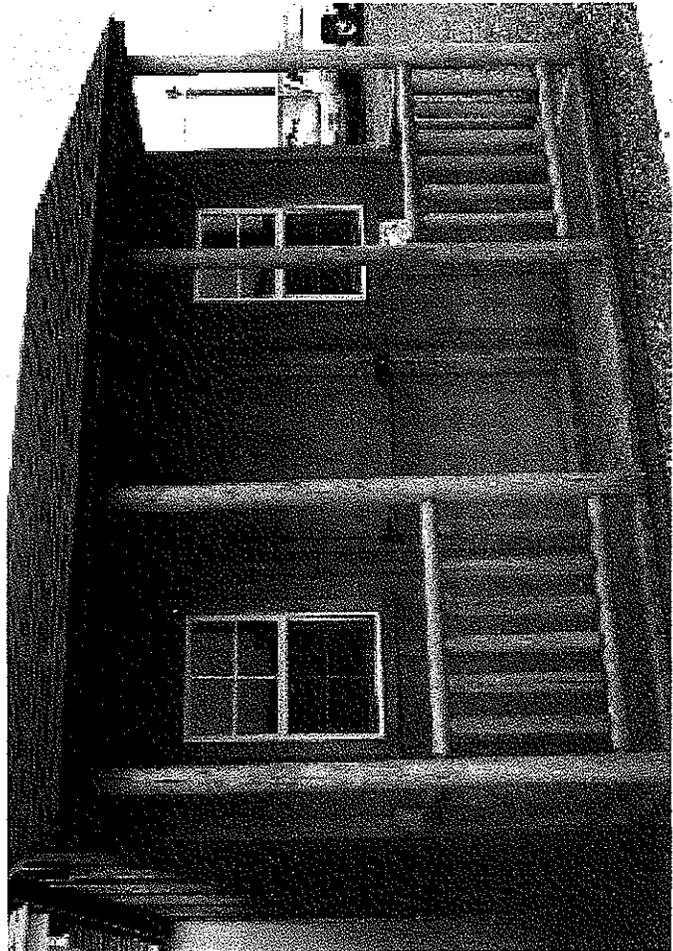
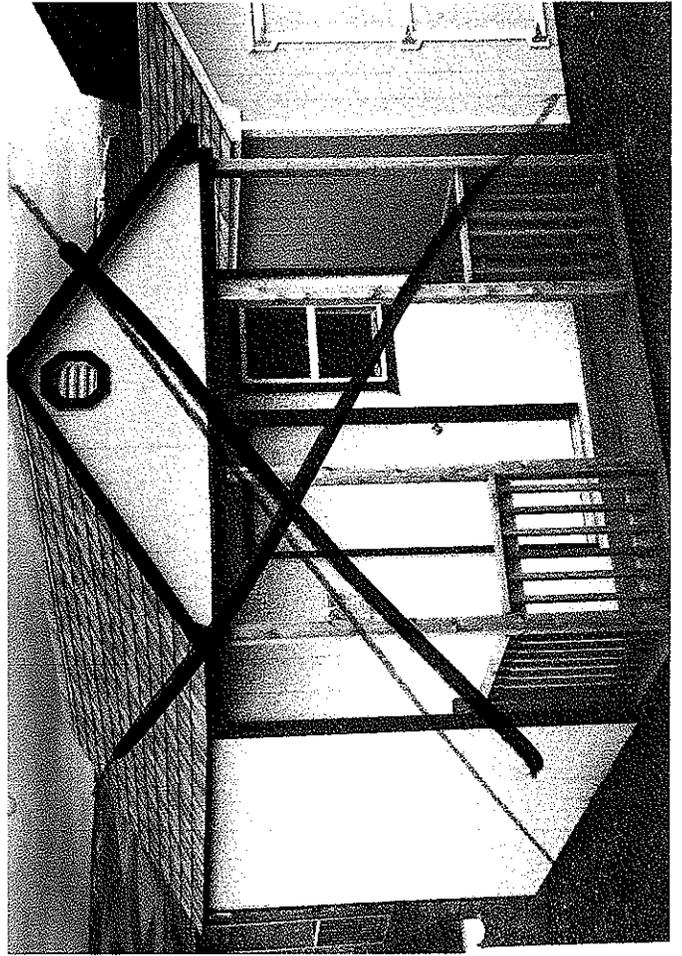
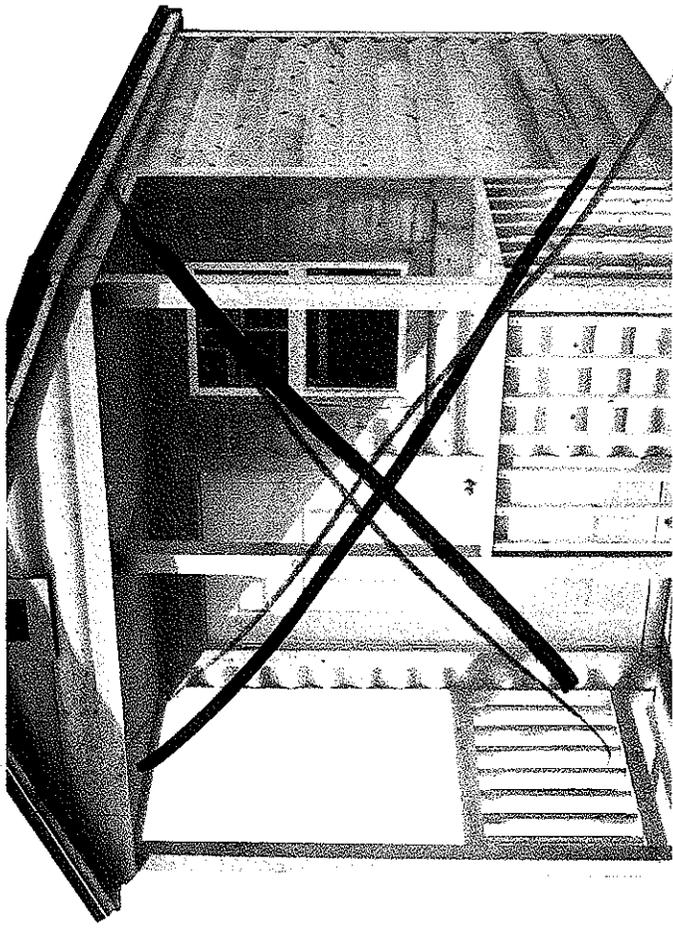
# Howell Fishing Accomodations

05N 42 tax lot 2400 -- CLOSE UP MAP

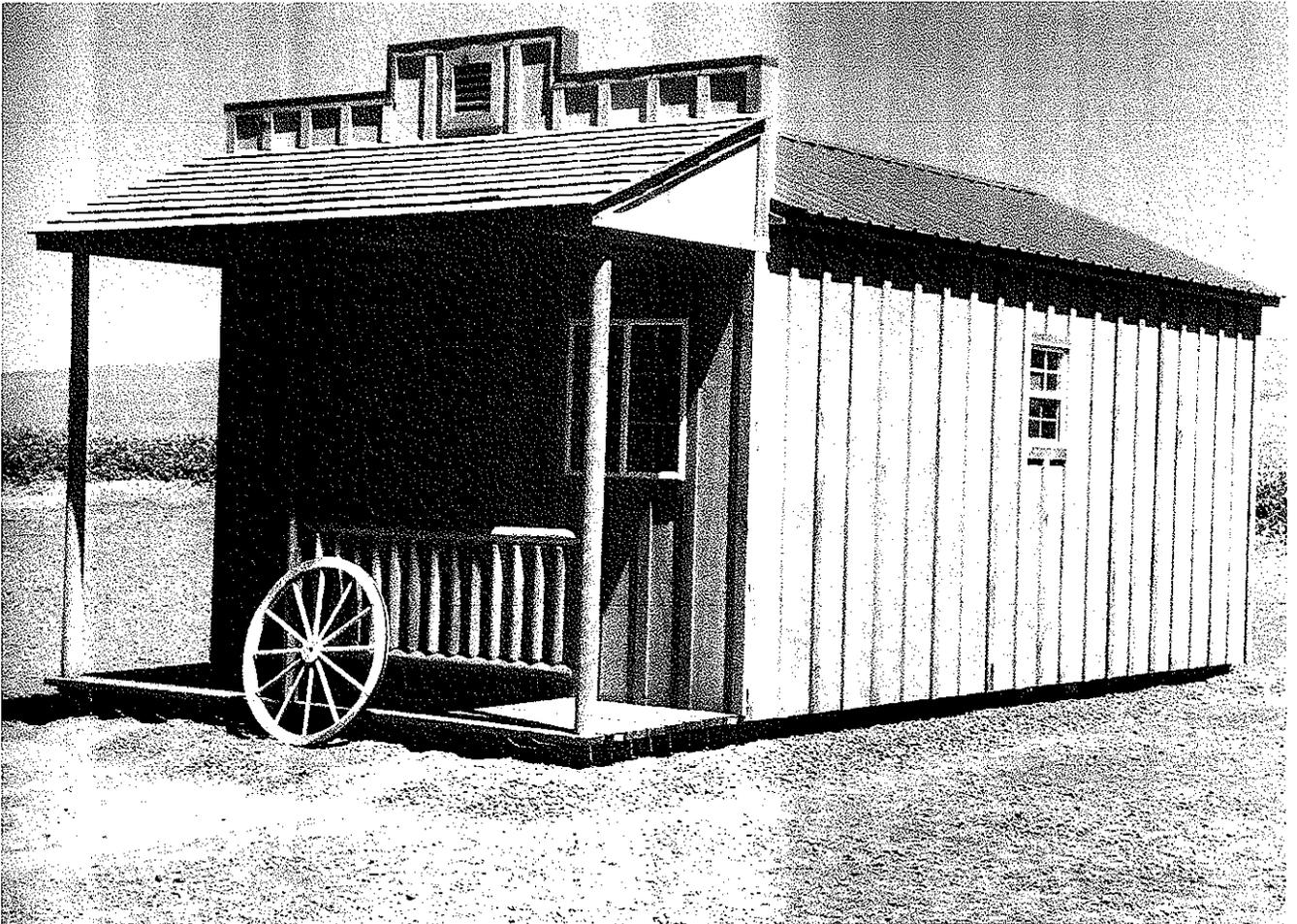
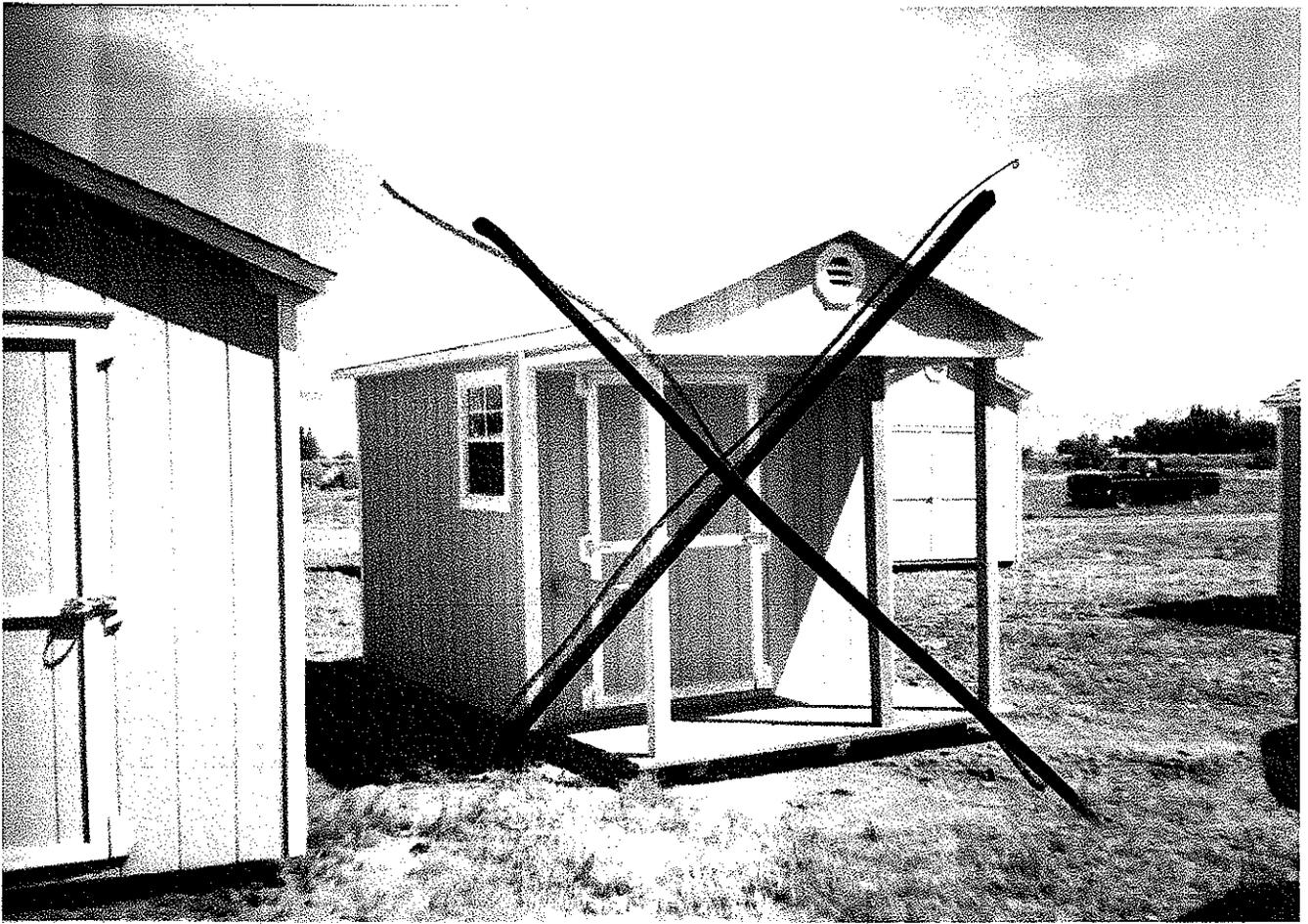


Handwritten title at the top of the page, possibly a name or date.

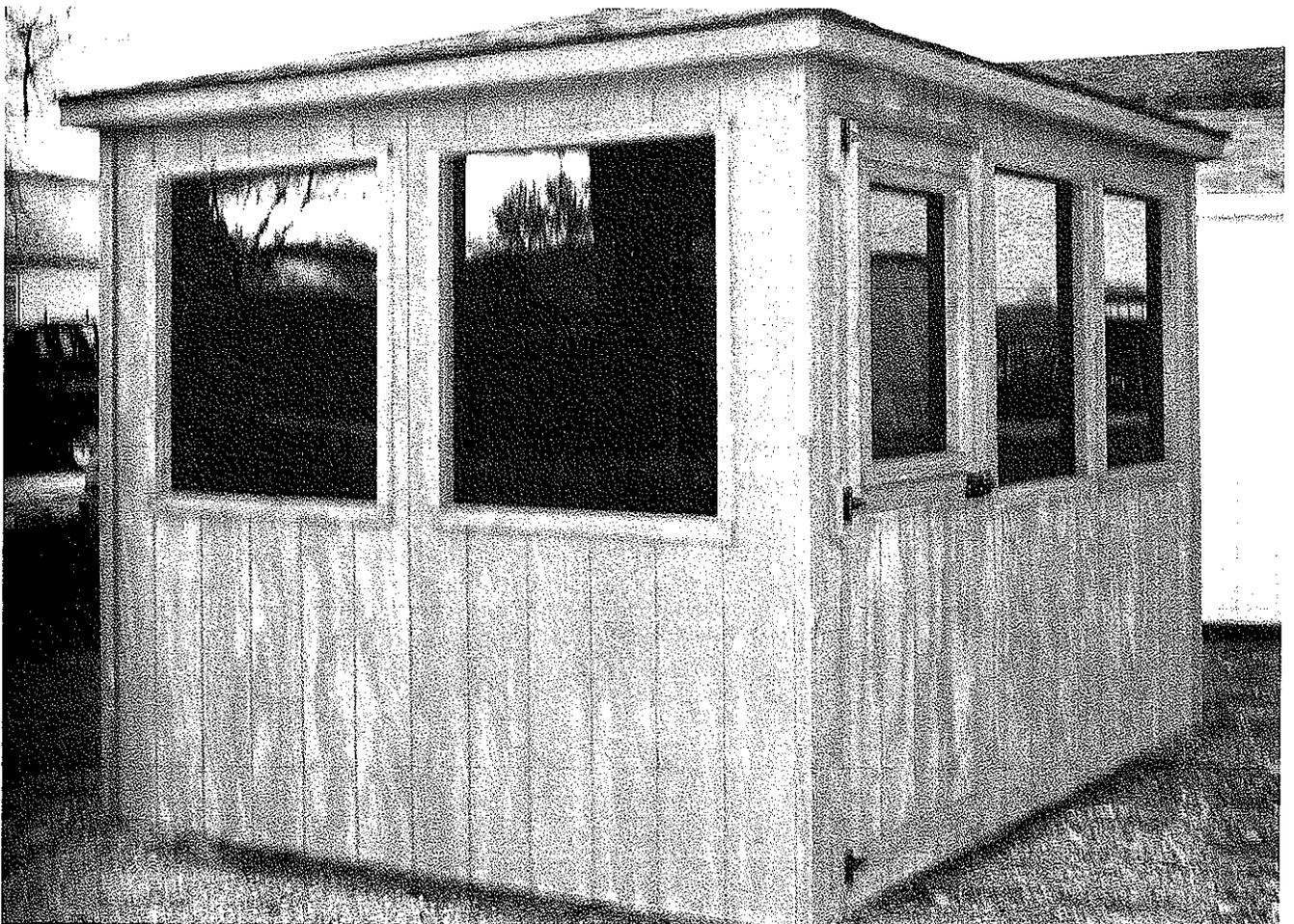
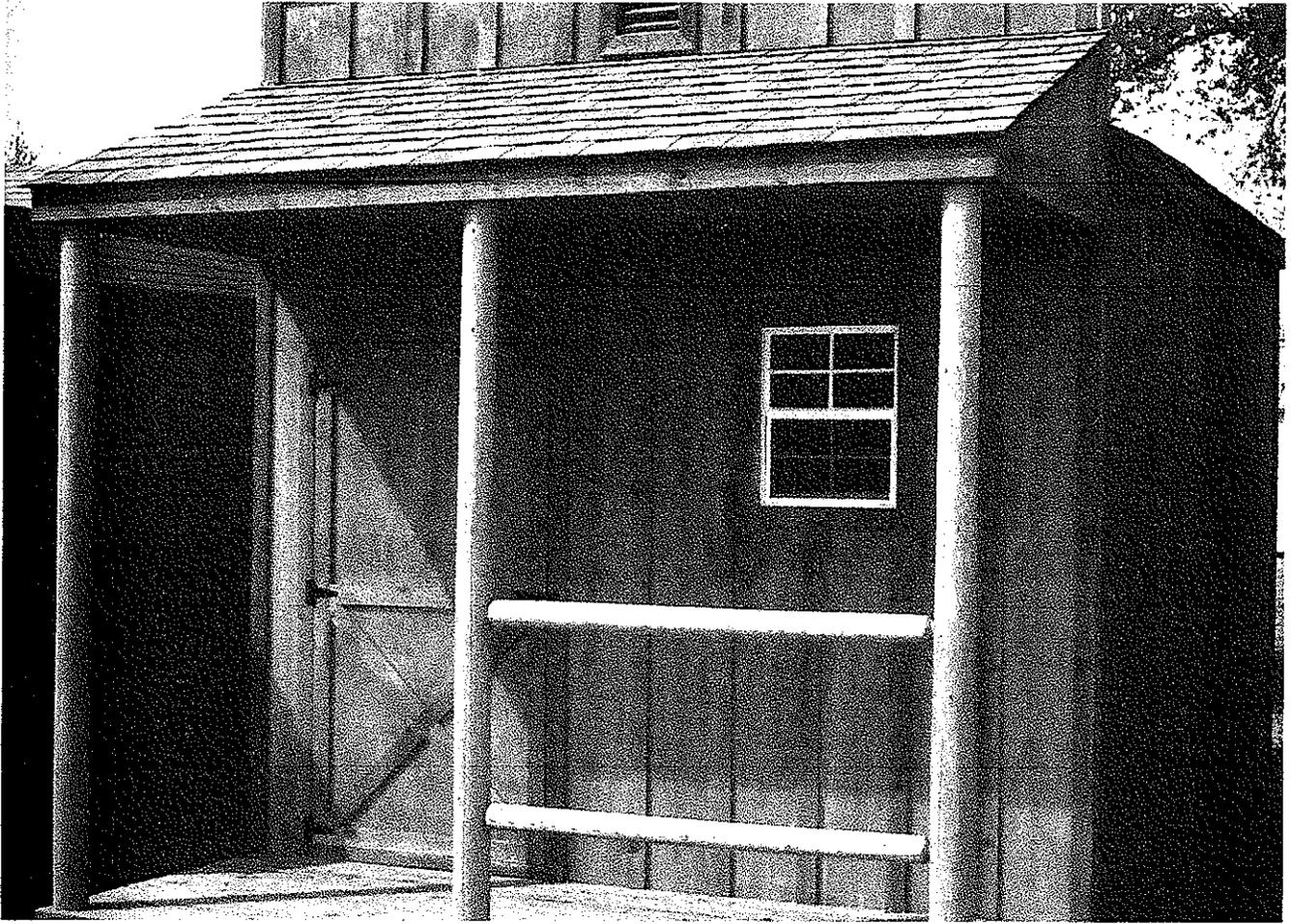


















**OREGON PARKS AND RECREATION DEPARTMENT  
 NOTIFICATION OF INTENT TO MAKE IMPROVEMENTS,  
 CHANGE LAND USE, OR ENGAGE IN REGULATED ACTIVITIES  
 WITHIN THE OREGON SCENIC WATERWAY SYSTEM**

To process your application promptly, the Oregon Parks and Recreation Department must have completed, detailed information fully describing your plan to make improvements, change land use, or engage in regulated activities within a scenic waterway. Please supply all the information requested below which is in any way applicable and tell us of anything else which may affect the situation.

1. Name David Howell Telephone 541-980-5490

2. Address P.O. Box 218, Cove, OR 97824

3. Name and address of legal landowner if different from above:

a. Name Same Telephone Same

b. Address 78816 Promise Rd. (address of subject property)

4. Location of improvement, land use change or activity:

County Wallowa Township 05N Range 42E Section \_\_\_\_\_ Tax Lot 2400

5. Scenic Waterway Grande Ronde

6. Type of Improvement, change of land use or activity proposed and its purpose:

Cabin to be used by fisherman

7. Logging Proposal - Please complete Timber Harvest or Salvage Activities supplement sheet.

8. When do you want to begin? 2017-2018

How long will it take? 2 months

9.  Attach an 8½" x 11" map showing the following: (The map may be hand-drawn, need not be professional, but accuracy of detail, distance, scale, etc. is important. Appropriate photographs may be helpful.)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> a. North   | <input type="checkbox"/> g. Well or other water supply (existing and/or proposed)                  |
| <input checked="" type="checkbox"/> b. Shape, size and dimensions of the property.       | <input type="checkbox"/> h. Sewage disposal system (existing and/or proposed)                      |
| <input checked="" type="checkbox"/> c. Location of the river and direction of its flow   | <input type="checkbox"/> i. Utility poles and lines (power and telephone, existing or proposed)    |
| <input checked="" type="checkbox"/> d. Principal features of terrain and vegetation      | <input checked="" type="checkbox"/> j. Location of proposed structures, improvements or activities |
| <input checked="" type="checkbox"/> e. Roads, driveways, etc. (existing and/or proposed) | <input checked="" type="checkbox"/> k. Nearest distance from proposal to river                     |
| <input type="checkbox"/> f. Existing structures and improvements                         |  |

10. Complete the following where applicable:

A. Proposed building or structure:

1. Exterior dimensions: Length 36 ft Width 36 ft Height from natural grade 12 ft

2. Siding: Material and Color wood

3. Roof: Material and Color medium brown

4. Architectural style: Northwest cabin

5. How much clearing of vegetation will be necessary?  
Very little-no trees or shrubs will be cut or trimmed. Some grass and soil will be disturbed to level the area and install the footings. Additional vegetation will be planted to further screen the cabin from the river. This includes native shrubs adjacent to the cabin between the cabin and the river as well as additional ponderosa pine where they have not already begun to establish on their own. These will be planted strategically to provide additional screening.

6. Does the site need leveling or grading?  Yes  No

7. If so, how much? Approximately half of the 36' X 36' footprint will need to be leveled.

8. How will excess material be disposed of?  
It will be spread on-site to aid in leveling the ground.

9. Attach drawings, photographs or working plans of the proposed structure which will clearly show its exterior appearance on all sides. Documentation should not be larger than 8½ " x 11" in size.

B. Road construction:

1. Width No new construction Length (in feet) \_\_\_\_\_

2. Equipment to be used \_\_\_\_\_

3. Percent of slope \_\_\_\_\_

4. Type of surface \_\_\_\_\_

5. How will the road be drained?  
\_\_\_\_\_  
\_\_\_\_\_

6. How will excess material be disposed of?  
\_\_\_\_\_  
\_\_\_\_\_

11.  If the proposed improvements, change of land use or activity are not fully and clearly described in by the foregoing, attach a detailed description. See attached Native Vegetation Screening Planting Plan + Howell Cabin Site Visit 8/23/16 Map + Photos

12. Signature of applicant Dan Howell Date 10/11/16

13. Signature of legal landowner Dan Howell Date 10/11/16

**NOTICE: Legal landowner is responsible for any violations under the Scenic Waterway Act (ORS 390.805 to 390.925). You should not begin any regulated activity until written approval is obtained. If you have any questions, please contact Oregon Parks and Recreation Department, 1115 Commercial St. NE, Suite 1, Salem, OR 97301-1002; telephone 503-378-6305.**

**PROPOSALS RELATING TO OREGON SCENIC WATERWAYS SHOULD BE SUBMITTED DIRECTLY TO THE APPROPRIATE SCENIC WATERWAY COORDINATOR AS LISTED ON THE FOLLOWING PAGE.**

# Howell Cabin Native Vegetation Screening Planting Plan



Grande Ronde River  
Flow direction

Proposed Cabin Location

Native Shrub Planting

New Ponderosa Pine Planting



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aergrid, IGN, IGP, swisstopo, and the GIS User Community

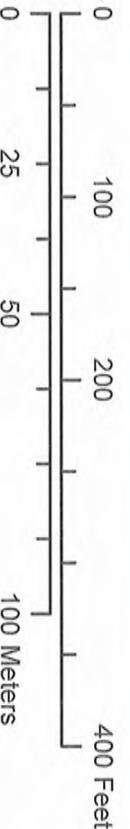
Howell Cabin  
 Site Visit 8/23/16  
 Dimensions ~36' X 36'

Grande Ronde River  
 Flow direction

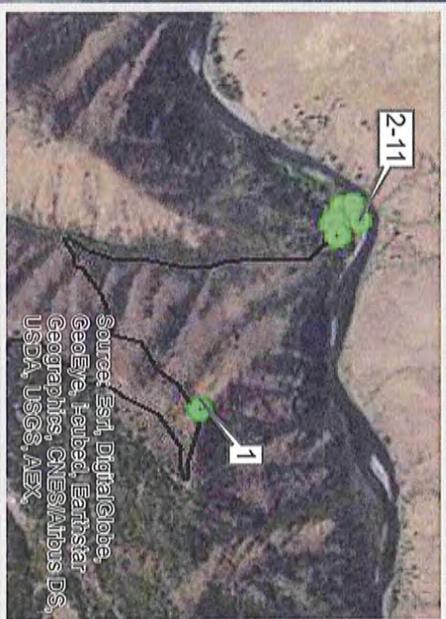


Distance to River  
 450 ft.

- Photo location
- Proposed Cabin Location



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aergrid, IGN, IGP, swisstopo, and the GIS User Community



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 1- photo 1



Photo location 2- photo 1



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 2- photo 2



Photo location 2- photo 3



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 3- photo 1



Photo location 3- photo 2



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 3- photo 3

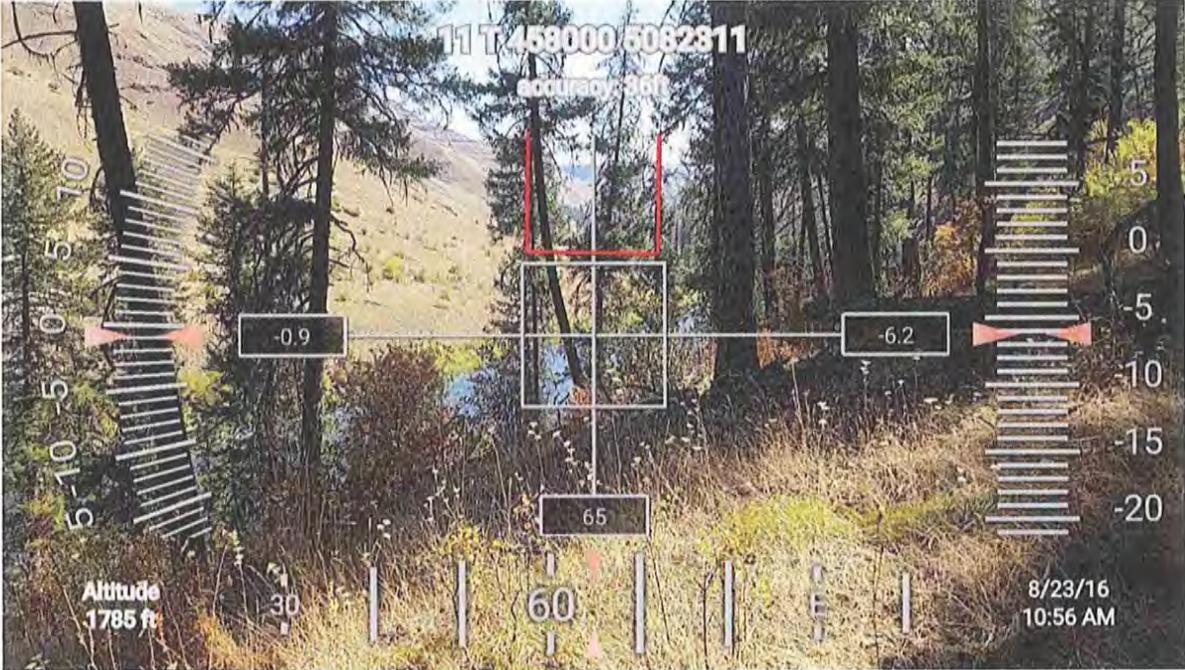
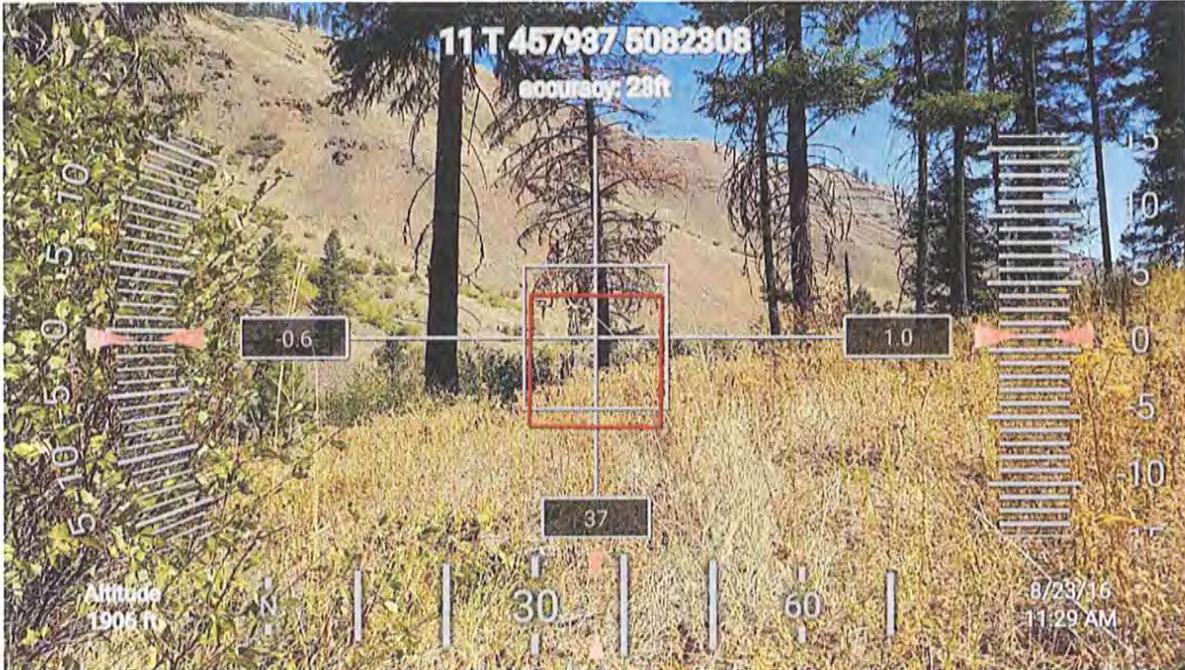


Photo location 4- photo 1

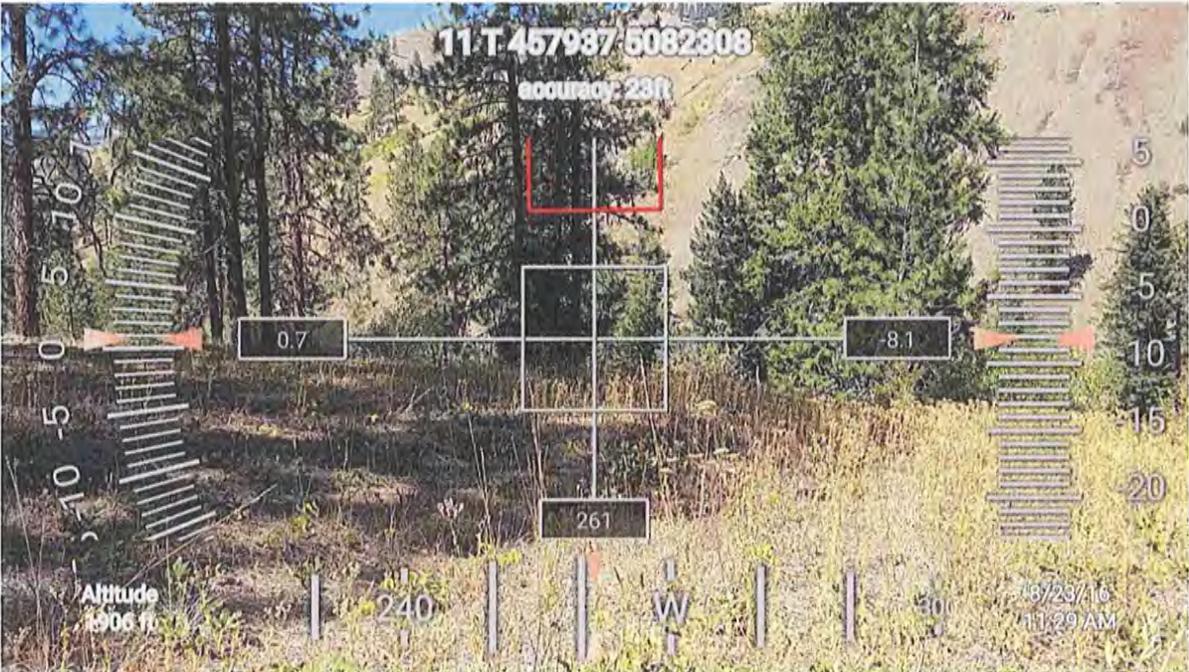


Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 4- photo 2



Photo location 4- photo 3



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 4- photo 4

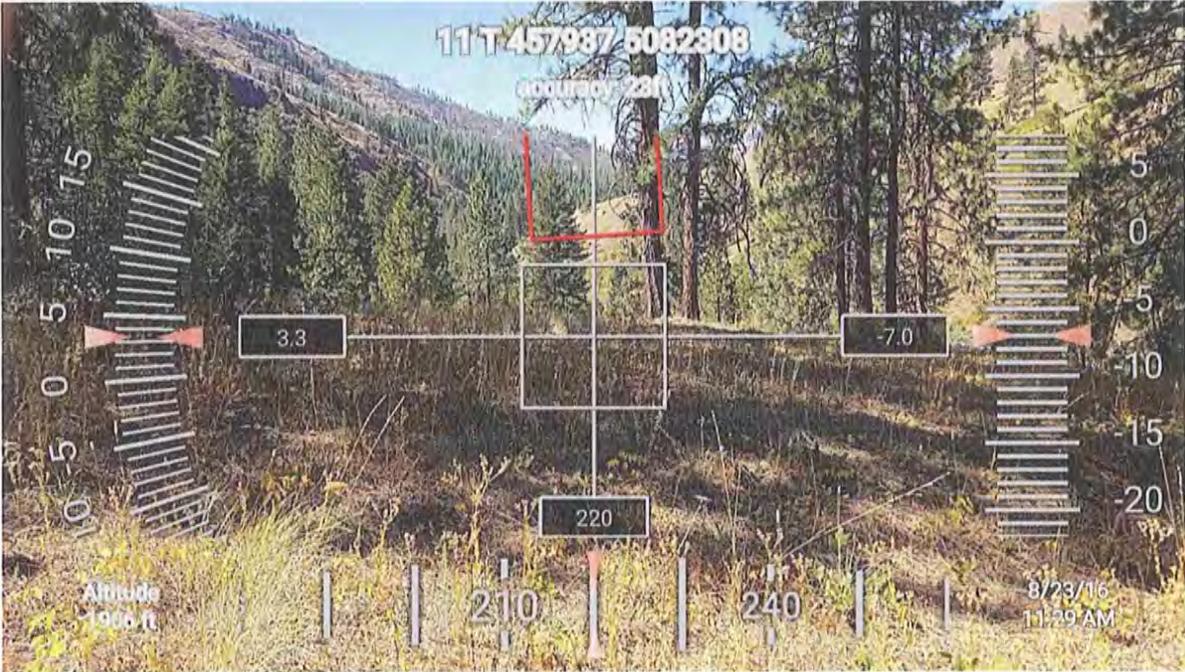


Photo location 5-photo 1



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 5- photo 2



Photo location 5- photo 3



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 5- photo 4



Photo location 6- photo 1



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 6- photo 2



Photo location 6- photo 3



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 6- photo 4

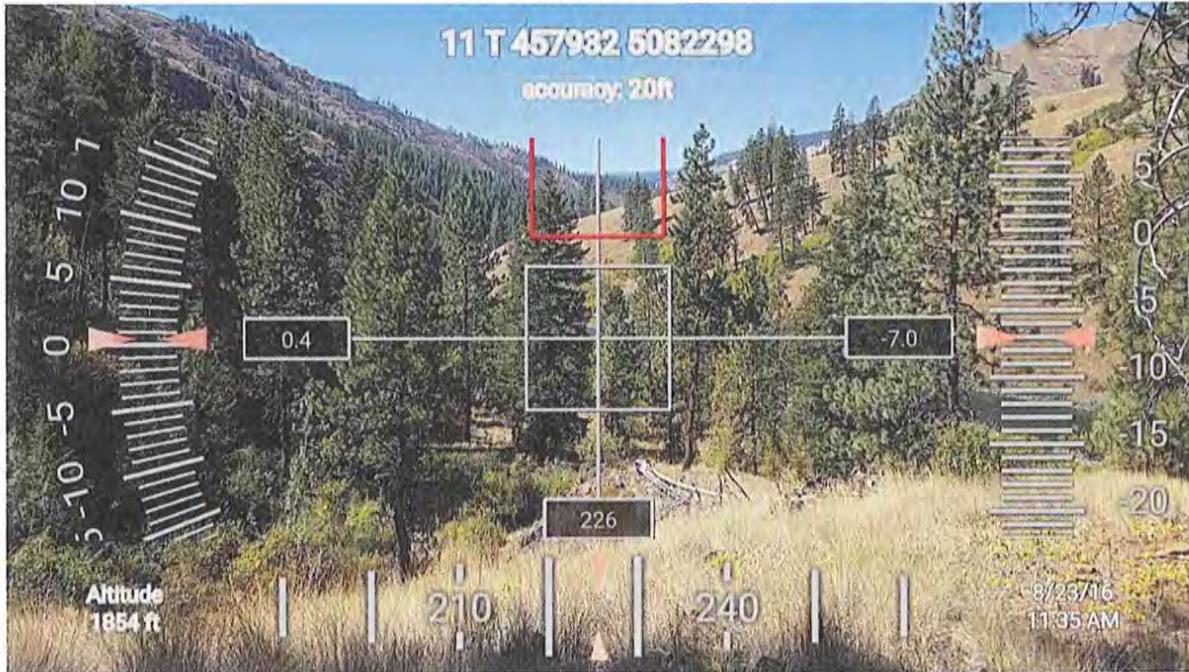


Photo location 7- photo 1



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 7- photo 2

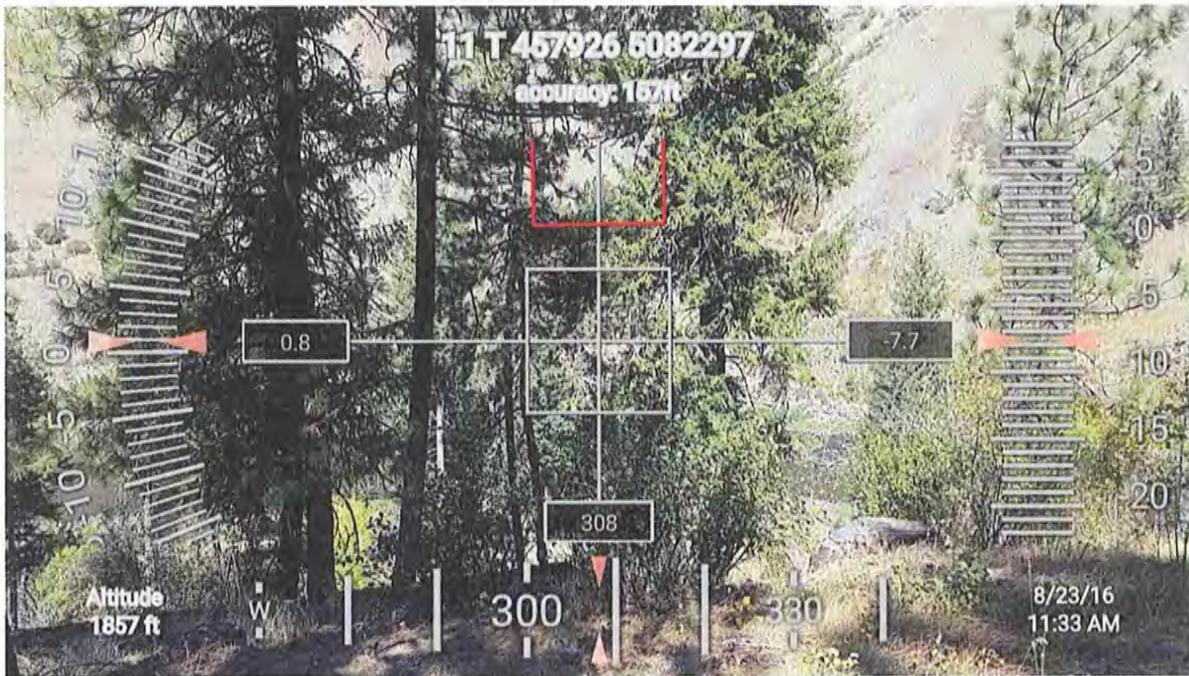
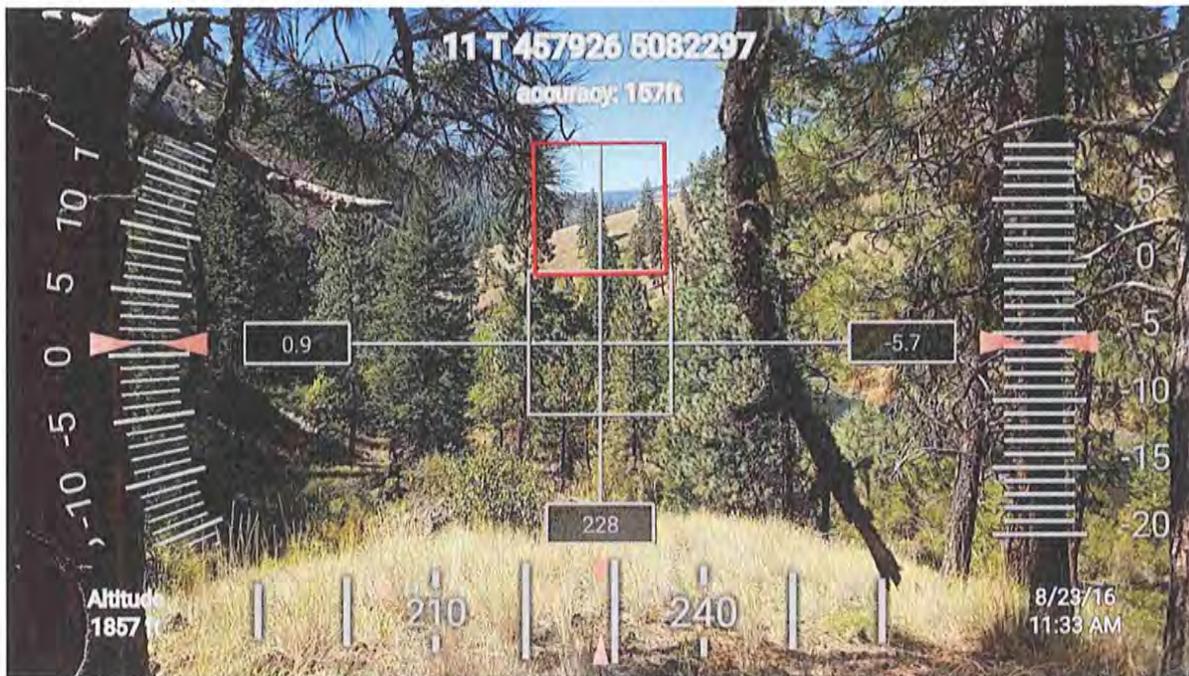


Photo location 7- photo 3



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 7- photo 4



Photo location 8- photo 1



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 8- photo 2



Photo location 8- photo 3

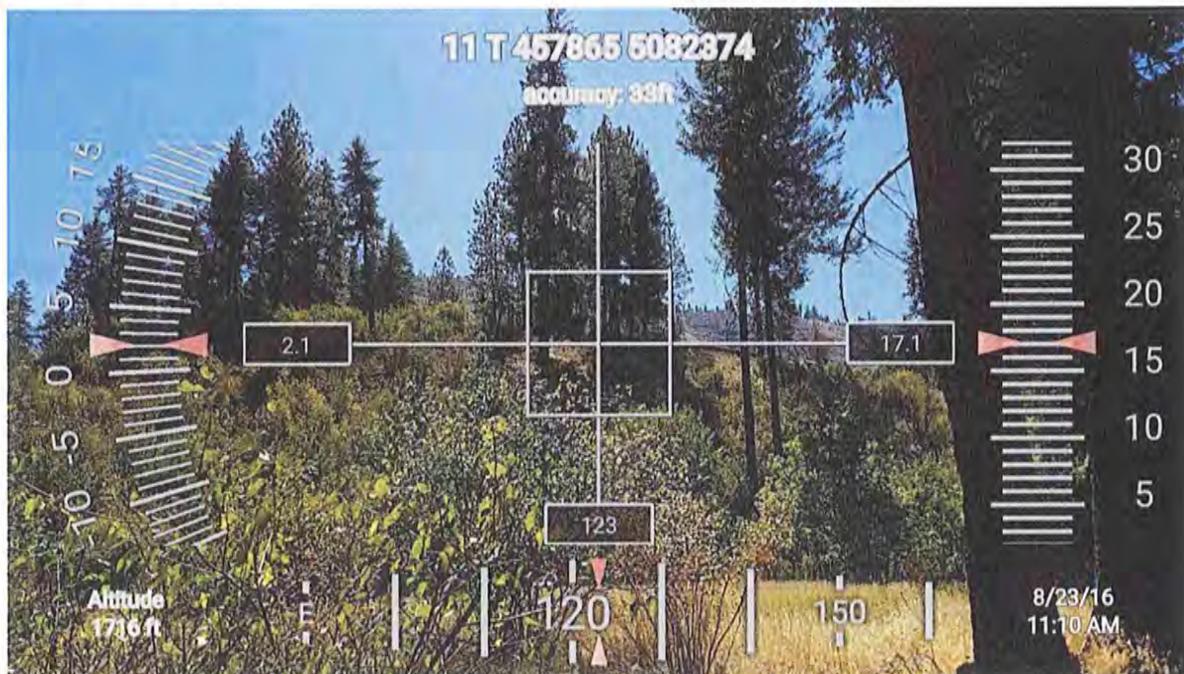


Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 8- photo 4



Photo location 9- photo 1



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 9- photo 2 (yellow box indicates zoom area of photo 9-3 below)

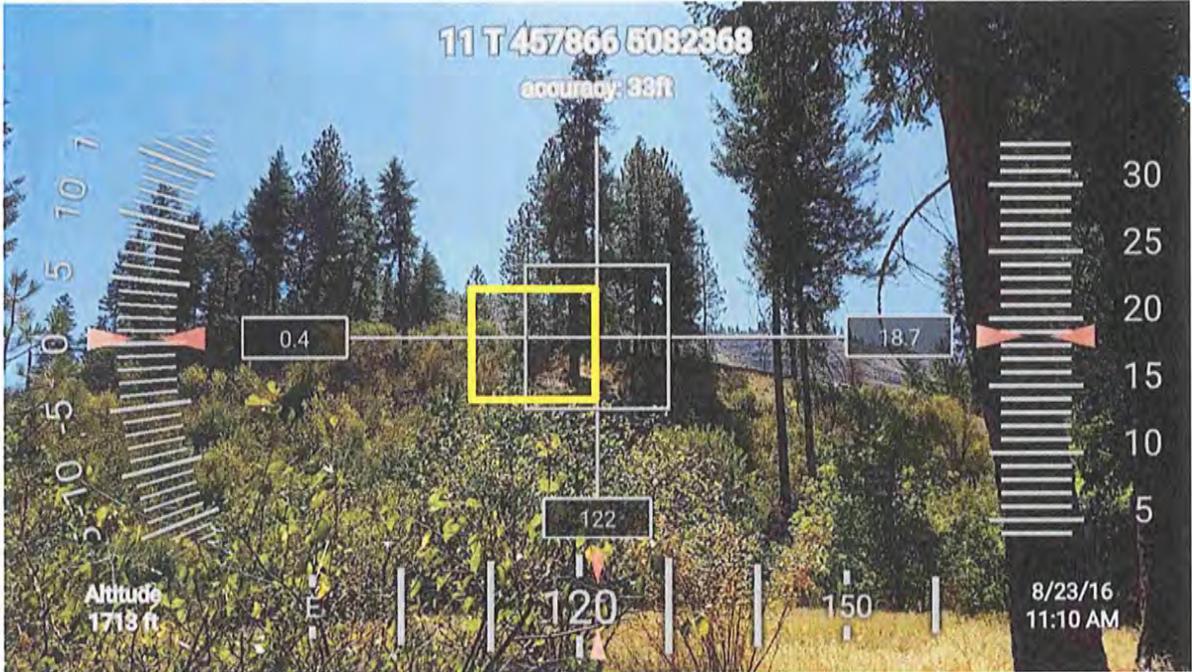
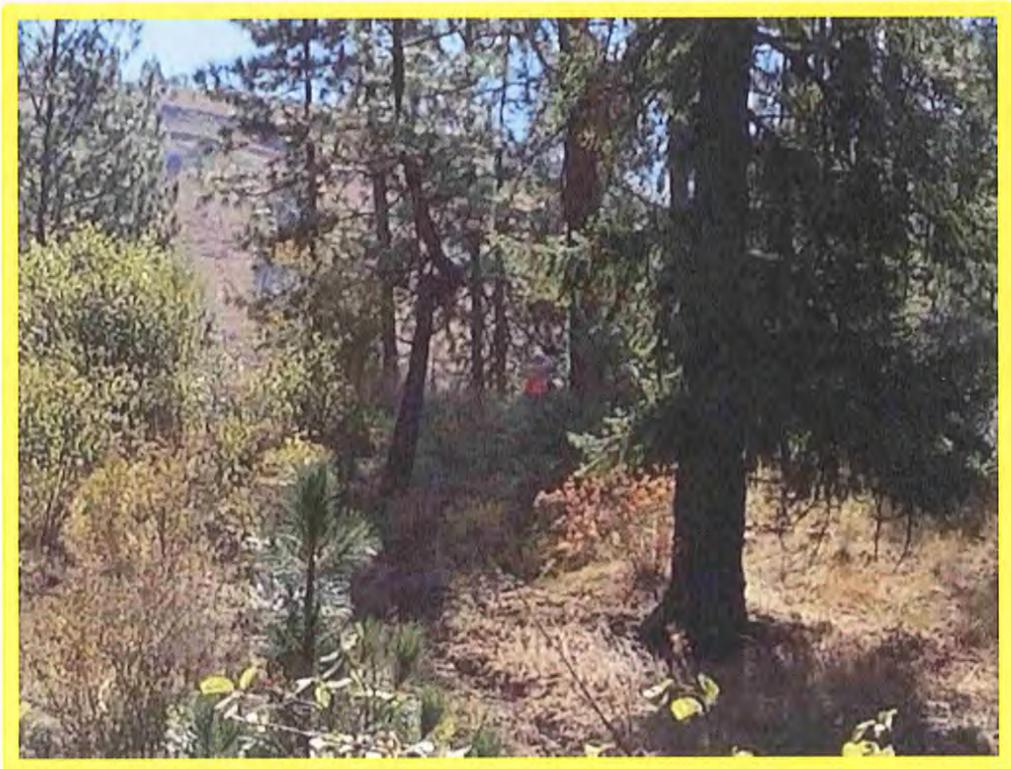


Photo location 9- photo 3



Howell Fishing Cabin  
Site Visit 8/23/16  
David Howell, Jean Jancaitis

Photo location 10- photo 1

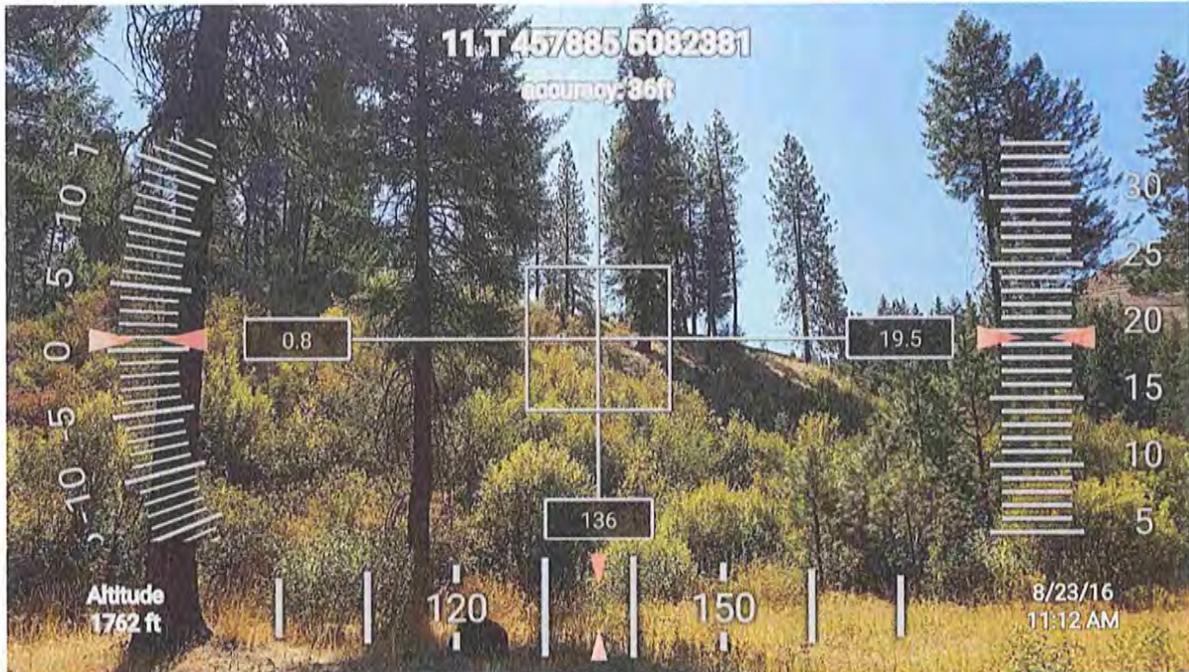


Photo location 11- photo 1





W.C. Construction, Inc  
815 Hemlock Street  
Elgin, Oregon 97827  
(541) 437-5730  
OR CCB 53362 | WA CCB WCCONI\*011PO

---

October 5, 2016

To whom it may concern,

For the past 12 years, W.C. Construction, Inc. has been doing construction work for Dave and Connie Howell. Dave and Connie are great people and do what they have said they will do. We have had a very positive relationship with them in construction.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Wiles', is written over the word 'Sincerely,'. The signature is fluid and cursive.

Robert S. Wiles



(Some features are optional)



*HomeBuilders West* "... Quality since 1945"

[www.kitwest.com](http://www.kitwest.com)

### CONSTRUCTION FEATURES

- Foundation Ready
- 90" Sidewall Height
- 2x6 Floor Joists 16" O.C.
- 2x6 Exterior Walls 16" O.C.
- 2x4 Interior Walls
- Vaulted Ceilings Throughout
- 30# Roof Load
- 25 Year Class A Rated Fiberglass Shingles
- 6.7/12 Roof Pitch w/6" Eaves
- 16" Overhang Both Ends
- Energy Star R-40 Roof, R-21 Walls & R-33 Floor Insulation
- Electrical Boxes Nailed to Studs

### EXTERIOR FEATURES

- 36" Insulated Fiberglass Front & Rear Doors (Almond, Clay, or White)
- Low-E Vinyl Dual Glaze Windows (Almond, Clay or White)
- 50 Year Smart Panel Siding & Trim
- Window Trim Around All Windows

### INTERIOR DESIGN FEATURES

- Textured Sheetrock Walls T/O w/Wood Wainscoat in Living Room
- Hand Stamped Textured Ceilings
- Wood Cased Window Surrounds With Molding
- Woodgrain Window Blinds Throughout
- Carpeting in Bedroom(s) w/6# Rebond Carpet Pad
- Laminate Flooring in Living Room, Kitchen & Hall
- NAFCO Tile Flooring in Bathroom
- Rustic Light Fixtures
- Wall Sconce Lights in Hall
- White Track Light Above Kitchen Sink
- Stained 2-Panel Arched Alder Solid Core Doors on Bedrooms & Bathroom w/Stained Molding
- Stained Wood Baseboard Molding
- 2-Panel Arched White Passage Doors on Closets
- Lever Handles on Interior Doors
- Stained Wood Window Ledges
- Wood Shelves/Rods In Closets
- Crown Molding in Vaulted Areas

### KITCHEN FEATURES

- White or Black Brand Name Appliances
- 18' Frost Free Double-Door Refrigerator
- 30" Deluxe Electric Range
- Natural Wood Cabinets & Doors (Choice of Any Color)

- Brushed Nickel 5-1/4" Pulls on Cab Doors & Drawers
- Drawer Over Door Cabinet Construction
- Bank of Drawers
- Cabinet Above Refrigerator
- Hi-Lo Cabinet Design w/Crown Molding
- 31" Overhead Cabinets w/Adjustable Shelves
- Hi/Low Stainless Steel Kitchen Sink w/Brushed Nickel Single Lever Faucet
- Décor Laminate Countertop & Wood Edge to Match Cabinets
- 4" Ceramic Tile Backsplash
- Ceramic Tile Behind Range
- 5 Recessed Can Lights In Kitchen & Over Snack Bar
- Soft Closing Cabinet Door & Drawer Hardware
- Lazy Susan w/Door Attached

### HEATING & PLUMBING & ELECTRICAL

- All Electric Home w/200 AMP Service (Electric Range, 40 Gallon Electric Water Heater & Electric Furnace)
- Exterior Receptacle At Rear Door
- Exterior Frost Free Faucet (Any Location Except End Walls)
- Heat Tape Receptacle At Water Inlet
- Master Water Shut-Off Valve
- Individual Water Shut-Offs @ Sinks & Toilets
- Conduit From Panel Box for Air Ready/Heat Pump Ready
- Toekick Registers in Kitchen & Bathroom

### SELECT BATHROOM FEATURES

- 60" 1 Piece Fiberglass Tub/Shower
- China Lavs w/Brushed Nickel Dual Handle Faucet
- Décor Laminate Countertop & Wood Edge to Match Cabinets
- 4" Ceramic Tile Backsplash
- Towel Bar & Paper Holder
- Bank Of Drawers In Master Bath
- Elongated Toilets
- Wood Trim Around Mirror (Matches Cabinet Color)

### POPULAR OPTIONAL FEATURES

- Skywindow (2.25/12 roof pitch)
- Storage w/Skywindow (Storage area has Log Rails)
- Available Siding Options Include: Vinyl Lap, Fibercement Lap, Log & Montana Timber Stained Wood
- Higher Roof Loads (45lb, 60lb, 90lb, 120lb, & 150lb)
- Dishwasher
- Laundry Hookups
- Craftsman Cottage Option Package:
  - Metal Roof
  - Montana Timber Stained Wood Siding
  - Skywindow

Your local retailer:





## United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Baker Field Office  
3100 H Street  
Baker City, Oregon 97814  
<http://www.blm.gov/or/districts/vale>



8300 (ORV050)

JUL 22 2016

Wallowa County Planning Department  
Mr. Harold Black, Planning Director  
Wallowa County Courthouse  
101 South River Street, Room B-1  
Enterprise, OR 97828

RE: David and Connie Howell CUP Application

Dear Mr. Black:

Thank you for the opportunity to comment on David and Connie Howell's application for a conditional use permit. The Howells desire to construct a cabin to be used as private accommodations for fishermen within the designated "Wild" segment of the Grande Ronde Wild & Scenic River Corridor located in Township 5 North, Range 42 East, Tax Lot 4200.

As manager of the Wallowa-Grande Ronde Wild & Scenic River system, the Bureau of Land Management (BLM) would be remiss if it did not discuss with the Wallowa County Planning Commission the proposed project's potential impacts to the unique and exemplary resources for which these rivers were designated "Wild." Under the National Wild & Scenic Rivers Act, only river corridors considered "pristine" and "un-touched" by the works of man are awarded the highest classification of "Wild." The proposed project would bring visual impacts closer to the river and more in the view of the recreating public, further detracting from the "Wild" setting of the river. Public concerns over the development of the lands within this "Wild" segment continue to be received in this office as well by the field staff that patrol, protect, monitor, and maintain the resources for which the river corridor was designated. These concerns are related to the direct and indirect impacts from development to the aesthetic values of the area as well as the potential precedence that may lead to additional developments over time, cumulatively reducing the visual resources of the river corridor even further.

The Wallowa-Grande Ronde River system offers a unique attraction for recreational pursuits for Wallowa, Union, and Asotin Counties. Numerous federal, state, and local government agencies, communities, and other organizations spend thousands of dollars advertising the Wild & Scenic designation of this river system which attracts thousands of visitors a year to the area with the primary use activity being focused on recreational boating. The approximately 5500 - 6500 float boaters who use the river annually are highly sensitive to the visual resources of the river corridor as the aesthetics are a key component of their attraction to the river. In addition to the boaters, a large number of participants also utilize the river corridor for hunting, camping, fishing, photography, and other recreational pursuits.

Although the BLM does not have authority over activities on private lands, had this proposed cabin been in place at the time of the river system designation, the lower 2.5 miles of this river segment would not have been included within the "Wild" designation and would have received one of the lesser classifications under the Wild & Scenic Rivers Act.

To date, with the trailers already placed at this location, numerous complaints and concerns have been received by this office from recreationists who utilize the lands and waters adjacent to the Howell proposed construction site. Those concerns are both for the direct impacts of the trailers to the aesthetics of the area as well as for the potential precedence that may lead to additional intrusions on other parcels of private lands existing within this portion of the "Wild" section.

Wild and Scenic River systems protected through the Wild and Scenic Rivers Act are unique and provide a rare resource shared by few other counties and states. The benefits to the counties, residents, and recreationists from the protection of these rare resources are far reaching. BLM hopes the Commission considers the continued protection of these rivers in its planning efforts. Based on the information provided, if Wallowa County was to approve this action, the proposed cabin would be intrusive to the aesthetics of the river from the perspective of the primary recreational users of the Grande Ronde corridor.

Please consider this letter as BLM's official comments. If the Planning Commission requires additional information on the BLM management of the Wallowa & Grande Ronde Wild & Scenic River system, please contact Dara Glass, Realty Specialist, at (541) 523-1449, or myself at (541) 523-1431.

Sincerely,



Lori D. Wood  
Field Manager

## STAFF REPORT

Howell CUP#16-06 Fishing Accommodations

PAGE 1 OF 4

---

July 26<sup>th</sup>, 2016

- 01. APPLICANT:** Dave and Connie Howell  
P O Box 218  
Cove, OR 97824
- 02. OWNER:** Same
- 03. REQUEST:** Conditional Use permit to allow private accommodations for fishing in the Timber Grazing (T/G) zone.
- 04. LOCATION:** The property description is Township 05 north , Range 42 east, tax lot 2400
- 05. PARCEL CHARACTERISTICS:** The parcel contains a total of 244 acres and is zoned T/G. It is bordered on the north by the Grande Ronde River and is surrounded by either T/G or Timber Commercial (T/C). The Grande Ronde River is a wild and scenic river.
- 06. PROPOSAL:**
- Permit private accommodations for fishing occupied on a temporary basis in the T/G zone.
  - The property and surrounding property owned by the Howells currently contains a number of structures, which includes an airstrip and hanger, and one home and outbuildings.
  - The Howells own a total of about 1561 acres in the area.
  - These parcels were created via partition plats in 2001 and 2002.

**07. STAFF COMMENT:**

The proposed use is a conditional use in the T/G zone.

Please review the enclosed maps and materials.

From our Introductory Provisions (1.020(01)): “ In addition to complying with the provisions of this ordinance; all land use, land division, or land improvement must comply with all other local, state, or federal laws.”

This proposal is located in a “Natural River Area” of a Wild and Scenic portion of the Grande Ronde River, and as such is afforded the highest protection under state and federal law. Such protection is only awarded river reaches which are unaffected by development. The BLM owns adjoining property and Oregon Parks and Recreation Dept administers the state wild and scenic program on this section of river.

## STAFF REPORT

Howell CUP#16-06 Fishing Accommodations

PAGE 2 OF 4

---

Federal law has no jurisdiction on private land, however, state law does have some teeth. For a Natural River Area, development must not be visible from the river. If located within 1/4 mile of the river, the applicant must apply for a development permit from the state. However, if the state disallows the use, the state then has one year to purchase the property. If the purchase is unsuccessful, then the applicant may proceed with his proposal.

The proposed use is a conditional use in the T/G zone and is located within the wild and scenic buffer (1/4 mile) along the south bank of the Grande Ronde river. BLM classifies this section of river as "wild," which is only awarded to areas considered pristine and untouched.

The applicant proposes a single cabin to temporarily house up to eight fishermen. The cabin would be located on the bluff overlooking the river. This location is outside of the flood zone and is well back from the river (about 450 ft). Also, a cabin built at this location would be elevated above and partially screened from view from the river.

### Suggested Conditions of approval:

1. Sewer and grey water will be treated and disposed of through a DEQ approved septic system.
2. Proposed cabin must meet Building Codes requirements.
3. All lighting will be shielded and downward directed so as to not cause direct light to be cast on neighboring properties or towards the river.
5. The cabins will meet the design standards of Article 18, Section 18.030 (Design Review).
6. Generator(s) must shielded so as to not be heard or seen from the river.
7. All garbage must be removed from the site and properly disposed of.
8. The proposed cabins must meet the following fire standards:

**ROOFS:** Shall be fire retardant, Class A or B as defined in the Uniform Building Code of the State of Oregon.

**SPARK ARRESTER:** Appropriate fire spark arresters must be provided on all chimneys. Emissions must comply with clean air regulations. All eave and roof vents and openings shall be screened.

**WATER:** Standpipes for fire protection should be located at least 50 feet from the building they are intended to protect. (Frost free faucets installed before any pressure reduction valve recommended).

**FUEL BREAK:** A fuel break of no less than 30 feet shall be created and maintained around all structures. A secondary fuel break shall be constructed and maintained in accordance with Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads (Oregon Department of Forestry, March 1, 1991). All wild vegetation touching structures shall be removed and trees shall be limbed up 10 feet above the

## STAFF REPORT

Howell CUP#16-06 Fishing Accommodations

PAGE 3 OF 4

---

ground.

**FIRE PROTECTION:** The applicant shall provide evidence for a means for protecting the cabins and surrounding area from fire hazards. (The applicant has agreed to station a fire truck on site during periods of occupation.) Road accesses shall be provided to within 15 feet of the water's edge for fire-fighting pump units.

### 08. REVIEW CRITERIA:

Article 5, Public Hearing Review, Sections 5.025(01-03) and 5.035

Article 9, Conditional Use Permit, Sections 9.015 and 9.020;

Article 16, Timber/Grazing, Section 16.020(22) including 16.025(05), (06) & (07);

and any other applicable zoning ordinances or goals of the Wallowa County Land Development Ordinance and/or laws of the State of Oregon.

### SECTION 5.025, NOTICE OF PUBLIC HEARING:

01. Public Hearing Review requires notice of hearing be given to all owners of property lying within:

C. Seven hundred and fifty (750) feet of the exterior boundary of the subject property where the subject property is within a farm or forest zone.

The Director will provide notice to other parties should it be determined their interests may be affected by the proposal or they have other need for notice. The notice shall be mailed or otherwise delivered no later than ten days prior to the hearing date.

02. Notice of public hearing shall be placed in a newspaper of general circulation no later than 10 days prior to the hearing date nor greater than twenty 20 days prior to the hearing date.

03. Notice of public hearing shall be posted on the Wallowa County Courthouse Public Notice Board no later than 10 days nor greater than 20 days prior to the hearing date.

### SECTION 5.035, REVIEW PROCESS AND DECISION:

01. The Public Hearing Review authority may impose such conditions of approval upon a permit as are deemed necessary to insure the use or development complies with the applicable standards and criteria.

**SECTION 9.015, REVIEW PROCEDURE:** Application for a Conditional Use Permit shall be subject to the public hearing review process.

**SECTION 9.020, REVIEW CRITERIA:** After taking into account location, size, design, and the general nature of the proposed use; the hearing body must determine that the development will comply with all of the following criteria to approve a Conditional Use Permit.

01. The proposed use will be consistent with the purpose of [and is allowed conditionally in] the zone in which the use proposed.

02. The use will not create excessive traffic congestion, noise, dust, glare from lights, or other conditions that may be hazardous.
03. The proposed use will not overburden the public services of water, sewer, storm drainage, electrical service, fire protection, and school.
04. The site is suitable to accommodate the proposed use, such as: topography, soils, and parcel size.
05. The proposed use will not interfere with uses permitted on adjacent parcels.
06. The application satisfies the pertinent criteria of Article 36, Salmon Habitat Restoration.
07. In addition to the above and for uses within the Timber Grazing Zone, when the predominant use is determined to fall under Goal IV guidelines or the Timber Commercial Zone the following shall be found:
  - A. The proposed use will not force a significant change in or significantly increase the cost of accepted farming or forest practices on agriculture or forest lands.
  - B. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.
  - C. A written statement recorded with the deed or written contract with the County or its equivalent is obtained from the landowner which recognizes the rights of adjacent and nearby landowners to conduct forest operations consistent with the Forest Practices Act and Rules for uses authorized in this ordinance.

**SECTION 16.020, BUILDING AND ACTIVITIES PERMITTED CONDITIONALLY IN THE TIMBER GRAZING ZONE:** The following uses and activities and accessory buildings and uses are permitted subject to the provisions of Article 9, Conditional Use Permit.

22. Private accommodations for fishing occupied on a temporary basis may be allowed subject to Article 9; Article 16; Section 16.025 (5), (6), and (7); and the following requirements:
  - A. Accommodations limited to no more than 15 guest rooms as that term is defined in the Oregon Structural Specialty Code; and
  - B. Only minor incidental and accessory retail sales are permitted; and
  - C. Accommodations occupied temporarily for the purpose of fishing during fishing seasons authorized by the Oregon Fish and Wildlife Commission; and
  - D. Accommodations must be located within one-fourth mile of fish bearing Class I waters; and
  - E. Other conditions imposed by the review authority.

**09. CONCLUSIONS:** To be developed at the hearing.

**Staff Contact:**

Jean Jancaitis (541) 388-6236 Phone  
1645 N.E. Forbes Road, Suite 112 (541) 388-6391 Fax  
Bend, OR 97701 [jean.jancaitis@state.or.us](mailto:jean.jancaitis@state.or.us)

These rules are specific to the Grande Ronde River Scenic Waterway. Other administrative rules apply to all state scenic waterways. For the complete set of regulations, please go to: <http://egov.oregon.gov/OPRD/RULES/waterways.shtml>

**Oregon Administrative Rule (OAR) 736-040-0047****Grande Ronde River Scenic Waterway**

[.....]

(2) Natural River Area:

(a) That segment of the Grande Ronde River from the Umatilla National Forest boundary to Wildcat creek;

(b) This Natural River Area shall be administered consistent with the standards set by OAR 736-040-0035 and 736-040-0040(1)(a)(C). In addition to these standards, all new development in resource zones (i.e., farm and forest related dwellings) shall comply with Wallowa and Union County land use regulations:

(A) New structures and associated improvements shall be totally obscured from view from the river except as provided under OAR 736-040-0030(5) and except those minimal facilities needed for public outdoor recreation or resource protection;

(B) Visible tree harvest may be allowed provided that:

(i) The operation complies with the relevant Forest Practices Act rules;

(ii) Harvest methods with low visual impact are used; and

(iii) The effect of the harvest enhances the scenic view within a reasonable time (5-10 years). For the purposes of this rule, "enhance" means to improve timber stand health, including reducing stand density, by emulating the mosaic character of the natural forest landscape (pre-forest management tree density patterns - Prior to 1920).

(C) New roads will be permitted only when fully screened from the river by topography and/or existing vegetation;

(D) Any existing roads, visible from the river, shall not be extended, realigned, or improved substantially. When a road is regraded, no side cast which would be visible from the river is permitted. Excess material must be hauled to locations out of sight from the river;

(E) New mining operations and similar improvements shall be permitted only when they are substantially screened from the river by topography or existing vegetation. The condition of "substantial screening" shall consist of an ample density and mixture of evergreen and deciduous vegetation (preferably native) to totally obscure the altered improvement site at all stages of its development;

(F) Proposed utility facilities shall share existing utility corridors, and any vegetation disturbance

shall be kept to a minimum;

(G) Improvements needed for public recreation use or resource protection may be visible from the river, but shall be primitive in character and designed to blend with the natural character of the landscape;

(H) Whenever the standards of OAR 736-040-0035 and the above rule are more restrictive than the applicable County Land Use and Development Ordinance, the above Oregon Administrative Rules shall apply.

[.....]

Permit Number 1608  
Date Filed 7/15  
Total Fee 515-  
Check Number 333A

**CONDITIONAL USE PERMIT**

LEGAL OWNER: David W Howell & Connie J Howell  
APPLICANT: David W Howell & Connie J Howell  
ADDRESS: Box 218  
CITY: COVE OK, 97824  
PHONE NUMBER: 541 980 5499

REFERENCE #: 8825  
TWP: 5N  
RANGE: 4E  
SECTION: \_\_\_\_\_  
TAX LOT#: 2400  
ACREAGE: 244.49  
ZONE: T16

INTENDED DEVELOPMENT OR USE: Single Fishing Cabin per 16-070 (22)  
ATTACHED: Instructions for completing a PLOT PLAN, detailed information of how to PERFECT your permit, and a Flood Hazard checklist.

NOTICE: AUTHORIZATION OF A CONDITIONAL USE PERMIT SHALL BE VOID AFTER FOUR (4) YEARS UNLESS SUBSTANTIAL CONSTRUCTION HAS TAKEN PLACE. ONE EXTENSION OF TWO (2) YEARS IS ALLOWED. A REQUEST FOR AN EXTENSION MUST BE SUBMITTED IN WRITING PRIOR TO PERMIT EXPIRATION. (SEE ATTACHMENT FOR MORE DETAILS ON EXPIRATION AND PERFECTING OF A CONDITIONAL USE PERMIT.)

I hereby certify that all information furnished by me is correct to the best of my knowledge and issuance of this permit is based on this information. Any error committed by the issuing authority shall not excuse me from complying with any other applicable state and local laws and ordinances. I understand that any deviation other than that allowed by law may nullify the validity of this permit.

All applicable D.E.Q. sanitation regulations and State Building Codes will be followed.

David W Howell  
Connie Howell  
APPLICANT

6-15-16  
DATE

**SALMON PLAN**

This application will/will not be considered by the Wallowa County Natural Resource Technical Advisory Committee in conjunction with Article 36 of the Wallowa County Land Development Ordinances.

DECISION: \_\_\_\_\_

**ACTION TAKEN**

Planning Department Action \_\_\_\_\_ Planning Commission Action \_\_\_\_\_

Approved \_\_\_\_\_ Denied \_\_\_\_\_ Conditionally Approved \_\_\_\_\_ Conditions of Approval: \_\_\_\_\_

DATE OF ACTION \_\_\_\_\_

DATE OF EXPIRATION \_\_\_\_\_

Permit Authorization: \_\_\_\_\_  
Wallowa County Planning Department

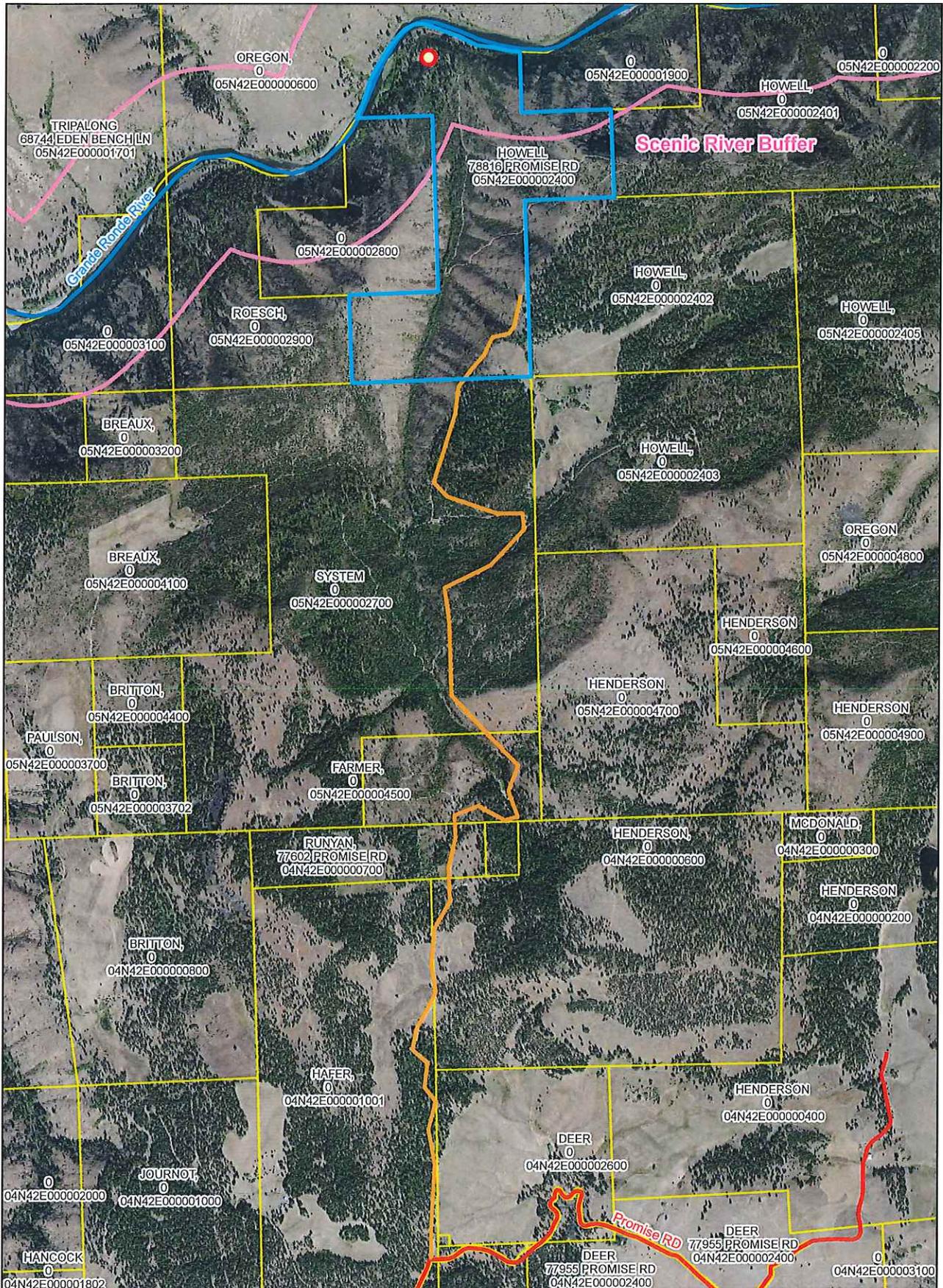
# Howell Fishing Accomodations

05N 42 tax lot 2400 -- 40 ft topo and 100 yr Flood Zone



# Howel Fishing Cabin Overview

05N 42 tax lot 2400 - all zoned T/G or TC



Wallowa Co Planning Dept - 07/14/2016

This map is to be used strictly for information purposes only and should not be taken as expressing any authoritative assertions, opinions, and/or legal descriptions through any information presented





# Oregon

Theodore R. Kulongoski, Governor

## Parks and Recreation Department

725 Summer Street NE, Suite C

Salem, OR 97301-1266

(503) 986-0707

FAX: (503) 986-0794

www.oregonstateparks.org



October 14<sup>th</sup>, 2010

David W Howell  
P.O Box 218  
Cove, OR 97824

RE: File No.: 19-16-10  
Grande Ronde River Scenic Waterway

Dear Mr. Howell,

The Oregon Parks and Recreation Department accepted notification from you on April 9<sup>th</sup> 2010 for the placement of cabins along the Grande Ronde River's Scenic Corridor.

The Oregon Parks and Recreation Commission reviewed this file on September 22<sup>nd</sup> 2010. We are notifying you that the Commission has denied your request to place cabins, as it does not meet statutory requirements (ORS 390.845 (2)).

Oregon Administrative Rule 736-040-0080 (c) states, "Twelve months after the Department accepts as complete the original notice to the Commission, the owner may use their land in conformity with the specific written plan submitted as a part of that notice unless the Commission has sooner instituted proceedings to acquire the land involved".

At this time, the Commission does not plan to acquire the land in response to this cabin placement proposal. If you choose to continue with the project as originally planned, you may not begin work prior to April 4<sup>th</sup> 2011.

Sincerely,

Greg Ciannella  
Scenic Waterway Program Coordinator  
541.388.6236

Cc: Harold Black, Wallowa County Planning  
Kevin McCoy, BLM