

736-040-0100

Chetco River Scenic Waterway

(1) Accessible Natural River Area:

(a) That segment of the Chetco River from the Steel Bridge to Eagle Creek is classified as an Accessible Natural River Area.

(b) This Accessible Natural River Area shall be administered consistent with the standards set by OAR 736-040-0035 and 736-040-0040(1)(e)(B). In addition to these standards, all new structures, improvement and development shall be consistent with applicable Federal, State, County and local land use and development regulations.

(c) In order to preserve the river and related adjacent lands in an essentially primitive condition, no new structures or improvements which are visible from the river other than those erected or made in connection with a compatible existing use will be permitted. Improvements provided by public agencies that are needed for public recreation use or resource protection may be visible from the river but shall be designed to blend with the natural character of the landscape as much as possible.

(d) Any new improvements permitted should be primitive in character and include screening from the river by topography.

(e) New roads may be permitted only when totally screened from view from the river by topography and/or vegetation.

(f) Where existing roads are visible from the river, major extensions, realignments, or upgrades to existing roads shall be totally screened from view from the river by topography and/or vegetation.

(2) Scenic River Area:

(a) That segment of the Chetco River from Eagle Creek to the South Fork Confluence is classified as a Scenic River Area.

(b) This Scenic River Area shall be administered consistent with the standards set by OAR 736-040-0035 and 736-040-0040(1)(b)(B). In addition to these standards, all new development shall be consistent with applicable Federal, State, County and local land use and development regulations.

(c) New structures shall be finished in colors and tones that blend with the surrounding landscape. For the purposes of this rule, landscape includes indigenous vegetation, soils and rock material.

(d) Natural evergreen vegetation shall be maintained between the structures and improvements and the river. If proposed structures, improvements, or landscape alterations are not adequately screened by topography or existing vegetation on a site, the Department may permit the project if vegetation is established which will substantially screen the project in a reasonable time (for example, 4–5 years). The condition of "substantial vegetative screening" shall consist of an ample density and mixture of native vegetation to totally obscure or allow only a highly filtered view of the proposed structures or improvements. Developments necessary for public outdoor recreation, as provided by public agencies,

and resource protection or enhancement may be visible from the river but must blend into the natural scene.

(e) New roads may be permitted only when screened from view from the river by topography and/or vegetation.

(3) Recreational River Area:

(a) That segment of the Chetco River from the South Fork Confluence to the southern boundary of Alfred A. Loeb State Park is classified as a Recreational River Area.

(b) This Recreational River Area shall be administered consistent with the standards set by OAR 736-040-0035 and 736-040-0040(1)(c)(B). In addition to these standards, all new development shall be consistent with applicable Federal, State, County and local land use and development regulations.

(c) New structures and associated improvements (except as provided under OAR 736-040-0030(5)) shall be partially screened with existing vegetation and/or topography. If inadequate topography or vegetative screening exists on a site, the structure or improvement may be permitted if vegetation (preferably native) is established to provide partial screening of the proposed structure or improvement within a reasonable time (4-5 years). The condition of "partial screening" shall consist of an ample density and mixture of native vegetation to partially obscure (at least 50 percent) the viewed improvement or structure, or allow a partially filtered view (at least 50 percent filtering) of the proposed structure or improvement.

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

(e) New roads and similar forms of development shall be set back from the river consistent with Curry County zoning and land development requirements and be partially screened from view from the river by topography or by existing or newly established native vegetation.

Stat. Auth.: ORS 390.124

Stats. Implemented: ORS 390.805 - ORS 390.925