



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

MEMORANDUM

TO: Water Resources Commission

FROM: Dwight French, Water Right Services Division Administrator

SUBJECT: Agenda Item E, August 21, 2014
Water Resources Commission Meeting

Establishment of New State Scenic Waterways

I. Issue Statement

As directed by the Oregon Legislature (ORS 390.855), the Oregon Parks and Recreation Department (OPRD) is expected to study waterways for inclusion in the State Scenic Waterways Program and submit periodic reports to the Governor. With concurrence of the State Parks Commission (SPC) and Water Resources Commission (Commission), OPRD is to recommend to the Governor the designation of additional rivers or segments of rivers as State Scenic Waterways. In his letter dated September 23, 2013 (Attachment 1), the Governor directed OPRD to analyze and study a minimum of three waterway segments per biennium, depending on the availability of operational resources.

This staff report discusses the process used by OPRD to determine the waterways that should become new State Scenic Waterways and the role of the Department and Commission.

II. Background

Oregon's Scenic Waterways Act was passed in 1970 by a popular vote with a 2:1 margin. It was established, in part, to be a companion to the Federal National Wild and Scenic Rivers System, which was established in 1968 and applies to Federal lands. The Oregon Scenic Waterways Act attempts to strike a balance between protecting natural resources and the scenic diversity of Oregon's waterways, while supporting the needs of riverbank property owners. The goal of the Act is to preserve and protect selected rivers "in a free-flowing condition and protect and preserve the natural setting and water quality...and fulfill other conservation purposes." The system currently includes approximately 1,150 miles on 19 rivers, as well as Waldo Lake. Each of the 19 river segments includes a minimum flow level, expressed in cubic feet per second, for each month of the year.

III. Discussion

In his letter, the Governor directed OPRD to make recommendations for new State Scenic Waterways by January 1, 2015. The letter further directs OPRD to analyze and study a minimum of three waterway segments per biennium, depending on the availability of operational resources.

Designating new state scenic waterways is consistent with the Integrated Water Resource Strategy (recommended action #11b) by “developing additional instream protections” including “designating scenic waterways where needed.”

An advisory task force composed of state agencies and non-governmental organizations met in January 2014. The task force reviewed and approved the selection methodology (Attachment 2), screened the comprehensive list of potential river segments, and made recommendations for three initial river segments for study.

Attachment 1 shows the location of existing State Scenic Waterways, Federal Wild and Scenic Rivers, and the three reaches recommended for study. These proposed waterway segments, shown in red, are the Upper Molalla in Clackamas County, the Upper Grand Ronde River in Union County, and a portion of the Chetco River in Curry County. The existing State Scenic Waterways are blue and the Federal Wild and Scenic Rivers are green.

We anticipate that OPRD staff will propose adoption of one or more of the river segments at the November 19, 2014, SPC meeting. At the Water Resources Commission meeting on November 20-21, 2014; and assuming that the OPRD Commission adopts at least one new scenic waterway, Department staff will make recommendations to the Commission on what flows should be protected for each of the new scenic waterways.

Once a state scenic waterway flow is approved, that flow amount is subtracted from our water availability model. A scenic waterway flow is not a new water right. In many cases this can limit the amount of water available for new appropriations. WRD staff are considering the potential impact to future water right applications along with the need for flows to support the purposes of the scenic waterway. Staff will share these considerations at the November Commission meeting.

IV. Conclusion

By June 2015, a report will be submitted to the Governor that summarizes the procedures for selecting potential State Scenic Waterway study areas for future biennium. Prior to submittal of report, the planning process will include a state-wide non-motorized boater survey, a web-based survey of recreational user groups, and regional issues workshops. These activities are being carried out by OPRD staff.

Department staff will continue to work with OPRD and keep the Commission apprised of activities being undertaken to study and propose new State Scenic Waterways.

This is an informational report and no action is requested at this time.

Attachment 1: Scenic Waterway Expectations Letter from Gov. Kitzhaber
Attachment 2: Scenic Waterway Selection Methodology (OPRD)
Attachment 3: Map showing current and proposed State Scenic Waterway reaches

Dwight French
(503) 986-0819



JOHN A. KITZHABER, MD
Governor

September 23, 2013

The Honorable Peter Courtney
President of the Senate
S-201 State Capitol
Salem, OR 97301

The Honorable Tina Kotek
Speaker of the House
H-269 State Capitol
Salem, OR 97301

Dear Senate President Courtney and Speaker Kotek:

I am writing to confirm my office's intent to comply with ORS 390.855, pursuant to which Oregon Parks and Recreation Department (OPRD) shall use operating funds for studying and analyzing waterways for inclusion in the State Scenic Waterways program, and issue recommendations by January 1, 2015 that, if implemented by the Governor or signed into law, would designate segments of Oregon rivers as State Scenic Waterways.

The process of studying and analyzing waterways will include public hearings in the counties in which proposed additional rivers or segments are located, consistent with the process and considerations specified in ORS 390.855. This analysis and study will be conducted on a minimum of three waterway segments per biennium. OPRD may study and analyze more than three waterways per biennium but will do so to the extent practicable within existing resources and without causing undue financial or operational harm to other program areas.

Please feel free to contact me if you have any questions.

Sincerely,

John A. Kitzhaber, M.D.
Governor

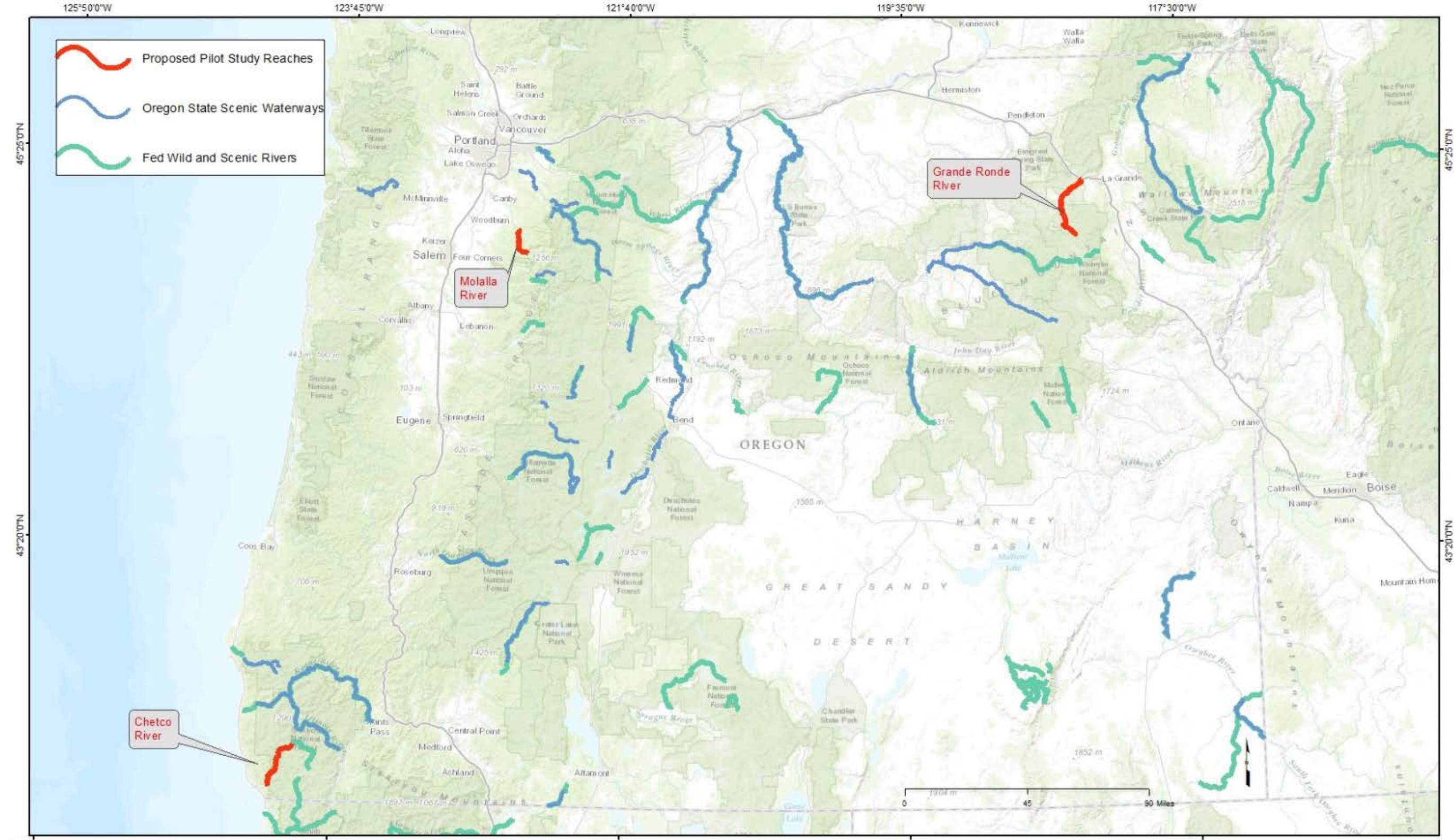
JAK/GG/tb

ATTACHMENT 2

Evaluating and Selecting Potential State Scenic Waterway Study Areas

The following is a description of the methods used by the Oregon Parks and Recreation Department (OPRD) to generate an initial list of potential Scenic Waterway Study Reaches and to evaluate individual river reaches on the list.

1. Potential candidate list. A listing of 217 potential Scenic Waterway reaches was developed from a review of past planning efforts and studies conducted for Oregon waterways. Information sources included the National Park Service (NPS) National Rivers Inventory, an OPRD study entitled *Recreational Values on Oregon Rivers*, local jurisdiction Comprehensive Plans, and river segments included in Oregon Senate Bill 401 (2013 Regular Session).
2. Recreation Resource Quality. The recreation resource quality score was derived from results of a 1987 study entitled *Recreational Values on Oregon Rivers* which assessed the recreational importance of 186 Oregon river segments. Respondents included 165 organizations and individuals including recreational professionals and land managers, user groups such as recreational outfitters and guides, fishing, boating and hiking clubs. Respondents were asked to rate 9 distinct recreation activities including 1) power boating, 2) canoes/kayaks, 3) drift boats, 4) inflatable rafts, 5) sailboats/ sail boards, 6) salmon/steelhead fishing, 7) resident trout fishing, 8) warm water fishing, and 9) other recreation qualities (e.g., hiking, swimming, camping, nature viewing). The recreation quality score for each individual variable is 1=Outstanding recreational resources, 2=Substantial recreational resources, 3=Moderate recreational resources, 4=Limited recreational resources, 5=Little or no recreational resources, and 0=Unknown. The final recreation quality ranking for river reaches included on the spreadsheet is the MEDIAN VALUE for all nine recreation activity scores for the river corridor.
3. Scenic Quality Potential. The potential scenic quality of river reaches was derived from a GIS analysis of topographic range, slope diversity, and land cover variety of each river corridor. Each of these variables received a coefficient of 1. An additive summary provided an overall value for scenic potential. The scenic potential values were reclassified to low, medium, and high values based on the Jenks natural breaks optimization. Each water course was buffered by 1,500 feet as a surrogate for the ¼ mile jurisdictional boundary of the State Scenic Waterway rules. This allowed for variation in the location of riverbank between water courses and did not adversely affect the outcome. A tabulation analysis between the buffered areas and the classified scenic potential results determined the rank for each water course. The scenic value ranking score for river corridors included on the spreadsheet is 0=Low, 1=Medium, 2=High.
4. Evaluating Reaches. To reduce the long list of 217 potential corridors, all reaches with median recreation resource scores of 4 (limited recreational resources) and 5 (little or no recreational resources) were removed from the list. Potential corridors with scenic quality potential scores of 0 (low) were also removed from the list. The list was then sorted by recreation quality ranking (1 highest) and scenic potential (2 highest).



Map data for informational purposes and may not be a best practice. Use of this information shall remain at the user's discretion and information source is not responsible for the information.