



Oregon

Kate Brown, 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: Thomas M. Byler, Director
SUBJECT: Agenda Item M, November 20, 2015
Water Resources Commission Meeting

Designation of Scenic Waterways and Setting of Scenic Waterway flows for the Chetco and Molalla Rivers

I. Introduction

During this agenda item, the Water Resources Commission (Commission) will consider whether to concur with the Oregon Parks and Recreation Commission's recommendation to Governor Brown to designate portions of the Chetco and Mollala Rivers as scenic waterways. Commission concurrence is necessary for the Oregon Parks and Recreation Commission (OPRC) to submit its recommendation to the Governor. In addition, the Commission may determine the scenic waterway flows that would be established for each proposed waterway, if designated by the Governor.

II. Background

In a September 2013 letter, Governor Kitzhaber instructed the Oregon Parks and Recreation Department (OPRD) to evaluate at least three waterway segments for designation as scenic waterways during each biennium, depending on the availability of operational resources. OPRD, in consultation with many partners including the Water Resources Department (OWRD), started the process of studying potential waterways in October 2013. The Commission has previously heard presentations about the history of scenic waterways in Oregon and methods for setting scenic waterway flows (see August 2014 Agenda Item E, November 2014 Agenda Item F, and March 2015 Agenda Item C).

The establishment of additional scenic waterways and setting of scenic flows supports Recommended Action 11B of the Integrated Water Resource Strategy.

III. Evaluating Stream Segments for Designation

The evaluation of streams segments for designation as scenic waterways entails an assessment to determine eligibility, followed by a review of the feasibility of including the stream in the program.

To assess the eligibility of waterways for inclusion in the program, the stream segment must meet the following criteria outlined in statute:

- Free-flowing nature;
- Scenic quality, as viewed from the river; and
- Natural and recreational resources, including the ability of the waterway and its setting to sustain recreational use.

The feasibility of including waterways in the program is determined by evaluating public interest and support for designation. This evaluation includes public input from stakeholder interviews, holding public meetings in the communities that could be affected by the designation, and surveying adjacent property owners and the general public regarding the potential designation.

Studies completed for the Chetco and Molalla Rivers in 2014 found that both river reaches meet the eligibility and feasibility criteria for being included in the Scenic Waterway program. The Grande Ronde, also included in the initial evaluation, was not recommended for designation because it did not meet the eligibility criteria and there was little local support for the designation.

The final eligibility and feasibility results, including public comment at this stage, were captured in the following documents for all three rivers:

State Scenic Waterway Report: Chetco River

http://www.oregon.gov/oprd/Trail_Programs_Services/Documents/Chetco.pdf

State Scenic Waterway Report: Molalla River

http://www.oregon.gov/oprd/Trail_Programs_Services/Documents/MolallaReport.pdf

State Scenic Waterway Report: Grande Ronde River

http://www.oregon.gov/oprd/Trail_Programs_Services/Documents/GrandeRonde.pdf

IV. Public Process and Draft Management Plans

In November 2014, following the eligibility studies, the OPRC asked OPRD to pilot a public process in order to allow citizens local to the proposed waterways to participate in shaping nonbinding land management rules. OPRD invited the Water Resources Department (Department) to take part in the process in order to gather input on recreational flow needs, which the Commission must set if a stream is designated as a scenic waterway. The pilot process used local, community advisory groups to create a Draft Management Plan and Draft Scenic Waterway Flow Recommendation for the proposed Chetco and Molalla Scenic Waterways.

In April 2015, OPRD and the Department held the first workgroup meeting with the public advisory groups for each river. These groups, made up of local landowners, community leaders, and land managers, met again in late June to finalize the Draft Management Plan and Draft Scenic Waterway Flow Recommendation documents.

The major goal of the scenic waterway advisory group process was to develop a comprehensive and workable Draft Management Plan that 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 advisory group processes resulted in unanimous agreement among members to recommend: 1) designation of both Scenic Waterways and; 2) use of the Draft Pilot Management Plans as the basis for any further rule-making regarding the Chetco or Molalla Scenic Waterways.

Following a second workgroup meeting, the resulting documents were presented in an open-house style public meeting on July 14 (Chetco) and July 20 (Molalla). Both meetings were well attended by the public. Generally, oral comments at the meetings supported Scenic Waterway designation for both rivers. OPRD also collected written comments at the public meetings. Staff observed two main themes: 1) interest in the impacts of the designation on private property rights; and 2) interest in the types and levels of protection of streamflow.

The public meetings kicked off a 30-day OPRD public comment period for each Draft Management Plan and Draft Scenic Waterway Flow Recommendation documents. Comment periods ended on August 13 for the Chetco and August 19 for the Molalla. A summary of public comment is included in the Draft Management Plan and the Draft Scenic Waterway Flow Recommendation documents (Attachments 1 and 2).

The following land management planning documents, including public comment, were produced through the advisory group process:

Draft Pilot Management Plan for Chetco River

http://www.oregon.gov/oprd/NATRES/scenicwaterways/Documents/DRAFTPilotStateScenicWaterwayManagementPlanChetcoOct2015_web2.pdf

Draft Pilot Management Plan for Molalla River

http://www.oregon.gov/oprd/NATRES/scenicwaterways/Documents/DRAFTPilotStateScenicWaterwayManagementPlanUpperMolallaOct2015_web.pdf

V. Draft Scenic Waterway Flow Recommendations

A key part of the pilot process was to gather local input on recreational water use and to recommend reasonable levels of instream protection in order to assist the Water Resources Commission in its consideration of designation of the proposed scenic waterways. Both Advisory Groups developed recommendations for protecting streamflow.

The Scenic Waterway Flow recommendations from the Advisory Groups are summarized in Table 4 of each of the Chetco and Molalla Scenic Waterway Flow Recommendation documents (Attachments 1 and 2). Where consensus has been reached, a single percentage is listed; otherwise a range of percentages denotes the full spectrum of opinion. Public comment regarding scenic flows is also included in these attachments.

The Chetco Advisory Group recommended protection of 100 percent of the median, monthly flow for all months except on the lower segment of the proposed waterways during the months of January through March where 5 percent of the median, natural flow could potentially be allocated for beneficial use (Attachment 1, Table 5). To put these numbers in context, in the lower segment Chetco River, the median, monthly flow in January is 3,050 cfs. The existing instream water right for January in that same segment is 350 cfs. The Advisory Group recommended setting the Scenic Waterway flow between 2,897 cfs (95 percent) and 3,050 cfs (100 percent) for the month of January in this lower segment of the proposed Scenic Waterway. This would leave between 153 cfs (~9,000 acre feet) and 0 cfs available for additional allocation in January (depending on basin plan restrictions and downstream demands).

The Molalla Advisory Group recommendations are to 1) protect 100 percent of the median, natural flow in September and October for all sections, 2) protect between 90 and 100 percent of the flow in the upper and middle segments, the rest of the year, and 3) protect between 85 and 100 percent of the flows in the lower segment during the remainder of the year (Attachment 2, Table 5). To put these numbers in context, in the lower segment of the Molalla River, the median, monthly flow in January is 889 cfs. The existing instream water right for January in that same segment is 140 cfs. The advisory group recommended setting the scenic waterway flow between 756 cfs (85 percent) and 889 cfs (100 percent) for the month of January in the lower segment of the proposed Scenic Waterway. This would leave between 133 cfs (~8,000 acre feet) and 0 cfs available for additional allocation in January (depending on basin plan restrictions and downstream demands).

VI. Conclusion

If the Commission concurs with OPRD's decision to refer the Chetco and Molalla Scenic Waterways, OPRD will present the resulting recommendations to the Governor's office by the end of the year. If the Governor does designate the recommended river stretches, the Commission would be responsible for requesting that the Department identify flow quantities necessary for recreation, fish and wildlife uses before issuing any new water rights within or above designated Scenic Waterways (ORS 390.835(1)).

VII. Action A: Alternatives and Recommendation for Designation of Scenic Waterways

The Commission may consider the following alternatives regarding the designation of the Chetco River as a Scenic Waterway:

Chetco Alternative 1A: Concur with the Parks and Recreation Commission's recommendation to the Governor to designate a portion of the Chetco River as a Scenic Waterway.

Chetco Alternative 2A: Do not concur with the Parks and Recreation Commission's recommendation to the Governor to designate a portion of the Chetco River as a Scenic Waterway.

The Commission may consider the following regarding the designation of the Molalla River as a Scenic Waterway:

Molalla Alternative 1A: Concur with the Parks and Recreation Commission's recommendation to the Governor to designate a portion of the Molalla River as a Scenic Waterway.

Molalla Alternative 2A: Do not concur with the Parks and Recreation Commission's recommendation to the Governor to designate a portion of the Molalla River as a Scenic Waterway.

***Recommendation:** The Director recommends Chetco and Molalla Alternatives 1A.*

VIII. Action B: Alternatives and Recommendation for Setting of Scenic Waterway Flows

The Commission may consider the following regarding the setting of Scenic Flows for the Chetco Scenic Waterway:

Chetco Alternative 1B: Contingent upon the Governor's formal designation of the Chetco Scenic Waterway, set Scenic Waterway flows at the lower end of the range of flows recommended by the Advisory Group (Attachment 1, Table 5).

Chetco Alternative 2B: Contingent upon the Governor's formal designation of the Chetco Scenic Waterway, set Scenic Waterway flows at a percentage determined by the Commission and within the range of values suggested by the Advisory Group (Attachment 1, Table 5).

Chetco Alternative 3B: Defer setting flows for the Chetco Scenic Waterway at this time.

The Commission may consider the following regarding the setting of Scenic Flows for the Molalla Scenic Waterways:

Molalla Alternative 1B: Contingent upon the Governor's formal designation of the Molalla Scenic Waterway, set Scenic Waterway flows at the low end of the range of flows recommended by the Advisory Group (Attachment 2, Table 5).

Molalla Alternative 2B: Contingent upon the Governor's formal designation of the Chetco Scenic Waterway, set Scenic Waterway flows at a percentage determined by the Commission and within the range of values suggested by the Advisory Group (Attachment 2, Table 5).

Molalla Alternative 3B: Defer setting flows for the Molalla Scenic Waterway at this time.

Recommendation: The Director recommends Chetco and Molalla Alternatives 1B.

Rachel LovellFord
503-986-0836

Attachment:

1. Pilot Advisory Group Scenic Waterway Flow Recommendation: Chetco River
Also available online:
http://www.oregon.gov/oprd/NATRES/scenicwaterways/Documents/ScenicWaterwayFlows_ChetoNov2015_web.pdf
2. Pilot Advisory Group Scenic Waterway Flow Recommendation: Molalla River
Also available online:
http://www.oregon.gov/oprd/NATRES/scenicwaterways/Documents/ScenicWaterwayFlows_MolallaNov2015_web.pdf

Pilot Advisory Group Scenic Waterway Flow Recommendation: Chetco River



Oregon Water Resources Department
725 Summer St NE, Suite A Salem, Oregon 97301



Contents

Figures.....	2
Tables	2
Acknowledgements.....	3
Introduction	4
Background	4
Approach and Process for Scenic Waterway Flow Recommendations	5
Impact of Setting of Scenic Waterway Flows on Existing or Future Water Development	6
Chetco River Scenic Waterway Flows: Background and Recommendations.....	6
Description of Chetco Scenic Waterway.....	6
OWRD Water Availability Reporting System (WARS) Input.....	6
Scenic Waterway Flow Framework Input	9
Chetco Scenic Waterway Flow Recommendation	13
Additional Information.....	14
Statutory Authority and Administrative Rule	14
Pilot Advisory Group Scenic Waterway Flow Recommendation Input Summary	14
Implementation of Scenic Waterway Flow Protection	15
OWRD Water Availability Report Output.....	15
References and Additional Resources	17
Appendix A. Public Comment received relevant to setting of Scenic Waterway Flows.....	18

Figures

Figure 1. The Scenic Waterway Flow Framework used by the Advisory Groups to suggest flows for protection within any proposed Scenic Waterway. 5

Figure 2. Map of proposed Scenic Waterway reach of the Chetco River (pink), the basin above the proposed Scenic Waterway (light green), and existing water rights within the Scenic Waterway. 8

Tables

Table 1. Median, natural streamflow and existing instream water rights by month for OWRD’s Water Availability Basin 31731224 (coincident with the downstream end of the Chetco Scenic Waterway)..... 7

Table 2. Summary count of public comment letters received by OPRD. 10

*Table 3. Summary of comments received from the Advisory Group following the **first** workgroup meeting for the Chetco River..... 11*

*Table 4. Results of the prioritization voting exercise at **second** Advisory Group meeting on the Scenic Waterway Flow Recommendation values. 12*

Table 5. Advisory Group Scenic Waterway Flow Recommendation to the Water Resources Commission. 13

Table 6. Assessment of months during the year when water is available for additional uses based on totals of existing allocations. 16

Acknowledgements

Thank you to the Chetco Advisory Group members who took the time to engage in this pilot process. Advisory Group Members provided crucial input and insights into the flow needs for the proposed Chetco Scenic Waterway. Advisory Group Members include (in alphabetical order):

Alyssa Babin, Wild and Scenic Rivers, Brookings
Forrest English, Rogue Riverkeeper
Pat Fadden, South Coast Lumber
Lorelie Haukness, Recreation Program Manager, Rogue River-Siskiyou National Forest
Brent Hodges, Brookings City Councilor
Anna Krug, Manager, Alfred A. Loeb State Park, OPRD
Luke Martinez, Kayaking Guide
Kat Moya, Manager, Chetco River Inn, Brookings
Julie Schmelzer, Curry County Administration
Mark Sherwood, Native Fish Society, Brookings
Harvey Young, Fishhawk River Company, Fishing Guide Services, Brookings

Special thanks also to Oregon Parks and Recreation and Oregon Water Resources Department staff who supported the Chetco Scenic Waterway Advisory Group pilot effort (in alphabetical order):

Brenda Bateman, WRD
Dwight French, WRD
Chris Havel, OPRD
Shavon Hayes, WRD
Laurel Hillmann, OPRD
Rocky Houston, OPRD
Calum Stevenson, OPRD
Carrie Lovelette, OPRD
Rachel LovellFord, WRD
Ken Stahr, WRD
Trevor Taylor, OPRD

Introduction

This “Pilot Advisory Group Scenic Waterway Flow Recommendation” document contains a summary of recommended Scenic Waterway flows for the Chetco River as developed through a pilot citizen engagement process. The Chetco Scenic Waterway Advisory group, lead by the Oregon Parks and Recreation Department (OPRD) and assisted by the Oregon Water Resources Department (WRD), used the Scenic Flow Framework, complimented by water availability analysis carried out by WRD to arrive at their recommendation. A description of this pilot process and any public comment that resulted from the advisory group meetings are captured below.

Background

The Scenic Waterway Act became state law in 1970, and with it, many of Oregon’s premier recreational rivers were designated state Scenic Waterways. The resulting statute specifically identified recreation, fish, and wildlife uses as the highest and best uses of the designated waterways and their waters. Scenic Waterway statute also directed the Water Resources Commission to consider the quantities of water necessary for recreation, fish, and wildlife uses within or above a designated Scenic Waterway before granting new water rights (ORS 390.835).

In September 2013, the Governor directed OPRD to analyze at least three waterways for potential designation every two years in fulfillment of statute directing periodic study of new waterways for potential inclusion in the program (ORS 390.855). An initial screening of Oregon waterways by OPRD resulted in a list of approximately 80 river segments that have the potential to meet the State’s waterway designation criteria. Based on a broad coalition of agencies and stakeholders, OPRD’s capacity to complete the waterway assessments, and the desire to provide geographical distribution throughout the State, sections of the Molalla, Chetco, and Grande Ronde Rivers were included in a 2013-15 pilot study (<http://www.oregon.gov/oprd/NATRES/scenicwaterways/Pages/assessments.aspx>). Based on the evaluation of eligibility criteria for the river and public input received during the waterway assessment, the Grande Ronde was dropped from the designation process.

In November 2014, the Oregon State Parks and Recreation Commission recommended Scenic Waterway designation of segments of the Chetco and Molalla Rivers. The Commission also directed OPRD staff to cooperate with advisory groups to develop draft management plans for the recommended Scenic Waterway segments on the Chetco and Molalla rivers, and to bring materials for Commission review by November 2015.

Starting in March 2015, OPRD convened pilot advisory groups comprised of local land owners, recreational business operators, and local government/interest groups for both of the proposed waterways. These groups were tasked with working with OPRD staff to compile a Draft Management plan for each waterway. Upon conclusion of the pilot advisory group process, OPRD will ask the Water Resources Commission to review Scenic Waterway qualification reports and draft management plans and to concur with the Parks and Recreation Commission’s recommendation for designation.

WRD's role in the Draft Management Plan process was to consider and seek public input regarding Scenic Waterway Flows so that WRD may recommend to the Water Resources Commission. As part of these efforts, WRD has joined OPRD in the pilot Advisory Group process. WRD staff used the Advisory Group meetings and public workshop period to collect information from interested parties in the basin regarding optimal Scenic Waterway flows; the results of this effort are captured in this report. This Advisory Group recommendation report will be an appendix to the Draft Management Plan for the Chetco River.

Approach and Process for Scenic Waterway Flow Recommendations

For recreation, fish and wildlife uses (ORS 390.835(1)), WRD recommends Scenic Waterway flows through official staff reports to the Water Resources Commission. If the Commission agrees with the recommendations, staff will protect these flows through water right allocations and permit conditions for new water rights within and above the Scenic Waterway. WRD recommends that Scenic Waterway Flow recommendations be informed by 1) WRD's Water Availability Reporting System (WARS) program (including existing instream water rights) and 2) input from OPRD's Advisory Group and Public Workshop process. The Advisory Group may use, among other methods, the Scenic Waterway Flow Framework (Framework) to provide input for specific flow recommendations (Figure 1).

The Framework, drafted by WRD staff, combines Scenic Waterway Management Classifications (OAR-736-040) with the median monthly natural streamflow defined by the WARS output. A Classification is suggested for each section of a proposed Scenic Waterway through OPRD's Draft Management Plan process. The range of recommended percentages listed for each classification are intended to mirror existing levels of development within the larger basin while still protecting a majority of the water available for allocation for recreation, fish, and wildlife uses.

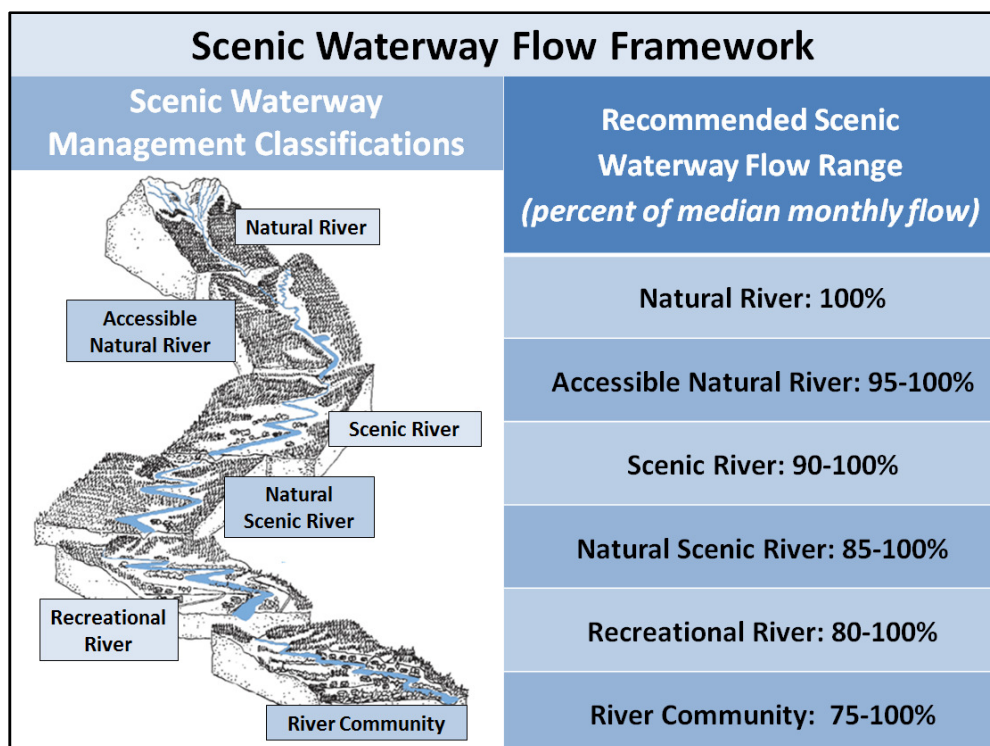


Figure 1. The Scenic Waterway Flow Framework used by the Advisory Groups to suggest flows for protection within any proposed Scenic Waterway. The varying levels of protection (range of percentages) are intended to mirror the level of current land use as identified by the Scenic Waterway Management Classification system.

Impact of Setting of Scenic Waterway Flows on Existing or Future Water Development

Scenic Waterways are designated in order to protect the existing scenic nature of a waterbody. In many cases, this scene involves existing developed lands that already divert and use water. It is important to note that new 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 the Scenic Waterway will be subject to Scenic Waterway flow levels adopted by the Water Resources Commission. In addition, these flows may be assigned as a permit condition on a new water rights granted within or above the designated Scenic Waterway. For more information on specific exceptions, statutes, and rules surrounding new surface and groundwater use within or above a Scenic Waterway, see the “Additional Information” section.

Chetco River Scenic Waterway Flows: Background and Recommendations

Description of Chetco Scenic Waterway

The Chetco River Study Area referred to in OPRD’s Draft Management Plan is defined as follows: The Chetco River and all lands within ¼ mile of each bank, beginning where the Steel Bridge crosses the river within the Rogue River-Siskiyou National Forest downstream approximately fourteen miles to Alfred A. Loeb State Park, near the city of Brookings, Oregon. This reach is located in Curry county upstream of the cities of Brookings and Harbor (Figure 2).

OWRD Water Availability Reporting System (WARS) Input

Scenic Waterway Flows are protected during the issuance of new water rights within or above the established Scenic Waterway. This occurs through the use of WRD’s Water Availability Reporting System (WARS) to quantify water available for allocation and the inclusion of permit conditions on subsequent, new water rights. WRD uses the median, natural streamflow (aka 50 percent exceedance natural streamflow) as reported through the WARS program to determine the total amount of water available for storage or instream uses when considering an application for a new water use. The median, natural streamflow for the lower segment of the proposed reach of the Chetco River can be seen in Table 1.

Within and above the proposed Scenic Waterway reach of the Chetco River, out-of-stream allocations are minimal (less than 0.01 percent of annual streamflow). There are existing instream rights that protect fish and wildlife needs during the summer and fall months and prevent future allocation within and above designated reaches (Table 1). In addition, existing downstream water users have already established water rights which limit any additional water allocation throughout the basin for much of the year. Water may still be available to allocate for storage from November through June.

For more information on the Water Availability Reporting System, please see the “Additional Information” section and/or visit WRD’s website:

http://www.oregon.gov/owrd/Pages/wr/index.aspx#Water_Availability_Report_System

Table 1. Median, natural streamflow and existing instream water rights by month for OWRD's Water Availability Basin 31731224 (coincident with the downstream end of the Chetco Scenic Waterway). Instream water rights are protected by certificate 72796. The instream water right is larger than or equal to the median, natural streamflow for the months of August, September, and October. Water Availability Report from 6/22/2015.

Month	Median, Natural Streamflow (WAB 31731224) (cfs)	Instream Water Right Streamflow (WAB 31731224) (cfs)
January	3050	350
February	3230	350
March	2730	350
April	1670	350
May	774	350
June	321	200
July	157	100
August	94.6	100
September	80.5	86.8
October	209	221
November	1550	450
December	3410	450

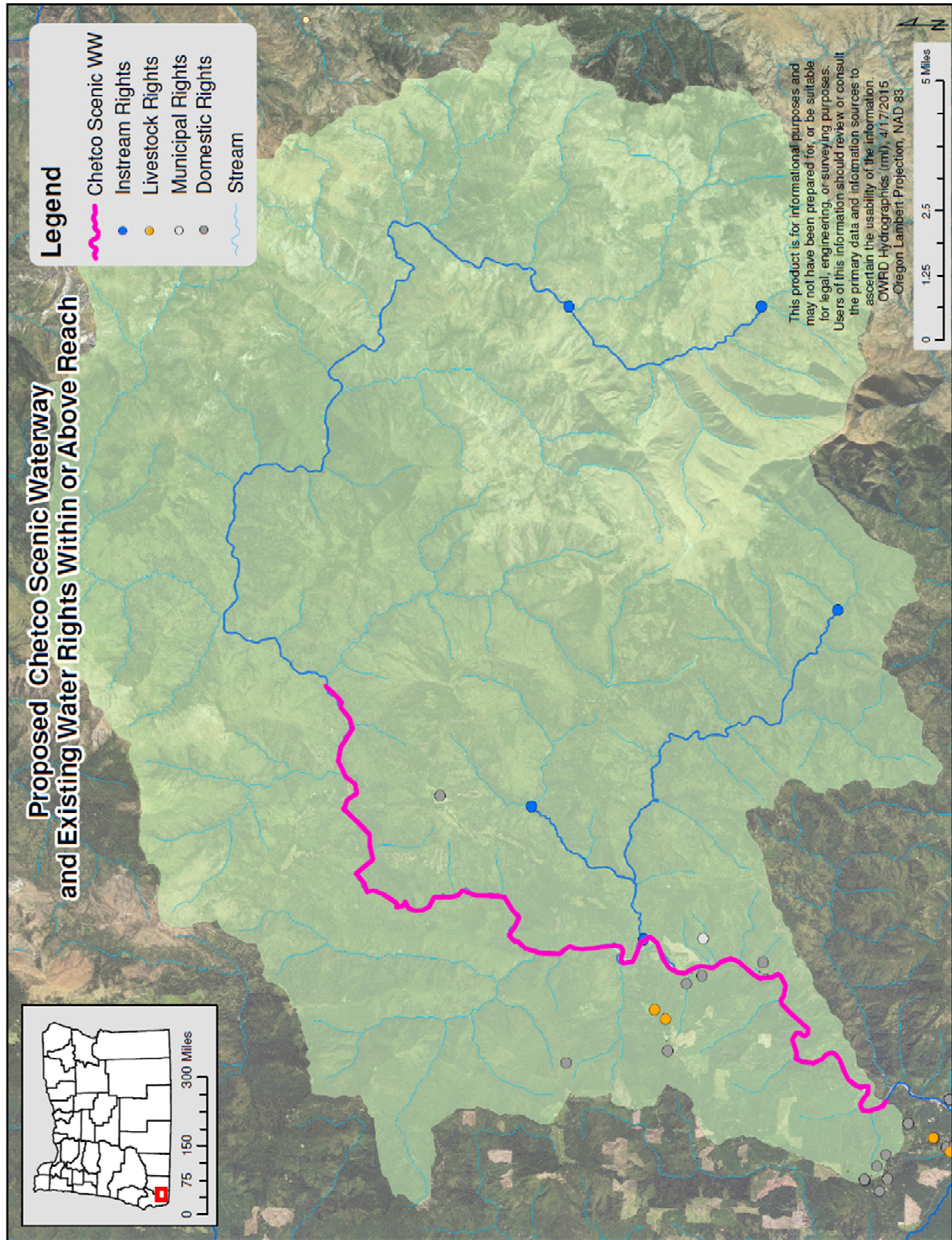


Figure 2. Map of proposed Scenic Waterway reach of the Chetco River (pink), the basin above the proposed Scenic Waterway (light green), and existing water rights within the Scenic Waterway.

Scenic Waterway Flow Framework Input

One of the ways that the Chetco Advisory Group provided input regarding the recreational flow needs was by using the Scenic Waterway Flow Framework. Input using this framework was gathered during two Advisory Group meetings held in April and June. See OPRD's Scenic Waterway website for meeting minutes, materials, and presentations (<http://bit.ly/scenicwaterways>).

Meeting #1: Scenic Waterway Flow Framework Input

To arrive at a streamflow recommendation, the Scenic Waterway Flow Framework utilizes the Scenic Waterway Management Classification for each portion of the river as established by the Chetco Advisory Group. During the first part of this meeting, the Advisory Group agreed to the following Management Classifications for the Chetco River:

- Upper Segment - Steel Bridge to Eagle Creek: Accessible Natural River
- Middle Segment- Eagle Creek to South Fork Chetco Confluence: Scenic River
- Lower Segment- South Fork Chetco Confluence to Alfred A. Loeb State Park: Recreational River

See the "DRAFT Pilot State Scenic Waterway Management Plan: Chetco River" document, Figure 4 for the draft section classification map and more information on the intent and meaning of the classifications (<http://bit.ly/scenicwaterways>).

The classification discussion was followed by a short presentation on water rights, Scenic Waterway Flows and the Scenic Waterway Flow Framework by WRD staff. At the end of the meeting, OPRD and WRD asked the Advisory Group members to complete a "homework" assignment wherein they were to identify their personal management objectives for the river and to use the Scenic Waterway Flow Framework to identify the levels of streamflow protection they thought best met the recreational flow needs of the river. Three Advisory Group members made numeric recommendations for flow levels using the Scenic Waterway Flow Framework and one member contributed narrative recommendations. The numeric feedback was combined into a range of flows and the dominant sign (+ or -) reported by participants to convey the relative importance of streamflow to personal recreational uses of the river. This summary of numeric and written comment was provided to the group at the second meeting (Table 2).

Meeting #2: Review of Scenic Waterway Flow Recommendation to the Water Resources Commission

The second meeting began with a discussion of the range of flows recommended as a result of Meeting #1 homework. Following a question and answer session which included a short presentation, WRD staff collected additional input from the attendees about preferred flow protection levels using a prioritization voting activity. The goal of this process was to ensure that all Advisory Group members had the opportunity to provide input. Consensus was not required for the recommendation, though it is noted where reached.

Consensus was reached by the group for protection of 100 percent of the median monthly flows for all months in the Upper and Middle Segments of the proposed waterway and for a majority of the year within the Lower Segment (Table 3). Within the Lower Segment, a range of flows were recommended 95-100 percent of the median, monthly flows from January through March.

Additional recommendations were as follows:

- The group recommended that the community in the basin consider a collaborative, local planning effort in order to mitigate the low flows that might interfere with drinking water supply and fisheries needs during the low flow part of the year lower in the Chetco River. WRD's Place-Based Planning program may be able to assist with this process.
- Studies of interest identified through the prioritization activity:
 - What are the specific additional fish and wildlife needs on the river?
 - How do cattle crossing the stream impact the water quality?
 - How are recreational uses affected by current water development?

Public Workshop and Comment Period

A draft version of this document was presented by OPRD and WRD at a Public Workshop on July 14th in Brookings, OR. The meeting was well attended with over 37 members of the public in attendance. Although OPRD only collected written comment at the meeting, staff noticed two major areas of interest throughout the session: 1) interest in the impacts of the designation on private property rights, and 2) interest in the types and levels of protection for the river flow itself. Generally, verbal feedback during the meeting supported Scenic Waterway designation.

Following the Public Workshop, OPRD opened up a 30-day public comment period which ended on August 13th, 2015. A majority of the comment collected was in support of the establishment of the proposed Chetco Scenic Waterway (Table 2). Comments received related to scenic waterway flows are included in Appendix A.

Table 2. Summary count of public comment letters received by OPRD.

Written Comment Type	Oppose plan/designation	Support plan/designation
Individual emails and letters	1	28
Public meeting comment forms	0	8
Email Form Letters-Chetco only	0	634
Email Form Letters -Both Rivers	0	112
Total written comments	1	782

Most of the letters of support mentioned Scenic Waterway Flows. Generally, the letters asked for WRD to fully protect instream flows, including the identification and protection of base flows, biological triggering flows, and channel maintenance flows. Many letters pointed to wording in statute which requires the state to protect flows in the quantities necessary for fish, wildlife, and recreation or which identifies that the highest and best uses of waters within a scenic waterway are fish, wildlife, and recreation (ORS 3903835).

Table 3. Summary of comments received from the Advisory Group following the **first** workgroup meeting for the Chetco River. Numbers refer to the range of recommended percentages of the median, monthly flow that participants would like to protect as Scenic Waterway flows. Participants were also asked to note the relative importance of flows for recreation purposes using (+) or (-) signs.

Segments and suggested range of flows from Scenic Waterway Flow Framework	Upper Segment - Steel Bridge to Eagle Creek: <u>Accessible Natural River</u> (95 – 100% of monthly median, natural streamflow)	Middle Segment- Eagle Creek to South Fork Chetco Confluence: <u>Scenic River</u> (85– 100% of monthly median, natural streamflow)	Lower Segment-South Fork Chetco Confluence to Alfred A. Loeb State Park: <u>Recreational River</u> (80 – 100% of monthly median, natural streamflow)
January	(+), 95 to 100%	(-), 85 to 100%	(-), 85 to 100%
February	(+), 95 to 100%	(-), 85 to 100%	(-), 85 to 100%
March	(+), 95 to 100%	(-), 90 to 100%	(-), 85 to 100%
April	(+), 95 to 100%	(+), 90 to 100%	(+), 85 to 100%
May	(+), 95 to 100%	(+), 90 to 100%	(+), 85 to 100%
June	(+), 95 to 100%	(+), 90 to 100%	(+), 85 to 100%
July	(+), 95 to 100%; 100% already allocated within basin	(+), 90 to 100%; 100% already allocated within basin	(+), 85 to 100%; 100% already allocated within basin
August	100% already protected as instream water right	100% already protected as instream water right	100% already protected as instream water right
September	100% already protected as instream water right	100% already protected as instream water right	100% already protected as instream water right
October	100% already protected as instream water right	100% already protected as instream water right	100% already protected as instream water right
November	(+), 95 to 100%	(-), 85 to 100%	(-), 85 to 100%
December	(+), 95 to 100%	(-), 85 to 100%	(-), 85 to 100%

In addition to the table above, the following non-numeric recommendations from individuals within the Advisory Group are as follows:

- Fish and wildlife depend on the Chetco River year round; full protection of the waters in the Chetco should be extended per ORS 390.835, which identifies that the highest and best use of waters within Scenic Waterways are recreation, fish, and wildlife. No additional water should be allocated within or above the proposed Scenic Waterway.

Table 4. Results of the prioritization voting exercise at **second** Advisory Group meeting on the Scenic Waterway Flow Recommendation values. Numbers refer to the range of recommended percentages of the median, monthly flow that participants identified for protection using a prioritization activity. Where consensus has been reached, a single percentage is listed; otherwise a range of percentages denotes the full spectrum of opinion.

Segments and suggested range of flows from Scenic Waterway Flow Framework	Upper Segment - Steel Bridge to Eagle Creek: <u>Accessible Natural River</u> (95 – 100 % of monthly median, natural streamflow)	Middle Segment- Eagle Creek to South Fork Chetco Confluence: <u>Scenic River</u> (85– 100 % of monthly median, natural streamflow)	Lower Segment- South Fork Chetco Confluence to Alfred A. Loeb State Park: <u>Recreational River</u> (80 – 100 % of monthly median, natural streamflow)
January	100%	100%	95 to 100%
February	100%	100%	95 to 100%
March	100%	100%	95 to 100%
April	100%	100%	100%
May	100%	100%	100%
June	100%	100%	100%
July	100% <i>100% already allocated within basin</i>	100% <i>100% already allocated within basin</i>	100% <i>100% already allocated within basin</i>
August	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>
September	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>
October	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>
November	100%	100%	100%
December	100%	100%	100%

Chetco Scenic Waterway Flow Recommendation

Scenic Waterway Flow recommendations from the Advisory Group and information from the Water Availability Reporting system are summarized below (Table 5). Where consensus has been reached, a single percentage is listed; otherwise a range of percentages denotes the full spectrum of opinion. The Advisory Group recommends protection of 100 percent of the median, monthly flow for all months except on the lower segment during January through March where 5 percent of the median, natural flow could potentially be allocated for beneficial uses permitted by the Scenic Waterway Act.

Table 5. Advisory Group Scenic Waterway Flow Recommendation to the Water Resources Commission. Where consensus has been reached, a single percentage is listed; otherwise a range of percentages denotes the full spectrum of opinion.

Month	<u>Recommended Scenic Flow:</u> Upper Segment- Steel Bridge to Eagle Creek	<u>Recommended Scenic Flow:</u> Middle Segment- Eagle Creek to South Fork Chetco Confluence	<u>Recommended Scenic Flow:</u> Lower Segment- South Fork Chetco Confluence to Alfred A. Loeb State Park
	<u>Accessible Natural River</u> (% of median, natural streamflow to protect)	<u>Scenic River</u> (% of median, natural streamflow to protect)	<u>Recreational River</u> (% of median, natural streamflow to protect)
January	100%	100%	95-100%
February			
March			
April			100%
May			
June			
July			
August	100% already protected as ISWR; recommend that Scenic Waterway Flow matches ISWR	100% already protected as ISWR; recommend that Scenic Waterway Flow matches ISWR	100% already protected as ISWR; recommend that Scenic Waterway Flow matches ISWR
September			
October			
November	100%	100%	100%
December			

Additional non-numeric recommendations related to streamflow were as follows:

- The group recommended that the community in the basin consider a collaborative, local planning effort in order to mitigate the low flows that might interfere with drinking water supply and fisheries needs during the low flow part of the year lower in the Chetco River.
- Studies of interest identified through the prioritization activity:
 - What are the specific additional fish and wildlife needs on the river?
 - How do cattle crossing the stream impact the water quality?
 - How are recreational uses affected by current water development?

Additional Information

Statutory Authority and Administrative Rule

Scenic Waterway statutes are found under ORS 390.835. Statute related to allocation of surface water and groundwater within or above a Scenic Waterway is addressed in ORS 390.835(1) and ORS 390.835(6-13). In regards to surface water allocations, the statute states, "The free-flowing character of the waters of Scenic Waterways shall be maintained in quantities necessary for recreation, fish and wildlife uses," and, "No dam or reservoir or other water impoundment facility shall be constructed on the waters of a Scenic Waterway" (ORS 390.835(1). New groundwater rights are not impacted, "...except upon a finding by the Water Resources Director that there is a preponderance of evidence that the use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a Scenic Waterway in quantities necessary for recreation, fish, and wildlife" (ORS 390.835(9)).

For additional applicable statutes and the full, legal text of the statute, see ORS 390.805 to 390.925.

Rules regarding the granting of all water rights within the state of Oregon are addressed in OAR 690-310. WRD may issue surface water rights for limited human consumption and livestock within or above a designated Scenic Waterway reach when flows are less than the quantities necessary for recreation, fish, and wildlife (690-310-260(1b)) given a set of conditions ranging from impacts to the free-flowing character, maximum diversion rates based on human and livestock density per right, and documentation showing that there are no alternate acceptable water sources. Cumulatively, the total amount that can be granted under section (1b) is equal to no more than a combined cumulative total of one percent of the average daily flow or one cubic foot per second, whichever is less.

Groundwater rights are also tracked for their cumulative impact on Scenic Waterway flow needs. Those rights that are found to measurably reduce surface water flows within the Scenic Waterway when individual, or cumulative groundwater rights reduce surface water flows within the Scenic Waterway in excess of a combined cumulative total of one percent of the average daily flows by month or one cubic foot per second, whichever is less (OAR 690-310-260 (11)).

For additional rules and the full, legal text of the rule, see OAR 690-310-260.

Pilot Advisory Group Scenic Waterway Flow Recommendation Input Summary

Recommendations for Scenic Waterway Flows are developed using input from two sources:

1. Water Availability Reporting System (WARS): WRD's calculation of median natural streamflow is performed using WARS and includes a calculation of median monthly flows, a summary of existing consumptive and instream water rights, and a summary of limiting basins for the waterway. Access WRD's Water Availability Program here:
(http://www.oregon.gov/owrd/Pages/wr/index.aspx#Water_Availability_Report_System)

2. Input from the OPRD Pilot Advisory Group (2015) and Public Comment (2015) for the proposed Chetco Scenic Waterway using the Scenic Waterway Flow Framework (Framework) and additional comments (Figure 1). WRD utilized OPRD's Draft Management Plan public Advisory Group process to assist in the identification of scenic waterway flow needs. The Framework directly relates to the allocation tools developed through the WARS program which WRD uses to consider future allocations.

Implementation of Scenic Waterway Flow Protection

If the Commission requests WRD to include a Scenic Waterway Flow within their allocation process, WRD would implement this flow protection using two tools:

1. Consideration of Scenic Waterway Flows before issuance of new water right: WARS computes available water for a new permit by subtracting existing water rights, including instream rights and Scenic Waterway Flows, from natural streamflow. New consumptive uses are limited to available water and are subject to additional restrictions (e.g., basin plans). Instream uses within WARS can be equal to or less than the natural flow values computed at the 50 percent exceedance, or the median monthly streamflow.
2. Permit Conditions: Permit conditions for new water rights issued within or above the Scenic Waterway may include specific flow levels that must be met at a downstream point in order for a new permittee to be allowed to divert water. This may include restricted periods per recommendation inputs from the Advisory Group.

OWRD Water Availability Report Output

Median Natural Flow

The median natural flow is computed through WARS and is the monthly maximum amount of water that can be allocated within a WAB for storage or instream uses. For this reason, computation of the median, monthly flow allows the department to identify maximum Scenic Waterway Flows within the allocation context.

The downstream end of the proposed Chetco Scenic Waterway corresponds with WRD Water Availability Basin (WAB) 31731224. Median, natural streamflow (50 percent exceedance) is presented in Table 1 for WAB 31731224.

Existing Water Rights: Consumptive and Instream

Within and above the proposed Scenic Waterway reach of the Chetco River, out-of-stream allocations are minimal (less than 0.01 percent of annual streamflow) (Figure 2). Existing monthly consumptive uses are less than 0.05 percent of the natural, median streamflow in any month. Instream water rights exist for multiple sections of the river within and above the Scenic Waterway. Instream water right 72796 extends from the mouth of the South Fork Chetco River to the North Fork Chetco River; an area which overlaps with the downstream end of the proposed Scenic Waterway (Figure 2 and Table 1).

Water Availability Report: Limiting Basins and Months with Available Water

Much of the basin downstream of the proposed Scenic Waterway is already allocated for consumptive and instream uses; this is reflected in the limiting watershed analysis from the WARS report (Table 6). The method for determining whether water is available for a new permit is determined based upon the requested use. Water availability for diversions for storage or instream uses is considered at the 50 percent exceedance flow level (aka monthly median, natural flow). In the Chetco basin, water is available for future allocation for storage from November through June.

Table 6. Assessment of months during the year when water is available for additional uses based on totals of existing allocations. The table is derived from the limiting watersheds analysis from the Water Availability Reporting System for WAB # 31731224 on 6/22/2015. Months without available water are shaded grey.

Exceedance Level (%)	Month	Limiting Watershed_ID	Stream Name	Water Available?
50	JAN	70907	CHETCO R > PACIFIC OCEAN - AB N FK CHETCO R	YES
50	FEB	70907	CHETCO R > PACIFIC OCEAN - AB N FK CHETCO R	YES
50	MAR	70907	CHETCO R > PACIFIC OCEAN - AB N FK CHETCO R	YES
50	APR	70908	CHETCO R > PACIFIC OCEAN - AT MOUTH	YES
50	MAY	70908	CHETCO R > PACIFIC OCEAN - AT MOUTH	YES
50	JUN	70908	CHETCO R > PACIFIC OCEAN - AT MOUTH	YES
50	JUL	70908	CHETCO R > PACIFIC OCEAN - AT MOUTH	NO
50	AUG	70908	CHETCO R > PACIFIC OCEAN - AT MOUTH	NO
50	SEP	70908	CHETCO R > PACIFIC OCEAN - AT MOUTH	NO
50	OCT	70908	CHETCO R > PACIFIC OCEAN - AT MOUTH	NO
50	NOV	70907	CHETCO R > PACIFIC OCEAN - AB N FK CHETCO R	YES
50	DEC	70907	CHETCO R > PACIFIC OCEAN - AB N FK CHETCO R	YES

References and Additional Resources

To access OPRD's Draft Management Plan for the Chetco River, updates on the public comment period, and meeting minutes, materials, and presentations to the Advisory Group, please visit:

<http://bit.ly/scenicwaterways>.

To see the Molalla, Chetco, and Grande Ronde Rivers scenic waterway assessments from 2013-15 please visit: <http://www.oregon.gov/oprd/NATRES/scenicwaterways/Pages/assessments.aspx>.

For more information on the Water Availability Reporting System, please visit WRD's website:

http://www.oregon.gov/owrd/Pages/wr/index.aspx#Water_Availability_Report_System

Statutes related to Oregon's Scenic Waterway Program found in ORS 390.805 to 390.925 and are also summarized here: <http://www.oregon.gov/oprd/RULES/pages/waterways.aspx>

Appendix A. Public Comment received relevant to setting of Scenic Waterway Flows

PLEASE GIVE US YOUR COMMENTS

This comment card is provided for your convenience. Please write your comments on the card and hand it to OPRD staff before you leave; or mail comments to: OPRD Scenic Waterways Program, 725 Summer St. Suite C, Salem, OR 97301; or email comments to: scenic.waterways@oregon.gov. The comment period ends **August 13, 2015**, in this phase of the planning process. Additional public input opportunities will be available if the waterway is designated. For more information on the plan and the Oregon's State Scenic Waterway Program, please visit our website at: <http://bit.ly/scenicwaterways>.

I like the water flow for the river clause. I think it is important to maintain quality instream flows more the better for fish & downstream drinking water.

(Additional space on reverse side)

PLEASE GIVE US YOUR COMMENTS

This comment card is provided for your convenience. Please write your comments on the card and hand it to OPRD staff before you leave; or mail comments to: OPRD Scenic Waterways Program, 725 Summer St. Suite C, Salem, OR 97301; or email comments to: scenic.waterways@oregon.gov. The comment period ends **August 13, 2015**, in this phase of the planning process. Additional public input opportunities will be available if the waterway is designated. For more information on the plan and the Oregon's State Scenic Waterway Program, please visit our website at: <http://bit.ly/scenicwaterways>.

I work for Brookings-Harbor School District and the first thing my co-worker and I did on summer break was float the Chetco River. I fully support the state scenic waterways designation for the Chetco!

(Additional space on reverse side)

PLEASE GIVE US YOUR COMMENTS

This comment card is provided for your convenience. Please write your comments on the card and hand it to OPRD staff before you leave; or mail comments to: OPRD Scenic Waterways Program, 725 Summer St. Suite C, Salem, OR 97301; or email comments to: scenic.waterways@oregon.gov. The comment period ends **August 13, 2015**, in this phase of the planning process. Additional public input opportunities will be available if the waterway is designated. For more information on the plan and the Oregon's State Scenic Waterway Program, please visit our website at: <http://bit.ly/scenicwaterways>.

I fished the Chetco this past fall and winter for Chinook and Winter Steelhead. I spent at least 100 days in pursuit of these magnificent creatures. I often hiked and floated stretches of the river from Laeb to the South Fork. ~~There~~ There is no doubt in my mind that this watershed is a standout; I have visited various rivers and the Chetco is more than worthy of being designated

(Additional space on reverse side)

a state scenic waterway. Recreation and angling opportunities are part of Oregon's heritage and establishing an official channel through the state to conduct these opportunities forward is critical to the future of the Chetco and the surrounding community. I support the initiative to designate the Chetco as a state scenic waterway.

Kellen Igo
Native Fish Society,
Winchuck River Steward.

PLEASE GIVE US YOUR COMMENTS

This comment card is provided for your convenience. Please write your comments on the card and hand it to OPRD staff before you leave; or mail comments to: OPRD Scenic Waterways Program, 725 Summer St. Suite C, Salem, OR 97301; or email comments to: scenic.waterways@oregon.gov. The comment period ends **August 13, 2015**, in this phase of the planning process. Additional public input opportunities will be available if the waterway is designated. For more information on the plan and the Oregon's State Scenic Waterway Program, please visit our website at: <http://bit.ly/scenicwaterways>.

Sunny Bourdon, resident and Native Fish Society River Steward for the ~~Chetco~~ Chetco and Smith.

- I support the designation of the Chetco as a State Scenic Waterway.
 - I support the maximum flow allocation protections, and would like to see 100% of all flow (spring, winter, fall) to be allocated ~~off~~ for fish, wildlife, recreation & current water rights, rather than 90-100% of median flows. Preserve it while we can to ensure the future of these qualities.
 - I support the management recommendations, especially
- (Additional space on reverse side)

river clean-ups, improved restroom facilities and informative signage (Leave No Trace!), invasive species monitoring and ~~see~~ removal....

-I would like to propose the designation of one or more of the river bars (Miller would be a good candidate) to be tent-camping only. Also, that the campground at Little Redwood be re-opened for all those trailers. Tent-only camping at Miller would re-instate the scenic, peaceful and rustic nature of the bar that is now quite full of campers + trailers + generators.

-I also support the recommendation to improve trails in the upper section, in particular the trail that used to go from low water bridge to the Gorge.

PLEASE GIVE US YOUR COMMENTS

This comment card is provided for your convenience. Please write your comments on the card and hand it to OPRD staff before you leave; or mail comments to: OPRD Scenic Waterways Program, 725 Summer St. Suite C, Salem, OR 97301; or email comments to: scenic.waterways@oregon.gov. The comment period ends **August 13, 2015**, in this phase of the planning process. Additional public input opportunities will be available if the waterway is designated. For more information on the plan and the Oregon's State Scenic Waterway Program, please visit our website at: <http://bit.ly/scenicwaterways>.

My name is Dave Lacey. I own and operate South Coast Tours and we do Standup Paddle boarding and Kayaking in the lower portion of the Chetco. I wholeheartily support the designation for the Chetco river. I would like to encourage collaboration to clean up the river periodically or build more bathrooms + trash/recycling recepticals.

Thank you

Dave Lacey

(Additional space on reverse side)

PLEASE GIVE US YOUR COMMENTS

This comment card is provided for your convenience. Please write your comments on the card and hand it to OPRD staff before you leave; or mail comments to: OPRD Scenic Waterways Program, 725 Summer St. Suite C, Salem, OR 97301; or email comments to: scenic.waterways@oregon.gov. The comment period ends **August 13, 2015**, in this phase of the planning process. Additional public input opportunities will be available if the waterway is designated. For more information on the plan and the Oregon's State Scenic Waterway Program, please visit our website at: <http://bit.ly/scenicwaterways>.

I support designation of the Chetco River as a state scenic waterway. The clean waters, outstanding fishing, and spectacular outdoor recreation on this amazing river deserve special recognition.

Andrew Ordosh

(Additional space on reverse side)

PLEASE GIVE US YOUR COMMENTS

This comment card is provided for your convenience. Please write your comments on the card and hand it to OPRD staff before you leave; or mail comments to: OPRD Scenic Waterways Program, 725 Summer St. Suite C, Salem, OR 97301; or email comments to: scenic.waterways@oregon.gov. The comment period ends **August 13, 2015**, in this phase of the planning process. Additional public input opportunities will be available if the waterway is designated. For more information on the plan and the Oregon's State Scenic Waterway Program, please visit our website at: <http://bit.ly/scenicwaterways>.

I strongly support state scenic waterways designation for the Chetco river. my only specific comment pertains to the instream scenic flows. it would be great to allocate 100% of the flows in the designated reach for inst fish, wildlife and recreation.

Mark Sherrard, Brookings, OR

(Additional space on reverse side)

PLEASE GIVE US YOUR COMMENTS

This comment card is provided for your convenience. Please write your comments on the card and hand it to OPRD staff before you leave; or mail comments to: OPRD Scenic Waterways Program, 725 Summer St. Suite C, Salem, OR 97301; or email comments to: scenic.waterways@oregon.gov. The comment period ends **August 13, 2015**, in this phase of the planning process. Additional public input opportunities will be available if the waterway is designated. For more information on the plan and the Oregon's State Scenic Waterway Program, please visit our website at: <http://bit.ly/scenicwaterways>.

Comments July 23, 2015
Proposed Chetco River Scenic Waterway

At long last an important step is about to be taken to ensure protection of 14 miles of the Chetco River from Loeb State Park upstream to the Steel Bridge. As a designated scenic waterway the river will, with Scenic Waterway status, enjoy protection from development, residences and access. Existing high quality visuals will be retained for future generations to enjoy. Angling, boating and other non-consumptive would be retained and enjoyed by all citizens. Water quality, clarity and purity would be ensure available for present and all future river users.

Need I say more? The Chetco River is an exceptional resource that must be guaranteed for all future generations.

Edward R. Gross, Retired Forest Soil Scientist

(Additional space on reverse side)

**American Rivers---American Whitewater---Cascadia Wildlands---Center for Biological Diversity
Columbia Riverkeeper---Hells Canyon Preservation Council---KS Wild---Native Fish Society
Northwest Rafting Company---Oregon Coast Alliance---Oregon Council Trout Unlimited
Oregon Environmental Council---Oregon League of Conservation Voters
League of Women Voters of Oregon---Oregon Natural Desert Association---Oregon Wild
Pacific Rivers Council---Rogue Riverkeeper---Smith River Alliance
Soda Mountain Wilderness Society---The Freshwater Trust---Tualatin Riverkeepers
WaterWatch of Oregon---Western Environmental Law Center---Willamette Riverkeeper
Wild and Scenic Rivers---Wild Rivers Water Rights**

August 13, 2015

Oregon Parks and Recreation Department
Scenic Waterways Program
725 Summer St., Ste C
Salem, OR 97301

Re: Support of proposed designation of the Chetco and Molalla Rivers as State Scenic Waterways

Dear Oregon Parks and Recreation Department Scenic Waterway Program:

We are writing to express our support of the proposed designation of the Chetco and Molalla Rivers as new state scenic waterways. The outstanding recreational, scenic and fish and wildlife habitat values provided by these rivers are very important to Oregonians and deserve protection.

The State Scenic Waterway Act, voted into law by Oregon citizens in 1970 by a two to one margin, exists to protect Oregon's most beloved wild and scenic rivers. This visionary Act directs that the highest and best uses of waters in state scenic waterways are fish, wildlife and recreation.

Both the Chetco and Molalla rivers are excellent candidates for designation under the state Scenic Waterway Act. The crystal clear waters of the Chetco River on Oregon's southern coast support a myriad of recreational opportunities, are the home to important populations of steelhead trout and salmon and provide exceptionally clean drinking water to downstream communities. People flock from all over the nation to recreate on this unique river. Similarly, the Molalla River in the foothills of the northern Oregon Cascades supports native winter steelhead and salmon runs, is resplendent with unique geological wonders and delivers a wide range of recreational activities including kayaking, rafting, swimming, camping and hiking.

To date, twenty of Oregon's most treasured rivers have been designated as state scenic waterways. The Act calls on the Oregon Parks and Recreation Department (OPRD) to undertake continuing study and submit periodic reports to the Governor, in concurrence with the Oregon Water Resources Commission (OWRC), recommending designations of additional rivers or segments of rivers. However, no new rivers have been studied or recommended for designation since 1988. In 2009 the Oregon Legislature passed HB 3369, which, among other things called on the state to develop an Integrated Water Resources Strategy to meet current and future water needs, including instream needs. After extensive public involvement, the OWRC adopted the Strategy in 2012, which, among other things recommends the designation of additional state scenic waterways. In 2013, Governor Kitzhaber directed OPRD to study

a minimum of three new rivers each biennium for recommendation to the Governor for future inclusion in the State Scenic Waterway Program.

We applaud OPRD for its recent work to study and recommend designation of the proposed reaches of Molalla and Chetco Rivers as new state scenic waterways and offer our full support of their designations.

In addition to our full support for state scenic waterway designation for both these rivers, we also urge the state to adopt the full suite of instream flows---including baseflows, biological triggering flows and channel maintenance flows---necessary to maintain the free flowing character of these rivers in the quantities necessary for recreation, fish and wildlife. Designating flows that protect these critical streamflow functions is necessary to provide the full protection required by the Scenic Waterway Act. Protecting these flows will not injure existing senior or downstream water right holders, but will ensure that river flows in the newly designated state scenic waterways are safeguarded against future development for generations to come.

The Chetco and Molalla Rivers provide incredible recreational, habitat and economic value to our state. On behalf of our tens of thousands of members throughout Oregon we support the designation of the proposed sections of the Chetco and Mollala Rivers as State Scenic Waterways, urge adoption of strong instream flow protections and look forward to the continued state attention to Oregon's most special rivers via the State Scenic Waterway program in the coming years.

Sincerely,

David Moryc, Senior Director River Protection Program
American Rivers

Thomas O'Keefe, PNW Stewardship Director
Megan Hooker, Associate Stewardship Director
American Whitewater

Josh Laughlin, Interim Executive Director
Cascadia Wildlands

Noah Greenwald, M.S., Endangered Species Director
Center for Biological Diversity

Brett VandenHeuvel, Executive Director
Columbia Riverkeeper

Darilyn Parry Brown, Executive Director
Hells Canyon Preservation Council

Joseph Vaile, Executive Director
KS Wild

Mark Sherwood, Southern District Manager
Sunny Bourdon, Chetco River Steward
Native Fish Society

Zachary Collier, Owner/Outfitter
Northwest Rafting Company

Cameron LaFollette, Executive Director
Oregon Coast Alliance

Tom Wolf, Executive Director
Oregon Council Trout Unlimited

Teresa Huntsinger, Water Program Director
Oregon Environmental Council

Christy Splitt, OLCV External Affairs Director
Oregon League of Conservation Voters

Norman Turrill, President
Oregon League of Women Voters of Oregon

Dan Morse, Executive Director
Oregon Natural Desert Association

Steve Pedery, Conservation Director
Oregon Wild

John Kober, Executive Director
Pacific Rivers Council

Forrest English, Program Director
Rogue Riverkeeper

Grant Werschkull, Executive Director
Smith River Alliance

Dave Willis, Chair
Soda Mountain Wilderness Society

Rob Kirshner, Staff Attorney
The Freshwater Trust

Brian Wegener, Riverkeeper Advocacy and Communication Manager
Tualatin Riverkeepers

Kimberley Priestley, Senior Policy Analyst
WaterWatch of Oregon

Susan Jane Brown, Staff Attorney
Western Environmental Law Center

Travis Williams, Executive Director
Willamette Riverkeeper

Alyssa Babin, Executive Director
Wild and Scenic Rivers

Gordon Lyford, Agricultural Engineer
Wild Rivers Water Rights

Cc:

Governor Kate Brown

Gabriella Goldfarb, Governor's Office Natural Resources Policy Advisor

Lisa Sumption, Director, Oregon Department of Parks and Recreation

Tom Byler, Director, Oregon Water Resources Department

Oregon Water Resources Commission

Oregon Parks and Recreation Commission

From: Alyssa Babin [REDACTED]
Sent: Thursday, August 13, 2015 12:04 PM
To: Waterways Scenic * OPRD
Subject: Some Last Minute Chetco Love

Please find attached a video comment in support of the Chetco State Scenic Waterway.
<https://youtu.be/bX8xMCPSzzo>

Let me know if you need an alternative format.

--
Alyssa Babin
Executive Director
Wild and Scenic Rivers
[REDACTED]
Brookings, Oregon 97415
[REDACTED]

From: [REDACTED]
To: [Waterways Scenic * OPRD](#)
Subject: Chetco River
Date: Thursday, August 13, 2015 4:08:48 PM

I support designating the Chetco River as a State Scenic Waterway.

Because of my familiarity and love for this beautiful River, am all in favor of continuing recreational opportunities and in the opportunity for conservation education and habitat restoration and protection.

This river deserves this recognition!

Ellen Babin
[REDACTED]
Brookings OR
97415

[Sent from Yahoo Mail for iPad](#)

From: [REDACTED]
To: [Waterways Scenic * OPRD](#)
Cc: [REDACTED]
Subject: Chetco River
Date: Sunday, July 19, 2015 5:44:17 PM

As a thirty five year resident of Brookings Oregon, I support the designation of parts of the Chetco for Scenic status. In the 90's I was fortunate enough to participate wilderness travels in numerous places in the Chetco watershed including Canyon kayak treks sponsored by Allen Wilson of Gold Beach. The scenic qualities of the Chetco need to be protected. The current law with the propose designation is a minimal method to address that protection.

John Babin
[REDACTED]
Brookings, OR
[REDACTED]

From: [Tom Berridge](#)
To: [Waterways Scenic * OPRD](#)
Subject: Please Designate the Molalla & Chetco River Segments as State Scenic Waterways
Date: Tuesday, August 11, 2015 9:28:02 AM

Dear Oregon Department of Parks and Recreation,

As a kayaker, rafter, and general river enthusiast, I want to urge you to add the Molalla and Chetco river segments to Oregon's network of Scenic Waterways. I have kayaked the Molalla River, which is a very special place that should be preserved in its natural state. I have not had the opportunity to visit the Chetco River, but when I am able to do so, I hope to find it in its natural condition, whether I get there this year or in 10 years.

Both of these watersheds are valuable assets to local communities and deserve to be protected foremost for their outstanding aesthetic, recreational, and ecological benefits.

Moreover, I am writing to ask that the state adopt instream flow protections necessary to maintain the free-flowing character of these river segments in the full quantities necessary for recreation, fish, and wildlife – including baseflows, biological triggering flows, and channel maintenance flows. One of the most important benefits for fish populations in the Chetco and Molalla State Scenic Waterways proposals are instream water allocations for scenic flows.

I greatly appreciate the opportunity to comment in support of the designation of the Molalla and Chetco rivers as state scenic waterways and the setting of the maximum instream flows necessary to protect these Oregon gems.

Regards,
Tom Berridge

Tom Berridge
[REDACTED]
Lake Oswego, OR 97035

From: [Pierre Caritey](#)
To: [Waterways Scenic + OPRD](#)
Subject: Chetco and Molalla
Date: Wednesday, July 29, 2015 10:03:46 PM

I am very happy that you are thinking of placing the Molalla and the Chetco in the Oregon scenic waterways category. I live by the Chetco River and have paddled or hiked a good part of it. I really hope it will stay pristine .
You have my complete support
Pierre Caritey

Sent from my iPad

From: [Conway Cruickshank](#)
To: [Waterways Scenic + OPRD](#)
Subject: Support for Chetco Scenic Waterway and flow protection
Date: Wednesday, August 12, 2015 4:20:49 PM

Dear Oregon Department of Parks and Recreation,

I am in support of the scenic waterway plan so long as it protects the river corridor from logging, and dams. As the population grows here in Brookings there will be more talk of water issues. The dam builders will come out of the woodwork again. If the designation would keep the Chetco pristine and natural with no dams I would be in favor of the Scenic Waterway Designation.

Sincerely,
C.L. Cruickshank

Conway Cruickshank
[REDACTED]
Brookings, OR 97415

From: [Jeff Cruze](#)
To: [Waterways Scenic + OPRD](#)
Subject: Molalla & Chetco Rivers
Date: Monday, August 10, 2015 2:30:29 PM

Dear Oregon Department of Parks and Recreation,

I'm writing to lend my support for the Molalla and Chetco river segments as additions to Oregon's network of Scenic Waterways. Both of these watersheds are valuable assets to local communities and deserve to be protected foremost for their outstanding aesthetic, recreational, and ecological benefits.

Moreover, I am writing to ask that the state adopt instream flow protections necessary to maintain the free-flowing character of these river segments in the full quantities necessary for recreation, fish, and wildlife – including baseflows, biological triggering flows, and channel maintenance flows. One of the most important benefits for fish populations in the Chetco and Molalla State Scenic Waterways proposals are instream water allocations for scenic flows.

I greatly appreciate the opportunity to comment in support of the designation of the Molalla and Chetco rivers as state scenic waterways and the setting of the maximum instream flows necessary to protect these Oregon gems. I fish both of these streams and appreciate the wild, scenic treasures they are.

Regards,

Jeff Cruze

From: [REDACTED] on behalf of [Susan Elliott](#)
To: [Waterways Scenic * OPRD](#)
Subject: Comment on the State Scenic Waterways Designation - Molalla and Chetco
Date: Thursday, July 30, 2015 11:13:33 AM

ORPD,

It brings me great joy that the Molalla and Chetco rivers are being considered for designation in the State Scenic Waterways Designation program. These two rivers are pure gems in the paddlesports communities and absolutely deserve to be preserved for this value. I believe it is incredibly important to designate waterways as special, beautiful, and necessary in their natural form if our society is to continue to develop and grow. If we do not set aside waterways, we will never learn to value them. Even more so, our children will never know how valuable they are in their natural state.

These two rivers are highly prized by the recreation community in the Northwest. They both are prized for their water quality, their remote nature, and their inviting rapids.

Thank you for protecting these rivers.

Cheers,
Susan Elliott

--

Susan Hollingsworth Elliott
Graduate Student, Water Resource Engineering Program
Oregon State University
[REDACTED]
[REDACTED]



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Division

4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6201

FAX (503) 947-6202

www.dfw.state.or.us/

August 13, 1015

OPRD Scenic Waterways Program
725 Summer St. Ste C
Salem, OR 97301



RE: Comments on the Chetco River as a State Scenic Waterway

To whom it may concern:

The Oregon Department of Fish and Wildlife (ODFW) appreciates the opportunity to provide comments on the draft management plan and scenic flow recommendation for the potential designation of a portion of the Chetco River as a Scenic Waterway.

The Chetco River provides habitat for anadromous salmonids and resident trout, as well as many other native species of fish and wildlife. Instream water rights are currently established on the Chetco River to support the conservation, maintenance, and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat, and any other ecological values. ODFW is pleased to see the instream flows proposed as the base of the scenic flows. In addition to meeting this instream flow regime, ODFW recommends scenic flows maintain the natural hydrograph of the system, including allowing the river to reach bank full and flood flows on a natural cycle. These flows provide conditions conducive to creating or maintaining stream morphology and habitat. In addition, land management under the designation should include strong protections for riparian habitats, which provide benefits to numerous species. The Oregon Parks and Recreation Department, in partnership with the Oregon Water Resources Department, should develop final scenic flows and riparian protection to protect all ecological needs of the river.

ODFW is hopeful that establishment of Scenic Waterways across Oregon can aide our mandate to protect and enhance populations of fish, wildlife, and their habitats for public use and enjoyment. If you have any questions, please contact me at 503-947-6092.

Sincerely,

Danette Faucera
Water Policy Coordinator

From: [Frank Michael](#)
To: [Waterways Scenic * OPRD](#)
Subject: Designate the Chetco river a Scenic Waterway
Date: Monday, August 10, 2015 7:50:59 AM

The Chetco river is a unique and exquisite geologic treasure. I grew up in Brookings and enjoyed swimming, hiking and fishing on the river. The unique geology of the Kalmiopsis Wilderness extends down the Chetco drainage system to its rather unique entry into the Pacific, running north and south into Pelican Bay. It is well deserving of the designation of a State Scenic Waterway and certainly deserves protection.

I urge you to designate the Chetco river a Scenic Waterway.

Thank you,

Michael

This e-mail and any attachments thereto may contain confidential information and/or information protected by intellectual property rights for the exclusive attention of the intended addressees named above. If you have received this transmission in error, please immediately notify the sender by return e-mail and delete this message and its attachments. Unauthorized use, copying or further full or partial distribution of this e-mail or its contents is prohibited.

From: [Joseph Hatcher](#)
To: [Waterways Scenic * OPRD](#)
Subject: "Working Mans Chetco" - trip report
Date: Tuesday, July 14, 2015 8:30:22 PM

This is from a trip report that I wrote in 2014.

The Mission

Complete the **Chetco** River located in Siskiyou National Forest and the Kalmiopsis Wilderness area in Oregon in a weekend. (Feb 28 - Mar 2)



Accomplices

John Wilburn - Grant Pass

The Difficulties

Beta, Hiking information, river levels, takeouts

Put-in Logistics

There are two ways that previous people have hiked in.

1) **Chetco** Pass route

2) Babyfoot Lake/Mt Bailey Trail



NOTES

This is where I probably had the most difficulty finding accurate and reliable information.

The **Chetco** Pass route was the shortest and with time being an issue was the most appealing but I found out that they have a POC gate that they keep closed to help with Port Orford Cedar Root Disease. If you start at the gate and hike the road and then drop down it is the same distance as the Babyfoot but it means climbing over a pass. The advantage is you get to hike the first part on the road which seemed appealing since we would be hiking the first miles in the dark. Even though more grueling it would thus eliminate the possibility of getting lost in the dark.

After finding a way to use gps on my iPhone. The plans changed to the Babyfoot lake trail and I think for the better. The Babyfoot lake trail also puts you 3 miles up higher and allows you to paddle what they call the "Magic Canyon".

Driving

To get to the Babyfoot Lake trail head, you take 199 toward Crescent City and right outside of Selma you turn onto \$8 Mountain Road. Follow this road to the top of the mountain and then take the left fork. There is a parking lot there with a pit toilet. Very easy to find and everything is well marked.

NOTES

We were not sure if 4x4 would be needed or a vehicle with ground clearance, etc. but this is a gravel road, you could take a Mercedes up. I also was warned that it would be completely snowed in

Hiking

Distance - 9 miles



We arrived at the trail head on Friday after work and began hiking at 7pm. We hiked till 11:30 pm and crashed. The temperature was cool and perfect for hiking. That night it started to drizzle/rain. We just pulled out the tarps and rolled up in them like tacos till morning. By morning the rain had stopped, we ate breakfast and started hiking around 8am. We reached the put-in at about noon on Saturday.

NOTES

Hiking with a kayak is difficult. A kayak alone ways 50 lbs then put about 25 lbs gear in it and you are at 75 lbs, not only that but it is large and awkward. These miles are also on trails with loose rocks, limbs and downed trees.

River

The put-in looked low and scrappy. It soon picked up volume. The upper section is tight and technical.



We were able to boat scout and run everything thus moving quicker than I thought we would. We put on about 1pm and paddled till dark and was only about 2 miles from Tolman Ranch having covered about 20 miles.

It rained all night and our shuttle was not going to pick us up till 5pm so it would be lots of waiting around in the rain so we decided to get an early start and push on thus getting the lower Chetco which has Candy Cane rapid and Cone Head, two solid class Vs.



Cone head rapid

We were able to get a text out at the second bridge to our driver with the change of plans to meet us at the start park. We arrived there at 3pm and was back to Grants Pass after picking up our put-in vehicle by 7pm.

Gauge

We had a consistent 1800 on the Chetco gauge near Brookings. This is adequate water but if I were to do it again. I think idea would be 3000 and dropping on the Gauge thus cleaning up a lot of muck in the early sections.

Take-out

Our initial plans were to take out at the first bridge crossing the Chetco. Some reports said bring a rope to get your gear up. Don't be fooled there is an easy trail after the bridge on river right. We ended up taking out at Alfred Leob state park. Ideal takeout would be the South Fork Chetco confluence on River Left. Thus getting the two Class Vs and cutting out the flat water.

Conclusion

It was neat to see and feel how this river starts out as a mountain stream and then gains volume and turn into a river. The vegetation also drastically changes from dry and airy to moss covered and coastal. The rapids are well spaced and I never lost boredom with flat water until below the South Fork junction. The lower rapids had lots of big rocks and different lines and were quite fun.

After 9 miles hiking with a kayak and 40 river miles, I could not wait for a hot shower with a cold beer!

From: [Johanna Harman](#)
To: [Waterways Scenic * OPRD](#)
Subject: Please protect the Chetco because it was our favorite place to hang out in high school, and...
Date: Wednesday, August 12, 2015 5:39:53 PM

Dear Oregon Department of Parks and Recreation,

Please add the Chetco River to Oregon's State Scenic Waterway network.

In my youth I spent many, many hours 'up the Chetco' at Elephant Rock and further up. I will never forget the profound serenity and beauty of the river that was imparted to me from this place. For this I feel very fortunate. The whole is greater than the parts. Wilderness in its unblemished magnificence is a profound and almost indescribable experience. A masterpiece. Something that evokes such stillness and awe must be preserved for future generations.

Just today I drove 'up the Chetco' with my parents and we remarked how beautiful it still is and how lucky we are to have it so close.

Please add the Chetco River to Oregon's State Scenic Waterway network, not just for human enjoyment, but because it is critically important habitat for salmon and many other wild creatures. We must maintain both the scenic and ecological integrity of the river corridors for our collective future.

Please also fully protect instream flows. Natural flows are critical to maintaining the wild and free flowing character of the Chetco, and the state's designation should fully protect base flows, biological triggering flows and channel maintenance flows. As recreation and wildlife depend on these characteristics, flow should be protected appropriately for the highest and best uses identified for State Scenic Waterways.
Thank you.

Sincerely,

Johanna Harman
[REDACTED]
Talent, OR 97540

From: [Kevin Hill](#)
To: [Waterways Scenic + OPRD](#)
Cc: [Hill, Allison](#)
Subject: Molalla & Chetco - State Scenic Waterways
Date: Thursday, July 30, 2015 6:40:49 PM

Hello,

I am writing to express my strongest support for designating the Molalla and Chetco rivers as State Scenic Waterways. My wife and I moved to Oregon from Wisconsin about one year ago, and the **main** thing that brought us here was whitewater kayaking and the many beautiful rivers in this state. We live in Silverton, and we love the Molalla and many other surrounding rivers. While I have yet to paddle on the Chetco, I know it by reputation, and have seen the amazing pictures. It is on my short list!

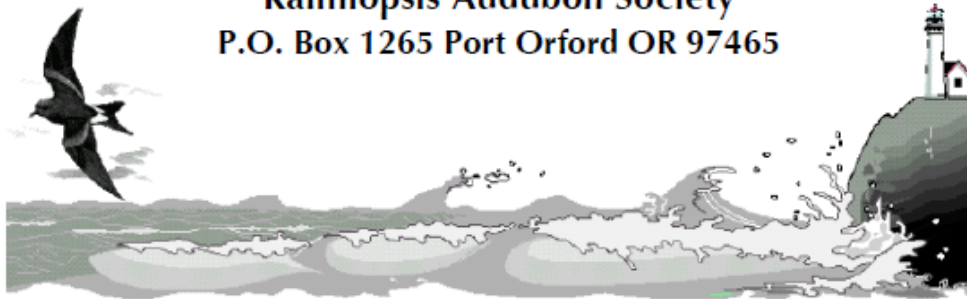
Please do everything you can to see that these state treasures remain in as pristine, free-flowing, and available a state as possible for all of us to enjoy for generations to come.

Sincerely,
Kevin Hill



Silverton, OR 97381

Kalmiopsis Audubon Society
P.O. Box 1265 Port Orford OR 97465



August 10, 2015

Oregon Parks and Recreation Department
Scenic Waterways Program
725 Summer St., Ste C
Salem, OR 97301

Re: Support for proposed designation of the Chetco River as State Scenic Waterway

Dear Oregon Parks and Recreation Department Scenic Waterway Program:

I am writing on behalf of the Kalmiopsis Audubon Society. Our organization has more than 200 members in Curry County who are concerned about conserving habitat for birds, fish, and wildlife and about outdoor recreation opportunities.

We strongly support of the proposed designation of the Chetco River as new State Scenic Waterway.

Our members regularly enjoy recreation on the Chetco through birdwatching, swimming, camping, boating, hiking and fishing. In addition, some of our members earn their livelihoods guiding on the river during the fishing season. Some of our members have also served on the local stakeholder committee developing a management proposal.

We know firsthand that the Chetco provides outstanding recreational, scenic, botanic, and fish and wildlife habitat values that certainly merit recognition and protection afforded by Oregon's state scenic waterway program. The river's crystal clear waters and deep pools are the home to important populations of steelhead trout and salmon and provide exceptionally clean drinking water to the cities of Brookings and Harbor. The river's broad gravel bars and beautiful blue tinted water makes it an extraordinary place for recreation, too. We've submitted extensive testimony earlier in this public process detailing many of the river's outstanding values to the local ecology, economy, and community.

At this point, we want to offer strong support for the management proposals put forth by the stakeholder committee. We support improvements to recreation facilities, especially those that will make a beneficial contribution to the environment; restoration of riparian habitat by removing invasive species and replanting natives; and interpretation that will help educate residents and visitors about the river's special values (though we caution about too much signage!).

In addition, we also strongly urge the state to adopt the full suite of instream flows for the Chetco (including baseflows, biological triggering flows, and channel maintenance flows); these are necessary to maintain the free flowing character of the river and the quantity of flows necessary for recreation, fish, wildlife, and maintaining water quality for drinking water supplies. Protecting these flows will not injure existing senior or downstream water right holders, but will ensure that river flows in the newly designated state scenic waterways are safeguarded against future development for generations to come. Designating flows to protect critical streamflow functions is necessary to provide the full protection required by the Scenic Waterway Act.

We appreciate the Oregon Department of Parks and Recreation's effort to consider and facilitate community discussion surrounding designation of the Chetco as a state scenic waterway.

Thank you for considering our comments.

Cordially,

/s/Ann Vileisis

President
Kalmiopsis Audubon Society

From: [Yvonne Maitland](#)
To: [Waterways Scenic * OPRD](#)
Subject: Scenic chetco
Date: Thursday, August 13, 2015 12:00:25 PM

Dear Scenic Waterways Program Staff,

Thank you for all your efforts on behalf of Oregon Rivers. My husband and I enthusiastically support the State Scenic Waterways Management plan and the proposed designation for the Chetco River. The Chetco has the distinction of producing some of the largest salmon in Oregon. Maintaining the natural conditions of the river will benefit clean water, fisheries and recreation.

I gathered 120 signatures from residents of Brookings and Harbor in support of the proposed designation. Carl Page, fisheries biologist and Chetco River Watershed Council Chair hand delivered the petition to the office of the County Commissioners. Subject: The Chetco River has been nominated for the State Scenic Waterways." We ask Curry County Commissioners to support this designation process. The Chamber of Commerce has marketed the Wild and Scenic Coast as good for business and the State Scenic Waterways designation would enhance those economic benefits.

Sincerely,

Yvonne Maitland



The Nature Conservancy in Oregon
821 SE 14th Avenue
Portland, OR 97214-2537

tel 503 802-8100

fax 503 802-8199

nature.org/oregon

August 13, 2015

Oregon Parks and Recreation Department
Scenic Waterways Program
725 Summer St., Suite C
Salem, OR 97301

RE: Support for Designation of the Chetco and Molalla Rivers as State Scenic Waterways

Dear Parks and Recreation Department,

The Nature Conservancy is pleased to support designation of the Chetco and Molalla Rivers as new State Scenic Waterways. Both of these rivers provide the outstanding scenic, natural and recreational values intended for recognition under the State Scenic Waterways Act.

The Molalla River is the longest free-flowing tributary of the Willamette River. It supports important populations of native fish and wildlife, including federally-threatened winter steelhead and spring Chinook. Both of these species are in significant decline in the Willamette Basin, and the unique run timing of these species in the Molalla River contributes to genetic diversity and species viability. The river also provides habitat for a number of federal species of concern, including the Oregon slender salamander. In addition, the river provides drinking water for the cities of Molalla and Canby, and numerous recreational opportunities including recreational fishing and boating.

The Chetco River, free-flowing from its headwaters in the Kalmiopsis Wilderness to its mouth at the Pacific Ocean, is a well-known gem on the Oregon Coast. At least 40 at-risk plant and animal species are in the area, including populations of federally-threatened coho, as well as important populations of winter steelhead and fall chinook salmon. The lower end of the river includes a rare Oregon example of the coast redwood association (coast redwood-tanoak/Pacific rhododendron forest), and the most northerly naturally occurring redwood stand in the world. The river provides exceptionally clean drinking water to the residents of Brookings-Harbor, and tremendous diversity of recreational uses throughout the year.

We applaud Oregon Parks and Recreation's work studying and evaluating the Molalla and Chetco Rivers and the quality of the reports produced by the Assessment Team. The information clearly supports designation of these two rivers as State Scenic Waterways.

Sincerely,

Catherine Macdonald
Director of Conservation Programs



ORCA: Oregon Coast Alliance

P.O.Box 857, Astoria OR 97103

(503) 391-0210 <http://www.oregoncoastalliance.org>

Protecting the Oregon Coast

August 11, 2015

OPRD Scenic Waterways Program
725 Summer St., Ste. C
Salem, OR 97301

Re: Designation of a Portion of Chetco River to Scenic Waterway Status

Submitted via email: scenic.waterways@oregon.gov

Dear Scenic Waterways Program staff,

Oregon Coast Alliance (ORCA) is an Oregon nonprofit corporation whose mission is to protect and restore coastal natural resources and work with coastal residents to enhance and maintain livability of coastal communities.

ORCA supports the designation of segments of the Chetco River for State Scenic Waterway (SSW) designation. The Chetco is an outstanding, unspoiled river for the majority of its length; it has no dams or other impoundments and is free-flowing from the headwaters to the estuary. Its beauty, recreational opportunities and salmon runs are the lifeblood of the City of Brookings, which sits on the river's estuary.

Designation as an SSW enhances the Chetco's reputation as a quality outdoor recreation site. The onus on adjacent landowners is small, consisting mainly of ensuring that buildings enhance, rather than detract from, the overall scenery; leaving a riparian buffer in timber management practices, and designing timber harvest to protect scenic views. Curry County would work with OPRD during the local land use process of any development proposal, and protection of scenic views is worked out in the management plan. 67% of the adjacent lands under study are publicly owned, reducing the small private landowner burden even further.

In other words, to protect the scenic and recreational values that are the mainspring of the local economy, landowners, Curry County and OPRD work together. This is an excellent opportunity for key stakeholders to collaborate in protecting the beauty of an iconic south coast river. ORCA hopes that if the Chetco is designated the partnership will expand to include such things as community trash pick-up events if needed,

identification of potential conflict areas and/or enforcement needs, working to place needed signs and/or interpretive signs in heavily used areas and improve access points.

In addition, OPRD may be able to help landowners find funding for riparian enhancement and other desirable work. Since the SSW program specifically excludes review of existing development and maintenance activities, as well as ranch and agricultural use, this program fits in well with the rural uses most common along the privately owned borderlands of the Chetco.

This designation would also help those at-risk or Threatened/Endangered plant and animal species found in the study area. There are at least forty species in the study area that are considered sensitive by state or federal standards. Adding protections via Scenic Waterways designation would be most valuable, and also encourage people to study and take note of species' importance. Species of concern especially includes salmonids; the Chetco is native habitat for Chinook, coho, steelhead and cutthroat trout, as well as Pacific lamprey.

The coho of the Chetco is a core population at high extinction risk, according to the National Marine Fisheries Service; to ensure their survival increasing stream flows, limiting and changing timber-cutting practices and increasing riparian vegetation are all critical – all areas in which SSW designation would be of help to increase collaboration and dialogue about improving riverine and riparian habitats. ORCA especially notes that sport and commercial fishermen prize the Chetco, for both the fishing and the wilderness-type experience. Maintaining high quality fishing opportunities, and engaging the fishing community in protecting salmonid habitat, would be very valuable outcomes of an SSW designation.

ORCA agrees with the 2014 State Scenic Waterway Report on the Chetco that all three sections under study for SSW designation meet the criteria for free-flowing waters, scenery, and natural and recreation values of outstanding quality. As all three segments have been a Federal Wild and Scenic River since 1988, it is clear that the Chetco throughout these areas possesses very high quality, and it attracts many visitors year round. The economy of nearby Brookings also depends on a healthy Chetco River.

In sum, ORCA fully supports designation of these segments of the Chetco River as a State Scenic Waterway.

Thank you for the opportunity to testify.

Sincerely,

/s/ Cameron La Follette

Cameron La Follette
Executive Director

From: [Nathan Pulliam](#)
To: [Waterways Scenic + ORPD](#)
Subject: Molalla and Chetco Rivers- Scenic Waterways Program
Date: Tuesday, July 28, 2015 3:02:24 PM

Dear ORPD Scenic Waterways Program,

I am emailing you today to let you know that I am in full support of the plans to designate the Molalla and Chetco rivers as State Scenic Waterways. Both of these rivers are very important to myself and many others. It is great to know that these rivers will be conserved for many generations to come and that those generations of people will have the same opportunity to recreationally paddle these rivers.

Thanks for your time and work regarding these two rivers!

Sincerely,

Nate Pulliam

Kayak and Canoe instructor at Alder Creek Kayak and Canoe in Portland Oregon

From: [REDACTED]
To: [Waterways Scenic * OPRD](#)
Subject: Chetco River Needs Immediate Protection
Date: Wednesday, August 12, 2015 4:01:50 PM

Dear Oregon Department of Parks and Recreation,

The Chetco River is infinitely more valuable than any amount of irrigation water or hydropower that could be seized from it. This River is the epitome of the precious aquatic ecosystems that people of Oregon had the vision and foresight to protect in 1970, and the need has only grown greater since. Please protect the Chetco River immediately.

I am writing today to support adding the Chetco River to Oregon's State Scenic Waterway network. The exceptionally clear waters of the Chetco River provide exceptional recreation opportunities, produce some of the largest salmon in Oregon, and provide drinking water to coastal communities.

I support the recommendations stakeholder groups have made with regard to the Chetco River segment classifications and the resulting "potential land management rules." These rules strike a balance between maintaining the scenic and ecological integrity of the river corridors and the rights of adjacent private property owners. Maintaining the natural condition of the river corridor will benefit clean water and fisheries for generations to come.

In addition to my support for designating the Chetco a State Scenic Waterway, I urge the state to fully protect instream flows. Natural flows are critical to maintaining the wild and free flowing character of the Chetco, and the state's designation should fully protect base flows, biological triggering flows and channel maintenance flows. As recreation and wildlife depend on these characteristics, flow should be protected appropriately for the highest and best uses identified for State Scenic Waterways.

Sincerely,

Jim Steitz

[REDACTED]


Ashland, OR 97520

From: [Peter Stewart](#)
To: [Waterways Scenic + OPRD](#)
Subject: Designate the Chetco
Date: Tuesday, August 11, 2015 12:02:42 PM

Hello, I am writing to you today to express my deep wishes about developing the Chetco river as one of the specifically scenic waterways to be protected. There are only a few rivers in this world as stunningly beautiful and healthy as the Chetco. It supports many living things and flows over rare geologic stone. This river is the type that when you emerge yourself in it, there is a deep refreshment that occurs. We have a responsibility to maintain the clarity and life that this river supplies. Please move toward protecting the entire length of this amazing waterway. Thank you,
Peter Stewart Portland, OR

From: [Tommy Swearingen](#)
To: [Waterways Scenic + OPRD](#)
Subject: Mollala/Chetco Proposal
Date: Saturday, August 01, 2015 8:09:56 AM

I want to register my support for State Scenic Waterway designation for these two rivers. They are excellent whitewater runs and deserving of any degree of state recognition and protection. Many paddlers consider the Mollala one of the premier runs in the state.

Tommy Swearingen, PhD


August 13, 2015

Oregon Parks and Recreation Department
Scenic Waterways Program
725 Summer St., Suite C
Salem, OR 97301

RE: Support for Designation of the Chetco and Molalla Rivers as State Scenic Waterways

Dear Parks and Recreation Department,

The Nature Conservancy is pleased to support designation of the Chetco and Molalla Rivers as new State Scenic Waterways. Both of these rivers provide the outstanding scenic, natural and recreational values intended for recognition under the State Scenic Waterways Act.

The Molalla River is the longest free-flowing tributary of the Willamette River. It supports important populations of native fish and wildlife, including federally-threatened winter steelhead and spring Chinook. Both of these species are in significant decline in the Willamette Basin, and the unique run timing of these species in the Molalla River contributes to genetic diversity and species viability. The river also provides habitat for a number of federal species of concern, including the Oregon slender salamander. In addition, the river provides drinking water for the cities of Molalla and Canby, and numerous recreational opportunities including recreational fishing and boating.

The Chetco River, free-flowing from its headwaters in the Kalmiopsis Wilderness to its mouth at the Pacific Ocean, is a well-known gem on the Oregon Coast. At least 40 at-risk plant and animal species are in the area, including populations of federally-threatened coho, as well as important populations of winter steelhead and fall chinook salmon. The lower end of the river includes a rare Oregon example of the coast redwood association (coast redwood-tanoak/Pacific rhododendron forest), and the most northerly naturally occurring redwood stand in the world. The river provides exceptionally clean drinking water to the residents of Brookings-Harbor, and tremendous diversity of recreational uses throughout the year.

We applaud Oregon Parks and Recreation's work studying and evaluating the Molalla and Chetco Rivers and the quality of the reports produced by the Assessment Team. The information clearly supports designation of these two rivers as State Scenic Waterways.

Sincerely,



Catherine Macdonald
Director of Conservation Programs



August 13, 2015

Oregon Parks and Recreation Department
Scenic Waterways Program
725 Summer St., Ste C
Salem, OR 97301

Re: Chetco River, proposed Scenic Waterway Designation and flow recommendations

Dear OPRD Scenic Waterway Program,

WaterWatch of Oregon supports the proposed designation of the Chetco River as State Scenic Waterway.

The citizens of Oregon passed the Scenic Waterway Act into law in 1970 by a two to one margin. The Act was adopted as a counter balance to existing policies that allowed the building of dams and diversion of water from beloved streams across the state. See ORS 390.815. With increasing development pressures on Oregon's beloved rivers across the state, this is an important tool to protect Oregon's most loved rivers into the future. Recognizing this, the Integrated Water Resources Strategy adopted by the Oregon Water Resources Commission in 2012 recommends designation of new state scenic waterways as one tool to meet instream water needs into the future.

Once a stream is designated, the Act requires the state to protect streamflows in quantities necessary to support fish, wildlife and recreation. Our comments today are focused on the "pilot" scenic waterway flow recommendation, found in Attachment A.

Scenic waterway approach: The Scenic Waterway Act mandates that the highest and best uses in Scenic Waterways are fish, wildlife and recreation. ORS 390.835(1). To that end, the state is required to protect flows in quantities necessary to protect these values. *Id.* Attachment A notes that the flow framework discussed with the advisory group combines scenic waterway management classifications with the median monthly natural streamflow defined by WARS. As an approach, WaterWatch has concerns with the proposed nexus of streamflow protection and management classifications. The scenic waterway management plans and classifications are directly tied to land use on adjacent lands. ORS 390.845(2). These plans are within the purview of the Oregon Department of Parks and Recreation. *Id.* at (1). River flow protections, on the other hand, are not tied to land management practices and/or river classifications, but rather are guided by the Act's mandate that the highest and best uses of waters within a scenic waterway are fish, wildlife and recreation. Moreover, streamflow protection mandated under the Act is under the purview of the Oregon Water Resources Commission. ORS 390.835, ORS 390.845(1).

To that end, the state should be protecting the maximum flows available under the Act regardless of the management classification of adjacent lands.

Recommended scenic waterway flows: While we appreciate that the WRD is proposing 100% of the median natural river flow to be protected by the Act (except for Jan-March on the lower segment the recommendation is 95-100%), we do not believe this provides the full protection mandated by the Act. The Act is clear that the state must protect flows in the quantity necessary for fish, wildlife and recreation. ORS 390.835. The concern with using average median flows to meet this standard is that average median flows are not likely to capture the elevated biological triggering flows, channel maintenance flows and/or other streamflow functions associated with high flows needed to support healthy river and fish habitat. The 100% median flow should be the baseflow to build upon for the scenic waterway flow recommendation, not the ceiling. Thus, we urge the state to incorporate elevated flow levels necessary to support biological triggering and channel maintenance, among other things, into the recommended instream flows.

As a related matter, we appreciate that the WRD conditions new water right permits to protect scenic waterway flows and we support this conditioning, but again, unless the scenic waterway flows are protecting the full suite of flows necessary to maintain fish, wildlife and recreation uses then this conditioning does not protect against future development to the extent it should under the Act

And, as a final point, we strongly agree with the “non numeric” recommendation from the advisory group that no new additional water rights should be allocated within or above the proposed scenic waterway. We urge the Water Resources Commission to approve this recommendation.

In conclusion, WaterWatch strongly supports the proposed designation of the Chetco River as a new State Scenic Waterway. However, we urge the state to use the 100% of the median flow as the baseflow, not the ceiling, upon which to build additional recommendations to address elevated flows needed for important fish and river functions.

We thank the Oregon Department of Parks and Recreation and the Oregon Water Resources Department for their recent efforts to move forward in designating additional state scenic waterways and look forward to the continued attention to this program in years to come.

Sincerely,



Kimberley Priestley
Sr. Policy Analyst

Sent via email by ~757 contributors:

To: Waterways Scenic * OPRD

Subject: Support for Chetco Scenic Waterway and flow protection

Dear Oregon Department of Parks and Recreation,

I am writing today to support adding the Chetco River to Oregon's State Scenic Waterway network. The exceptionally clear waters of the Chetco River provide exceptional recreation opportunities, produce some of the largest salmon in Oregon, and provide drinking water to coastal communities.

I support the recommendations stakeholder groups have made with regard to the Chetco River segment classifications and the resulting "potential land management rules." These rules strike a balance between maintaining the scenic and ecological integrity of the river corridors and the rights of adjacent private property owners. Maintaining the natural condition of the river corridor will benefit clean water and fisheries for generations to come.

In addition to my support for designating the Chetco a State Scenic Waterway, I urge the state to fully protect instream flows. Natural flows are critical to maintaining the wild and free flowing character of the Chetco, and the state's designation should fully protect base flows, biological triggering flows and channel maintenance flows. As recreation and wildlife depend on these characteristics, flow should be protected appropriately for the highest and best uses identified for State Scenic Waterways.

Sincerely,

Colonel Meyer North Port, FL 34286

RE: Please Designate the Molalla & Chetco River Segments as State Scenic Waterways

Dear Oregon Department of Parks and Recreation,

I'm writing to lend my support for the Molalla and Chetco river segments as additions to Oregon's network of Scenic Waterways. Both of these watersheds are valuable assets to local communities and deserve to be protected foremost for their outstanding aesthetic, recreational, and ecological benefits.

Moreover, I am writing to ask that the state adopt instream flow protections necessary to maintain the free-flowing character of these river segments in the full quantities necessary for recreation, fish, and wildlife – including baseflows, biological triggering flows, and channel maintenance flows. One of the most important benefits for fish populations in the Chetco and Molalla State Scenic Waterways proposals are instream water allocations for scenic flows.

I greatly appreciate the opportunity to comment in support of the designation of the Molalla and Chetco rivers as state scenic waterways and the setting of the maximum instream flows necessary to protect these Oregon gems. The Molalla and Chetco are truly among Oregon's finest watersheds and their inclusion into Oregon's network of Scenic Waterways would be a fitting way to reinvigorate a valuable state program.

Regards,

Randall Hughes	Alameda, CA
Dave Van Domelen	Amity, OR
Jim McCarthy	Ashland, OR
Mort Smith	Ashland, OR
Ken Morrish	Ashland, OR
Bob & Karen Robinson	Ashland, OR
Robyn Janssen	Ashland, OR
Yancy Lind	Bend, OR
George Wuerthner	Bend, OR
Jim Myron	Canby, OR
Fred Pendergast	Cupertino, CA
Nancy Nichols	Deadwood, OR
Kathy Giesen	Eugene, OR
Jen Matthews	Eugene, OR
Glen and Rhoda Love	Eugene, OR
Bob Bumstead	Eugene, OR
Kay and Daniel Robinhold	Eugene, OR
John Brinkley	Eugene, OR
Ken MacDonald	Gresham, OR
Thomas Blacklidge	Lake Oswego, OR
Jeff Evershed	Lake Oswego, OR
Dale Madden	Maupin, OR
John Forsyth	Medford, OR
Tom Derry	Molalla, OR
Larry and Jo Ellen Turigliatto	Napa, CA

Tracy Buckner	Oregon City
Steve & Randi Kobak	Portland, OR
Matt Deniston	Portland, OR
Laurie Todd	Portland, OR
Genevieve Long	Portland, OR
Edith Gillis	Portland, OR
Kris N	Portland, OR
Stan Chesshir	Portland, OR
John Warren	Portland, OR
Jacob Reiss	Portland, OR
Robert Bernstein	Portland, OR
Courtney Wilson	Portland, OR
Nick Rowell	Portland, OR
Amy Simpson	Portland, OR
Sarah Deumling	Rickreall, OR
Borst Engineering & Construction Borst	Rogue River, OR
Russ & Delana Beaton	Salem, OR
Lee & Marilyn Rengert	Salem, OR
Corinne Sherton	Salem, OR
Ayani Mikasi	Talent, OR
Mr. Peter Ware	Talent, OR
Ken Anderson	Vancouver, WA
Barrett Edgar	Wedderburn, OR
Phillip Mamula	West Linn, OR
Richard Hafele	Wilsonville, OR
Jim Ruff	Wilsonville, OR

RE: I Support Designating the Molalla & Chetco Rivers as State Scenic Waterways

Dear Oregon Department of Parks and Recreation,

I'd like to offer my support for the Molalla and Chetco rivers as additions to Oregon's network of Scenic Waterways. Both of these wild, free flowing watersheds are valuable assets to local communities and deserve to be valued foremost for their outstanding aesthetic, recreational, and ecological benefits.

I appreciate that both the Molalla and Chetco draft State Scenic Waterway management plans have been developed with input from local stakeholders including River Stewards and staff from Native Fish Society, who provided suggestions based on their on-the-ground knowledge of these rivers and their natural values.

I support the recommendations these stakeholder groups have made with regard to both the Molalla and Chetco river segment classifications and the resulting "potential land management rules." These rules strike a balance between maintaining the scenic and ecological integrity of the river corridors and the rights of adjacent private property owners. Maintaining the natural condition of the river corridor will also benefit the wild, native fish by protecting water quality and maintaining free flowing characteristics.

I support the "potential management recommendations" found in both the Molalla and Chetco draft management plans. Both communities indicate the need for additional support and partnership with the OPRD to assist with local cleanups, maintenance and improvements to access and bathroom facilities, additional interpretive signage and partnerships to attract future habitat restoration investments.

One of the most important benefits for wild, native fish in the Chetco and Molalla State Scenic Waterways proposals are instream water allocations for scenic flows. Fish benefit from safeguards to the natural hydrological fluctuations of a wild river; which moves sediment, redistributes and collects large woody debris and reclaims side channel habitats critical for rearing salmonids. For these reasons I support allocating 100% of the available flows as part of the scenic flow allocations for both the Molalla and Chetco.

I greatly appreciate the opportunity to comment in support of the OPRD's draft State Scenic Waterway management plans. The Molalla and Chetco are truly among Oregon's finest watersheds and their inclusion into Oregon's network of Scenic Waterways would be a fitting way to reinvigorate a valuable state program.

Regards,

Charles Gehr	Ashland, OR
William Morrish	Ashland, OR
Aaron Bento	Beaverton, OR
Steven S. Lent	Beaverton, OR
Dennis Miller	Bend, OR
Ron Thompson	Bend, OR
Peter Murray	Bend, OR
Troy Leedy	Bend, OR

Caryn Graves	Berkeley, CA
Mark Sherwood	Brookings, OR
Richard Kellogg	Camp Sherman, OR
John Larison	Corvallis, OR
Shawn Donnille	Eugene, OR
Doug Heiken	Eugene, OR
Brent Ross	Eugene, OR
Christopher I Hiatt	Eugene, OR
Josh Lusher	Eugene, OR
Lawrence P. Leine	Glide, OR
Dennis Biggins	Hillsboro, OR
Forrest Jones	Hood River, OR
Melissa van scoyoc	Klamath Falls, OR
Douglas Robertson	Lake Oswego, OR
Robert C. Watzke	Lake Oswego, OR
Greg Hogensen	Lake Oswego, OR
Brian Silvey	Maupin, OR
Eric Ellingson	McMinnville, OR
David A Wang DDS	Medford, OR
Erin Mahanay	Medford, OR
NA	Mount Shasta, CA
Dale Greenley	Myrtle Creek, OR
David Charles Quinn	Ocean Shores, WA
Russell Loeb	Oregon City, OR
James Baggett	Oregon City, OR
Bill Percy	Philomath, OR
Tim Knecht	Portland, OR
Michael Jolliffe	Portland, OR
Jake Crawford	Portland, OR
Henry Carlile	Portland, OR
Brian Emerick	Portland, OR
River Steenson	Portland, OR
Charles Carroll	Portland, OR
Nathan Hall	Portland, OR
Jon Kellogg	Portland, OR
Tyler Allen	Portland, OR
Edward L. Marxer	Portland, OR
Danny McGinley	Portland, OR
Cliff Canepa	Portland, OR
Dan Ellis	Portland, OR
Kenneth Bierly	Salem, OR
Matt Neznanski	Salem, OR
Charles Hammerstad	San Jose, CA
Jeff Perin	Sisters, OR
Edward Filice	Sonoma, CA
Shawn Scriven	Springfield, OR
Rob Perkin	Tigard, OR

Jessica Ahlstrom
Douglas Rohn
Brad Staples
Andrew Miller
Don Titterington
Jeremy Quinlan

Tucson, AZ
Tucson, AZ
West Linn, OR
West Linn, OR
Wilsonville, OR
Woodland Hills, CA

Pilot Advisory Group Scenic Waterway Flow Recommendation: Molalla River



Oregon Water Resources Department
725 Summer St NE, Suite A Salem, Oregon 97301



Contents

Figures.....	2
Tables	2
Acknowledgements.....	3
Introduction	4
Background	4
Approach and Process for Scenic Waterway Flow Recommendations	5
Impact of Setting of Scenic Waterway Flows on Existing or Future Water Development	6
Molalla River Scenic Waterway Flows: Background and Inputs	6
Description of Molalla Scenic Waterway	6
OWRD Water Availability Reporting System (WARS) Input	6
Scenic Flow Framework Input.....	9
Molalla Scenic Waterway Flow Recommendation	13
Additional Information.....	14
Statutory Authority and Administrative Rule	14
Pilot Advisory Group Scenic Waterway Flow Recommendation Input Summary	14
Implementation of Scenic Waterway Flow Protection	15
OWRD Water Availability Report Output.....	15
References and Additional Resources	17
Appendix A. Public Comment received relevant to setting of Scenic Waterway Flows.....	18

Figures

Figure 1. The Scenic Waterway Flow Framework used by the Advisory Groups to suggest flows for protection within any proposed Scenic Waterway. 5

Figure 2. Map of proposed Scenic Waterway reach of the Molalla River (pink), the basin above the proposed Scenic Waterway (light green), and existing water rights within the Scenic Waterway 8

Tables

Table 1. Median, natural streamflow and existing instream water rights by month for Water Availability Basin (WAB) 73293 (coincident with the downstream end of the Molalla Scenic Waterway)..... 7

Table 2. Summary count of public comment letters received by OPRD. 10

Table 3. Summary of comments received following the **first** Advisory Group Meeting for the Molalla River. 11

Table 4. Results of voting exercise at the **second** Advisory Group meeting on the Scenic Waterway Flow Recommendation. 12

Table 5. Advisory Group Scenic Waterway Flow Recommendation to the Water Resources Commission. 13

Table 6. Assessment of months during the year when water is available for additional uses based on totals of existing allocations. 16

Acknowledgements

Thank you to the Molalla Advisory Group members who took the time to engage in this pilot process. Advisory Group Members provided crucial input and insights into the conversation about flow recommendations for the proposed Molalla Scenic Waterway. Advisory Group Members include (alphabetical order):

John Atkins, President, Molalla River Alliance
Jerry Bailey, Confederated Tribes of the Grand Ronde
Connie Derry, Glen Avon Neighborhood Association
Pete Giordano, Blue Sky Rafting
Jack Hammond, Molalla River Alliance
Bob Loucks, Molalla Retreat
Scott Marlega, Weyerhaeuser Company
Mike McCallister, Clackamas County
Jeffrey McCusker, Outdoor Recreation Planner, Bureau of Land Management
Mike Moody, Molalla River Alliance
Gary Potter, Canby Water Utility
Mark Schmidt, Property and Local Business Owner
Bill Taylor, Molalla River Watch (Watershed Council)
Becky Wolf, Recreational User, Oregon Equestrian Trails
Sam Wurdinger, Molalla Chapter, Northwest Steelheaders

Special thanks also to Oregon Parks and Recreation and Oregon Water Resources Department staff who supported the Scenic Waterway Advisory Group pilot effort (alphabetical order):

Brenda Bateman, WRD
Andrea Berkley, OPRD
Dwight French, WRD
Chris Havel, OPRD
Rocky Houston, OPRD
Laurel Hillmann, OPRD
Amy Kim, OWRD
Carrie Lovellette, OPRD
Rachel LovellFord, WRD
Ken Stahr, WRD
Trevor Taylor, OPRD

Introduction

This “Pilot Advisory Group Scenic Waterway Flow Recommendation” document contains a summary of recommended Scenic Waterway flows for the Chetco River as developed through a pilot citizen engagement process. The Molalla Scenic Waterway Advisory group, led by the Oregon Parks and Recreation Department (OPRD) and assisted by the Oregon Water Resources Department (WRD), used the Scenic Flow Framework, complimented by water availability analysis carried out by WRD to arrive at their recommendation. A description of this pilot process and any public comment that resulted from the advisory group meetings are captured below.

Background

The Scenic Waterway Act became state law in 1970, and with it, many of Oregon’s premier recreational rivers were designated state Scenic Waterways. The resulting statute specifically identified recreation, fish, and wildlife uses as the highest and best uses of the designated waterways and their waters. Scenic Waterway statute also directed the Water Resources Commission to consider the quantities of water necessary for recreation, fish, and wildlife uses within or above a designated Scenic Waterway before granting new water rights (ORS 390.835).

In September 2013, the Governor directed OPRD to analyze at least three waterways for potential designation every two years in fulfillment of statute directing periodic study of new waterways for potential inclusion in the program (ORS 390.855). An initial screening of Oregon waterways by OPRD resulted in a list of approximately 80 river segments that have the potential to meet the State’s waterway designation criteria. Based on a broad coalition of agencies and stakeholders, OPRD’s capacity to complete the waterway assessments, and the desire to provide geographical distribution throughout the State, sections of the Molalla, Chetco, and Grande Ronde Rivers were included in a 2013-15 pilot study (<http://www.oregon.gov/oprd/NATRES/scenicwaterways/Pages/assessments.aspx>). Based on the evaluation of eligibility criteria for the river and public input received during the waterway assessment, the Grande Ronde was dropped from the designation process.

In November 2014, the Oregon State Parks and Recreation Commission recommended Scenic Waterway designation of segments of the Chetco and Molalla Rivers. The Commission also directed OPRD staff to cooperate with advisory groups to develop draft management plans for the recommended Scenic Waterway segments on the Chetco and Molalla rivers, and to bring materials for Commission review by November 2015.

Starting in March 2015, OPRD convened pilot advisory groups comprised of local land owners, recreational business operators, and local government/interest groups for both of the proposed waterways. These groups were tasked with working with OPRD staff to compile a Draft Management plan for each waterway. Upon conclusion of the pilot advisory group process, OPRD will ask the Water Resources Commission to review Scenic Waterway qualification reports and draft management plans and to concur with the Parks and Recreation Commission’s recommendation for designation.

WRD's role in the Draft Management Plan process was to consider and seek public input regarding Scenic Waterway Flows so that WRD may recommend flows to the Water Resources Commission. As part of these efforts, WRD has joined OPRD in the pilot Advisory Group process. WRD staff used the Advisory Group meetings and public workshop period to collect information from interested parties in the basin regarding optimal Scenic Waterway flows; the results of this effort are captured in this report. This Advisory Group recommendation report will be an appendix to the Draft Management Plan for the Molalla River.

Approach and Process for Scenic Waterway Flow Recommendations

For recreation, fish and wildlife uses (ORS 390.835(1)), WRD recommends Scenic Waterway flows through official staff reports to the Water Resources Commission. If the Commission agrees with the recommendations, staff will protect these flows through water right allocations and permit conditions for new water rights within and above the Scenic Waterway. Scenic Waterway Flow recommendations may be informed by 1) WRD's Water Availability Reporting System (WARS) program (including existing instream water rights) and 2) input from OPRD's Advisory Group and Public Workshop process. The Advisory Group may use, among other methods, the Scenic Waterway Flow Framework (Framework) to provide input for specific flow recommendations (Figure 1).

The Framework, drafted by WRD staff, combines Scenic Waterway Management Classifications (OAR-736-040) with the median monthly natural streamflow defined by the WARS output. A Classification is suggested for each section of a proposed Scenic Waterway through OPRD's Draft Management Plan process. The range of recommended percentages listed for each classification are intended to mirror existing levels of development within the larger basin while still protecting a majority of the water available for allocation for recreation, fish, and wildlife uses.

Scenic Waterway Flow Framework	
Scenic Waterway Management Classifications	Recommended Scenic Waterway Flow Range (percent of median monthly flow)
	Natural River: 100%
	Accessible Natural River: 95-100%
	Scenic River: 90-100%
	Natural Scenic River: 85-100%
	Recreational River: 80-100%
	River Community: 75-100%

Figure 1. The Scenic Waterway Flow Framework used by the Advisory Groups to suggest flows for protection within any proposed Scenic Waterway. The varying levels of protection (range of percentages) are intended to mirror the level of current land use as identified by the Scenic Waterway Management Classification system.

Impact of Setting of Scenic Waterway Flows on Existing or Future Water Development

Scenic Waterways are designated in order to protect the existing scenic nature of a waterbody. In many cases, this scene involves existing developed lands that already divert and use water. It is important to note that new 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 the Scenic Waterway will be subject to Scenic Waterway flow levels adopted by the Water Resources Commission. In addition, these flows may be assigned as a permit condition for new water rights granted within or above the designated Scenic Waterway. For more information on specific exceptions, statutes, and rules surrounding new surface and groundwater use within or above a Scenic Waterway, see the “Additional Information” section.

Molalla River Scenic Waterway Flows: Background and Inputs

Description of Molalla Scenic Waterway

The Molalla River Study Area as addressed in the OPRD Scenic Waterway study is defined as follows: The Molalla River and all lands within ¼ mile of each bank, beginning at the confluence of the Table Rock Fork downstream approximately 13.2 miles to the Glen Avon Bridge, near the city of Molalla, Oregon (Figure 2).

OWRD Water Availability Reporting System (WARS) Input

Scenic Waterway Flows are to be protected during the issuance of new water rights within and above the scenic waterway. This occurs through the use of WRD’s Water Availability Reporting System (WARS) to quantify water available for allocation and the inclusion of permit conditions on subsequent, new water rights. WRD uses the median, natural streamflow (aka 50 percent exceedance natural streamflow) as reported through the WARS program to determine the total amount of water available for storage or instream uses when considering an application for a new water use. The median, natural streamflow for the lower end of the proposed reach of the Molalla River can be seen in Table 1.

Within and above the proposed Scenic Waterway reach of the Molalla River, out-of-stream allocations are minimal (less than 0.15 percent of annual streamflow). There are existing instream rights that protect fish and wildlife needs during the summer and fall months and prevent future allocation within and above designated reaches (Table 1). In addition, existing downstream water users have already established water rights which limit any additional water allocation throughout the basin from July through October. Water may still be available for allocation for storage from November through June.

For more information on the Water Availability Reporting System, please see the “Additional Information” section and/or visit WRD’s website:

http://www.oregon.gov/owrd/Pages/wr/index.aspx#Water_Availability_Report_System

Table 1. Median, natural streamflow and existing instream water rights by month for Water Availability Basin (WAB) 73293 (coincident with the downstream end of the Molalla Scenic Waterway). Instream water rights are protected by certificate 72604. The instream water right is equal to the monthly median, natural streamflow for the months of September and October. Water Availability Report retrieved on 6/23/2015.

Month	Median, Natural Streamflow (WAB 73293) (cfs)	Instream Water Right Streamflow (WAB 73293) (cfs)
January	889	140
February	840	140
March	715	140
April	727	140
May	570	140
June	233	120
July	99.5	50
August	56.5	50
September	65.5	65.5
October	123	123
November	606	140
December	904	140

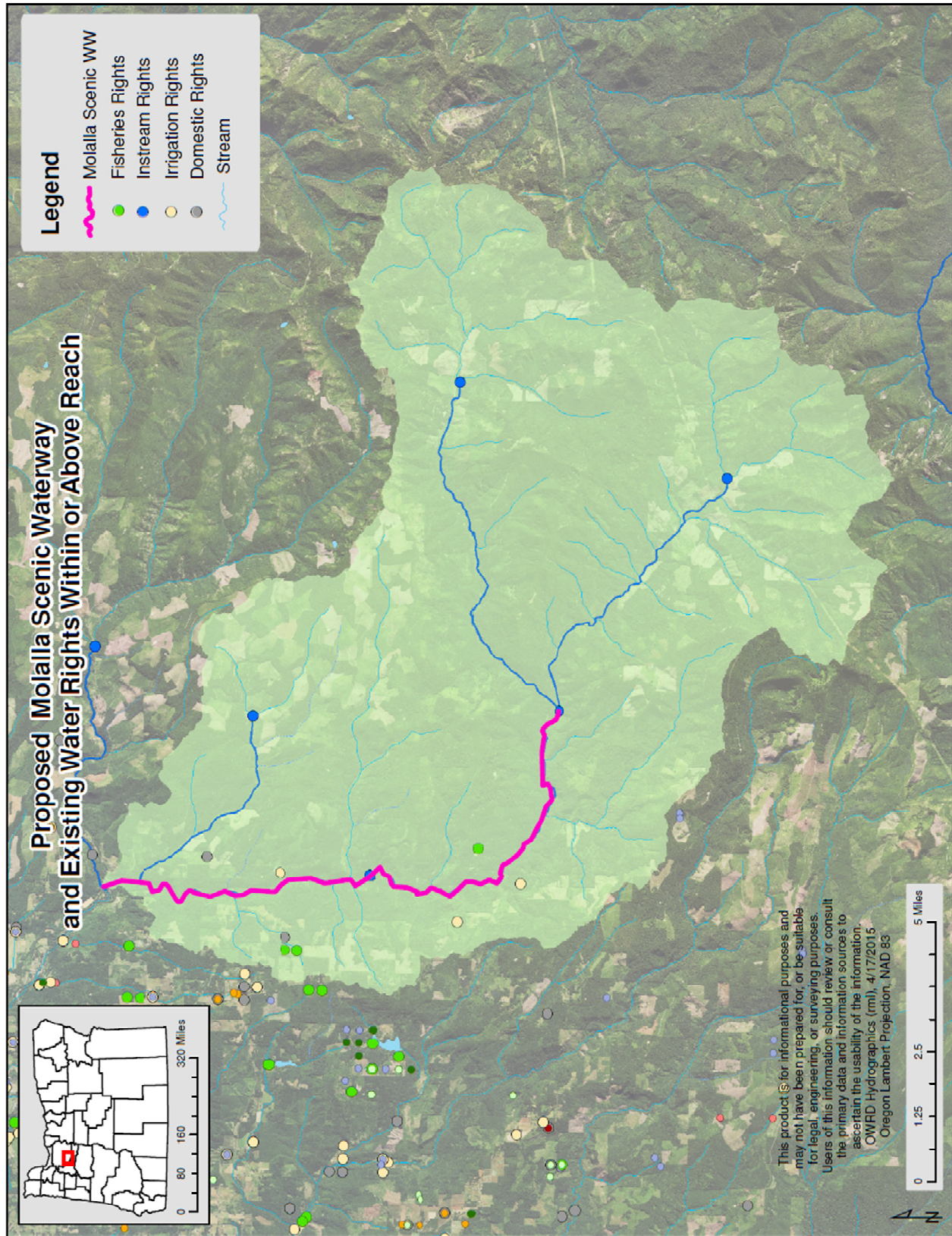


Figure 2. Map of proposed Scenic Waterway reach of the Molalla River (pink), the basin above the proposed Scenic Waterway (light green), and existing water rights within the Scenic Waterway

Scenic Flow Framework Input

One of the ways that the Molalla Advisory Group provided input regarding the recreational flow needs was by using the Scenic Waterway Flow Framework. Input using this framework was gathered during two Advisory Group meetings held in April and June. See OPRD's Scenic Waterway website for meeting minutes, materials, and presentations (<http://bit.ly/scenicwaterways>).

Meeting #1: Scenic Waterway Flow Framework Input

To arrive at a streamflow recommendation, the Scenic Waterway Flow Framework utilizes the Scenic Waterway Management Classification for each portion of the river as established by the Molalla Advisory Group. During the first part of the initial meeting, the Advisory Group agreed to the following Management Classifications for the Molalla River:

- Upper Segment– Table Rock Creek to Pine Creek: Scenic River Area
- Middle Segment- Pine Creek to Trout Creek: Recreational River Area
- Lower Segment- Trout Creek to Glen Avon Bridge: River Community Area

See the “DRAFT Pilot State Scenic Waterway Management Plan: Molalla River” document, Figure 4 for the draft section classification map and more information on the intent and meaning of the classifications (<http://bit.ly/scenicwaterways>).

The classification discussion was followed by a short presentation on water rights, Scenic Waterway Flows and the Scenic Waterway Flow Framework by WRD staff. At the end of the meeting, OPRD and WRD asked the Advisory Group members to complete a “homework” assignment wherein they were to identify their personal management objectives for the river and to use the Scenic Waterway Flow Framework to identify the levels of streamflow protection they thought best met the recreational flow needs of the river. Two Advisory Group members made numeric recommendations for flow levels through the homework assignment, and two submitted non-numeric comments regarding flow characteristics. The numeric feedback was combined into a range of flows and the dominant sign (+ or -) reported by participants to convey the relative importance of streamflow to personal recreational uses of the river. This summary of numeric and written comment was provided to the group at the second meeting (Table 2).

Meeting #2: Review of Scenic Waterway Flow Recommendation to the Water Resources Commission

The second meeting began with a discussion of the range of flows recommended as a result of Meeting #1 homework. Following a question and answer session which included a short presentation, WRD staff collected additional input from the attendees about preferred flow protection levels using a prioritization voting activity. The goal of this process was to ensure that all Advisory Group members had the opportunity to provide input. Consensus was not required for the recommendation, though it is noted where reached.

Consensus was reached by the group only in the months when the existing instream water right was equivalent to 100 percent of the median natural flow. Otherwise, the group recommended protecting the following ranges of flows:

- Upper Segment – Table Rock Creek to Pine Creek: For all months except September and October, the group recommends protecting 90 to 100 percent of the monthly, median natural flow.
- Middle Segment- Pine Creek to Trout Creek: For all months except September and October, the group recommends protecting 90 to 100 percent of the monthly, median natural flow.
- Lower Segment – Trout Creek to Glen Avon Bridge: For all months except September and October, the group recommends protecting 85 to 100 percent of the monthly, median natural flow.

Public Workshop and Comment Period

A draft version of this document was presented by OPRD and WRD at a Public Workshop on July 20th in Molalla, OR. The meeting was attended by 12 members of the public; this included 4 advisory group members. Although OPRD only collected written comment at the meeting, staff noticed two major areas of interest throughout the workshop: 1) interest in the impacts of the designation on private property rights, and 2) interest in the types and levels of protection for the river itself. Generally, verbal feedback during the meeting supported Scenic Waterway designation.

Following the Public Workshop, OPRD opened up a 30-day public comment period which ended on August 19th, 2015. A majority of the comment collected was in support of the establishment of the proposed Molalla Scenic Waterway (Table 2). Comments received related to scenic waterway flows are included in Appendix A.

Table 2. Summary count of public comment letters received by OPRD.

Written Comment Type	Oppose plan/designation	Support plan/designation
Individual emails and letters	5	21
Public meeting comment forms	0	2
Email form letters-both rivers	0	112
Total written comments	5	135

Most of the letters of support mentioned Scenic Waterway Flows. Generally, the letters asked for WRD to fully protect instream flows, including the identification and protection of base flows, biological triggering flows, and channel maintenance flows. Many letters pointed to wording in statute which requires the state to protect flows in the quantities necessary for fish, wildlife, and recreation or which identifies that the highest and best uses of waters within a scenic waterway are fish, wildlife, and recreation (ORS 3903835).

Table 3. Summary of comments received following the **first** Advisory Group Meeting for the Molalla River. Participants were also asked to note the relative importance of flows for recreation purposes using (+) or (-) signs. Numbers refer to the range of recommended percentages of the median, monthly flow that participants would like to protect.

Segments and suggested range of flows from Scenic Waterway Flow Framework	Upper Segment – Table Rock Creek to Pine Creek: <u>Scenic River Area</u> (90– 100 % of monthly median, natural streamflow)	Middle Segment- Pine Creek to Trout Creek: <u>Recreational River Area</u> (80– 100 %of monthly median, natural streamflow)	Lower Segment – Trout Creek to Glen Avon Bridge: <u>River Community Area</u> (75 – 100 %of monthly median, natural streamflow)
January	(-), 90 to 100%	(-), 90 to 100%	(-), 85 to 100%
February	(-), 90 to 100%	(-), 90 to 100%	(-), 85 to 100%
March	(+), 100%	(+), 100%	(+), 85 to 100%
April	(+), 100%	(+), 100%	(+), 85 to 100%
May	(+), 100%	(+), 100%	(+), 85 to 100%
June	(+), 100%	(+), 100%	(+), 85 to 100%
July	(+), 100% <i>100% already allocated within basin</i>	(+), 100% <i>100% already allocated within basin</i>	(+), 85 to 100% <i>100% already allocated within basin</i>
August	<i>88% protected as instream water right</i>	<i>88% protected as instream water right</i>	<i>88% protected as instream water right</i>
September	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>
October	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>
November	(-), 90 to 100%	(-), 90 to 100%	(-), 90 to 100%
December	(-), 90 to 100%	(-), 90 to 100%	(-), 90 to 100%

In addition, non-numeric recommendations made by two individual advisory group members are summarized as follows:

- Development and demands for water appear to eclipse the capacity of the Molalla River to provide flows; deforestation, drought, and changing climate have led to low flows. We should protect all remaining flows.

Table 4. Results of voting exercise at the **second** Advisory Group meeting on the Scenic Waterway Flow Recommendation. Numbers refer to the range of recommended percentages of the median, monthly flow that participants identified for protection using a prioritization activity. Where consensus has been reached, a single percentage is listed; otherwise a range of percentages denotes the full spectrum of opinion.

Segments and suggested range of flows from Scenic Waterway Flow Framework	Upper Segment – Table Rock Creek to Pine Creek: <u>Scenic River Area</u> (90– 100 % of monthly median, natural streamflow)	Middle Segment- Pine Creek to Trout Creek: <u>Recreational River Area</u> (80– 100 % of monthly median, natural streamflow)	Lower Segment – Trout Creek to Glen Avon Bridge: <u>River Community Area</u> (75 – 100 % of monthly median, natural streamflow)
January	90 to 100%	90 to 100%	85 to 100 %
February	90 to 100%	90 to 100%	85 to 100 %
March	90 to 100%	90 to 100%	85 to 100 %
April	90 to 100%	90 to 100%	85 to 100 %
May	90 to 100%	90 to 100%	85 to 100 %
June	90 to 100%	90 to 100%	85 to 100 %
July	90 to 100% <i>100% already allocated within basin</i>	90 to 100% <i>100% already allocated within basin</i>	85 to 100 % <i>100% already allocated within basin</i>
August	90 to 100% <i>100% already allocated within basin</i> <i>88% protected as instream water right</i>	90 to 100% <i>100% already allocated within basin</i> <i>88% protected as instream water right</i>	88 to 100% <i>100% already allocated within basin</i> <i>88% protected as instream water right</i>
September	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>
October	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>	<i>100% protected as instream water right</i>
November	90 to 100%	90 to 100%	85 to 100 %
December	90 to 100%	90 to 100%	85 to 100 %

Molalla Scenic Waterway Flow Recommendation

Scenic Waterway Flow recommendations from the Advisory Group and information from the Water Availability Reporting system are summarized below (Table 5). Where consensus has been reached, a single percentage is listed; otherwise a range of percentages denotes the full spectrum of opinion. The Advisory Group recommendations are to 1) protect 100 percent of the median, natural flow in September and October for all sections, 2) protect between 90 and 100 percent of the flow in the upper and middle segments, the rest of the year, and 3) protect between 85 and 100 percent of the flows in the lower segment during the remainder of the year.

Table 5. Advisory Group Scenic Waterway Flow Recommendation to the Water Resources Commission. Where consensus has been reached, a single percentage is listed; otherwise a range of percentages denotes the full spectrum of opinion.

Month	Recommended Scenic Flow: Upper Segment- Table Rock to Pine Creek <u>Scenic River Area</u> (% of median, natural streamflow to protect)	Recommended Scenic Flow: Middle Segment- Pine Creek to Trout Creek <u>Recreational River Area</u> (% of median, natural streamflow to protect)	Recommended Scenic Flow: Lower Segment- Trout Creek to Glen Avon Bridge <u>River Community Area</u> (% of median, natural streamflow to protect)
January	90 to 100%	90 to 100%	85 to 100 %
February			
March			
April			
May			
June			
July	90 to 100%; <i>100% already allocated within basin;</i>	90 to 100%; <i>100% already allocated within basin;</i>	85 to 100%; <i>100% already allocated within basin;</i>
August	90 to 100%; <i>100% already allocated within basin; 88% protected as instream water right</i>	90 to 100%; <i>100% already allocated within basin; 88% protected as instream water right</i>	88 to 100%; <i>100% already allocated within basin; 88% protected as instream water right</i>
September	100% already protected as ISWR; recommend that Scenic Waterway Flow matches ISWR	100% already protected as ISWR; recommend that Scenic Waterway Flow matches ISWR	100% already protected as ISWR; recommend that Scenic Waterway Flow matches ISWR
October			
November	90 to 100%	90 to 100%	85 to 100 %
December			

Additional Information

Statutory Authority and Administrative Rule

Scenic Waterway statutes are found under ORS 390. Statute related to allocation of surface water and groundwater within or above a Scenic Waterway is addressed in ORS 390.835(1) and ORS 390.835(6-13). In regards to surface water allocations, the statute states, "The free-flowing character of the waters of Scenic Waterways shall be maintained in quantities necessary for recreation, fish and wildlife uses," and, "No dam or reservoir or other water impoundment facility shall be constructed on the waters of a Scenic Waterway" (ORS 390.835(1). New groundwater rights are not impacted,"...except upon a finding by the Water Resources Director that there is a preponderance of evidence that the use of ground water will measurably reduce the surface water flows necessary to maintain the free-flowing character of a Scenic Waterway in quantities necessary for recreation, fish, and wildlife" (ORS 390.835(9)).

For additional applicable statutes and the full, legal text of the statute, see ORS 390.835.

Rules regarding the granting of all water rights within the state of Oregon are addressed in OAR 690-310. WRD may issue surface water rights for limited human consumption and livestock within or above a designated Scenic Waterway reach when flows are less than the quantities necessary for recreation, fish, and wildlife (690-310-260(1b)) given a set of conditions ranging from impacts to the free-flowing character, maximum diversion rates based on human and livestock density per right, and documentation showing that there are no alternate acceptable water sources. Cumulatively, the total amount that can be granted under section (1b) is equal to no more than a combined cumulative total of one percent of the average daily flow or one cubic foot per second, whichever is less.

Groundwater rights are also tracked for their cumulative impact on Scenic Waterway flow needs. Those rights that are found to measurably reduce surface water flows within the Scenic Waterway when individual, or cumulative groundwater rights reduce surface water flows within the Scenic Waterway in excess of a combined cumulative total of one percent of the average daily flows by month or one cubic foot per second, whichever is less (OAR 690-310-260 (11)).

For additional rules and the full, legal text of the rule, see OAR 690-310-260.

Pilot Advisory Group Scenic Waterway Flow Recommendation Input Summary

Recommendations for Scenic Waterway Flows are developed using input from two sources:

1. Water Availability Reporting System (WARS): WRD's calculation of median natural streamflow is performed using WARS and includes a calculation of median monthly flows, on a summary of existing consumptive and instream water rights, and a summary of limiting basis for the waterway. Access WRD's Water Availability Program here:
(http://www.oregon.gov/owrd/Pages/wr/index.aspx#Water_Availability_Report_System)

2. Input from the OPRD Pilot Advisory Group (2015) and Public Comment (2015) for the proposed Molalla Scenic Waterway using the Scenic Waterway Flow Framework (Framework) and additional comments (Figure 1). WRD utilized OPRD's Draft Management Plan public Advisory Group process to assist in the identification of recreation flow needs. The Framework directly relates to the allocation tools developed through the WARS program which WRD uses to consider future allocations.

Implementation of Scenic Waterway Flow Protection

If the Commission requests WRD to include a Scenic Waterway Flow within their allocation process, WRD would implement this flow protection using two tools:

1. Consideration of Scenic Waterway Flows before issuance of new water right: WARS computes available water for a new permit by subtracting existing water rights, including instream rights and Scenic Waterway Flows, from natural streamflow. New consumptive uses are limited to available water and are subject to additional restrictions (e.g., basin plans). Instream uses within WARS can be equal to or less than the natural flow values computed at the 50 percent exceedance, or the median monthly streamflow.
2. Permit Conditions: Permit conditions for new water rights issued within or above the Scenic Waterway may include specific flow levels that must be met at a downstream gage in order for a new permittee to be allowed to divert water. This may include restricted periods per recommendation inputs from the Advisory Group.

OWRD Water Availability Report Output

Median Natural Flow

The median natural flow is computed through WARS and is the monthly maximum amount of water that can be allocated within a WAB for storage or instream uses. For this reason, computation of the median, monthly flow allows the department to identify maximum Scenic Waterway Flows within the allocation context.

The downstream end of the proposed Molalla waterway corresponds with WRD Water Availability Basin (WAB) 73293. Median, natural streamflow (50 percent exceedance) is presented in Table 1 for WAB 73293.

Existing Water Rights: Consumptive and Instream

Within and above the proposed Scenic Waterway reach of the Molalla River, out-of-stream allocations are minimal (less than 0.15 percent of annual streamflow) (Figure 2). Existing monthly consumptive uses are less than 5 percent of the natural, median streamflow in any month. Instream water rights exist for multiple sections of the river within and above the Scenic Waterway. The instream water right which overlaps with the mouth of the proposed Scenic Waterway reach and extends from the Table Rock Fork of the Molalla River to the North Fork of the Molalla River (Figure 2 and Table 1).

Water Availability Report: Limiting Basins and Months with Available Water

Much of the basin downstream of the proposed Molalla Scenic Waterway is already allocated for consumptive and instream uses; this is reflected in the limiting watershed analysis from the WARS report (Table 6). The method for determining whether water is available for a new permit is based upon the requested use. Water availability for diversions for storage or instream uses is considered at the 50 percent exceedance flow level (aka monthly median, natural flow). In the Molalla basin, water is available for future allocation for storage from November through June.

Table 6. Assessment of months during the year when water is available for additional uses based on totals of existing allocations. The table is derived from the limiting watersheds analysis from the Water Availability Reporting System for WAB # 73293 on 6/22/2015. Months without available water are shaded grey.

Exceedance Level (%)	Month	Limiting Watershed_ID	Stream Name	Water Available?
50	JAN	73293	MOLALLA R > WILLAMETTE R - AB N FK MOLALLA R	YES
50	FEB	70747	MOLALLA R > WILLAMETTE R - AB MILK CR	YES
50	MAR	73293	MOLALLA R > WILLAMETTE R - AB N FK MOLALLA R	YES
50	APR	73293	MOLALLA R > WILLAMETTE R - AB N FK MOLALLA R	YES
50	MAY	73293	MOLALLA R > WILLAMETTE R - AB N FK MOLALLA R	YES
50	JUN	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	YES
50	JUL	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO
50	AUG	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO
50	SEP	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO
50	OCT	69796	MOLALLA R > WILLAMETTE R - AT MOUTH	NO
50	NOV	70747	MOLALLA R > WILLAMETTE R - AB MILK CR	YES
50	DEC	73293	MOLALLA R > WILLAMETTE R - AB N FK MOLALLA R	YES

References and Additional Resources

To access OPRD's Draft Management Plan for the Molalla River, updates on the public comment period, and meeting minutes, materials, and presentations to the Advisory Group, please visit:

<http://bit.ly/scenicwaterways>.

To see the Molalla, Chetco, and Grande Ronde Rivers scenic waterway assessments from 2013-15 please visit: <http://www.oregon.gov/oprd/NATRES/scenicwaterways/Pages/assessments.aspx>.

For more information on the Water Availability Reporting System, please visit WRD's website:

http://www.oregon.gov/owrd/Pages/wr/index.aspx#Water_Availability_Report_System

Statutes related to Oregon's Scenic Waterway Program can be found summarized here:

<http://www.oregon.gov/oprd/RULES/pages/waterways.aspx>

Appendix A. Public Comment received relevant to setting of Scenic Waterway Flows

**American Rivers—American Whitewater—Cascadia Wildlands—Center for Biological Diversity
Columbia Riverkeeper—Hells Canyon Preservation Council—KS Wild—Native Fish Society
Northwest Rafting Company—Oregon Coast Alliance—Oregon Council Trout Unlimited
Oregon Environmental Council—Oregon League of Conservation Voters
League of Women Voters of Oregon—Oregon Natural Desert Association—Oregon Wild
Pacific Rivers Council—Rogue Riverkeeper—Smith River Alliance
Soda Mountain Wilderness Society—The Freshwater Trust—Tualatin Riverkeepers
WaterWatch of Oregon—Western Environmental Law Center—Willamette Riverkeeper
Wild and Scenic Rivers—Wild Rivers Water Rights**

August 13, 2015

Oregon Parks and Recreation Department
Scenic Waterways Program
725 Summer St., Ste C
Salem, OR 97301

Re: Support of proposed designation of the Chetco and Molalla Rivers as State Scenic Waterways

Dear Oregon Parks and Recreation Department Scenic Waterway Program:

We are writing to express our support of the proposed designation of the Chetco and Molalla Rivers as new state scenic waterways. The outstanding recreational, scenic and fish and wildlife habitat values provided by these rivers are very important to Oregonians and deserve protection.

The State Scenic Waterway Act, voted into law by Oregon citizens in 1970 by a two to one margin, exists to protect Oregon's most beloved wild and scenic rivers. This visionary Act directs that the highest and best uses of waters in state scenic waterways are fish, wildlife and recreation.

Both the Chetco and Molalla rivers are excellent candidates for designation under the state Scenic Waterway Act. The crystal clear waters of the Chetco River on Oregon's southern coast support a myriad of recreational opportunities, are the home to important populations of steelhead trout and salmon and provide exceptionally clean drinking water to downstream communities. People flock from all over the nation to recreate on this unique river. Similarly, the Molalla River in the foothills of the northern Oregon Cascades supports native winter steelhead and salmon runs, is resplendent with unique geological wonders and delivers a wide range of recreational activities including kayacking, rafting, swimming, camping and hiking.

To date, twenty of Oregon's most treasured rivers have been designated as state scenic waterways. The Act calls on the Oregon Parks and Recreation Department (OPRD) to undertake continuing study and submit periodic reports to the Governor, in concurrence with the Oregon Water Resources Commission (OWRC), recommending designations of additional rivers or segments of rivers. However, no new rivers have been studied or recommended for designation since 1988. In 2009 the Oregon Legislature passed HB 3369, which, among other things called on the state to develop an Integrated Water Resources Strategy to meet current and future water needs, including instream needs. After extensive public involvement, the OWRC adopted the Strategy in 2012, which, among other things recommends the designation of additional state scenic waterways. In 2013, Governor Kitzhaber directed OPRD to study

a minimum of three new rivers each biennium for recommendation to the Governor for future inclusion in the State Scenic Waterway Program.

We applaud OPRD for its recent work to study and recommend designation of the proposed reaches of Molalla and Chetco Rivers as new state scenic waterways and offer our full support of their designations.

In addition to our full support for state scenic waterway designation for both these rivers, we also urge the state to adopt the full suite of instream flows---including baseflows, biological triggering flows and channel maintenance flows---necessary to maintain the free flowing character of these rivers in the quantities necessary for recreation, fish and wildlife. Designating flows that protect these critical streamflow functions is necessary to provide the full protection required by the Scenic Waterway Act. Protecting these flows will not injure existing senior or downstream water right holders, but will ensure that river flows in the newly designated state scenic waterways are safeguarded against future development for generations to come.

The Chetco and Molalla Rivers provide incredible recreational, habitat and economic value to our state. On behalf of our tens of thousands of members throughout Oregon we support the designation of the proposed sections of the Chetco and Mollala Rivers as State Scenic Waterways, urge adoption of strong instream flow protections and look forward to the continued state attention to Oregon's most special rivers via the State Scenic Waterway program in the coming years.

Sincerely,

David Moryc, Senior Director River Protection Program
American Rivers

Thomas O'Keefe, PNW Stewardship Director
Megan Hooker, Associate Stewardship Director
American Whitewater

Josh Laughlin, Interim Executive Director
Cascadia Wildlands

Noah Greenwald, M.S., Endangered Species Director
Center for Biological Diversity

Brett VandenHeuvel, Executive Director
Columbia Riverkeeper

Darilyn Parry Brown, Executive Director
Hells Canyon Preservation Council

Joseph Vaile, Executive Director
KS Wild

Mark Sherwood, Southern District Manager
Sunny Bourdon, Chetco River Steward
Native Fish Society

Zachary Collier, Owner/Outfitter
Northwest Rafting Company

Cameron LaFollette, Executive Director
Oregon Coast Alliance

Tom Wolf, Executive Director
Oregon Council Trout Unlimited

Teresa Huntsinger, Water Program Director
Oregon Environmental Council

Christy Splitt, OLCV External Affairs Director
Oregon League of Conservation Voters

Norman Turrill, President
Oregon League of Women Voters of Oregon

Dan Morse, Executive Director
Oregon Natural Desert Association

Steve Pedery, Conservation Director
Oregon Wild

John Kober, Executive Director
Pacific Rivers Council

Forrest English, Program Director
Rogue Riverkeeper

Grant Werschkull, Executive Director
Smith River Alliance

Dave Willis, Chair
Soda Mountain Wilderness Society

Rob Kirshner, Staff Attorney
The Freshwater Trust

Brian Wegener, Riverkeeper Advocacy and Communication Manager
Tualatin Riverkeepers

Kimberley Priestley, Senior Policy Analyst
WaterWatch of Oregon

Susan Jane Brown, Staff Attorney
Western Environmental Law Center

Travis Williams, Executive Director
Willamette Riverkeeper

Alyssa Babin, Executive Director
Wild and Scenic Rivers

Gordon Lyford, Agricultural Engineer
Wild Rivers Water Rights

Cc:
Governor Kate Brown
Gabriella Goldfarb, Governor's Office Natural Resources Policy Advisor
Lisa Sumption, Director, Oregon Department of Parks and Recreation
Tom Byler, Director, Oregon Water Resources Department
Oregon Water Resources Commission
Oregon Parks and Recreation Commission

-----Original Message-----

From: Tom Berridge [REDACTED]

Sent: Tuesday, August 11, 2015 8:28 AM

To: Waterways Scenic * OPRD

Subject: Please Designate the Molalla & Chetco River Segments as State Scenic Waterways

Dear Oregon Department of Parks and Recreation,

As a kayaker, rafter, and general river enthusiast, I want to urge you to add the Molalla and Chetco river segments to Oregon's network of Scenic Waterways. I have kayaked the Molalla River, which is a very special place that should be preserved in its natural state. I have not had the opportunity to visit the Chetco River, but when I am able to do so, I hope to find it in its natural condition, whether I get there this year or in 10 years.

Both of these watersheds are valuable assets to local communities and deserve to be protected foremost for their outstanding aesthetic, recreational, and ecological benefits.

Moreover, I am writing to ask that the state adopt instream flow protections necessary to maintain the free-flowing character of these river segments in the full quantities necessary for recreation, fish, and wildlife – including baseflows, biological triggering flows, and channel maintenance flows. One of the most important benefits for fish populations in the Chetco and Molalla State Scenic Waterways proposals are instream water allocations for scenic flows.

I greatly appreciate the opportunity to comment in support of the designation of the Molalla and Chetco rivers as state scenic waterways and the setting of the maximum instream flows necessary to protect these Oregon gems.

Regards,

Tom Berridge

Tom Berridge
14335 Camden Lane
Lake Oswego, OR 97035

-----Original Message-----

From: Joseph Blowers [REDACTED]
Sent: Friday, August 07, 2015 3:05 PM
To: Waterways Scenic * OPRD
Subject: Please add Molalla as a Scenic Waterway

I'm writing to urge you to add the Molalla River as an Oregon State Scenic Waterway. I live on a farm less than two miles from the Molalla River. I use the area for bird watching as well as hiking and mountain biking.

The Molalla River is amazing in that it is one of the largest completely free-flowing rivers in the state and certainly among the largest in the Willamette Valley. As you probably know, the lower reaches harbored Oregon Chub at a time when that species was critically endangered. The upper reaches have runs of both salmon and steelhead. The reach you are considering is an amazing recreational gift to the community of Molalla, providing kayaking, fishing, hiking, mountain biking, horseback riding, wildlife watching and swimming to many, many people. It also provides the drinking water for the cities of Molalla and Canby.

I look forward to the additional recognition and protection that the Oregon State Scenic Waterway Program can provide for the Molalla River.

Joseph Blowers
13775 S Herman Road
Molalla, OR 97038

From: Pierre Caritey [REDACTED]
Sent: Wednesday, July 29, 2015 10:04 PM
To: Waterways Scenic * OPRD
Subject: Chetco and Molalla

I am very happy that you are thinking of placing the Molalla and the Chetco in the Oregon scenic waterways category. I live by the Chetco River and have paddled or hiked a good part of it. I really hope it will stay pristine .

You have my complete support
Pierre Caritey

Sent from my iPad

From: Michael Cerbone [REDACTED]
Sent: Monday, August 03, 2015 10:16 AM
To: Waterways Scenic * OPRD
Subject: Molalla River

Please accept this in support of the designation of the Molalla River as a State Scenic Waterway. I urge you to designate the entire length of the river. One of our favorite canoe floats in the state is from Aurora on the Pudding River, we float to the Molalla and then take that to the Willamette and pull out at Molalla River State Park. While the Three Bears is a great section (above Glen Avon), the two sections immediately below Glen Avon are also very scenic and worthy of the designation.

If you are looking for other rivers that are worth, I would suggest the Pudding River, it is great, very scenic and very relaxing.

Thanks,

Michael Cerbone, AICP

Community Development Director

City of Cornelius

(503) 357-3011

www.ci.cornelius.or.us

-----Original Message-----

From: Jacob cruser [REDACTED]
Sent: Tuesday, July 28, 2015 12:28 PM
To: Waterways Scenic * OPRD
Subject: Chetco and Molalla

Both the Molalla and Chetco rivers are gems of Oregon. The Molalla is special because it captures Oregon's beauty in a location easily accessible to the public. The Chetco is special because it is a premium wilderness that captures the essence of Oregon. In a country where many of the wild places have been tamed, the Chetco stands wild and rugged.

Two incredible drainages, each appealing to a different sect of Oregon's population.

-jacob

From: Jeff Cruze [REDACTED]
Sent: Monday, August 10, 2015 2:30 PM
To: Waterways Scenic * OPRD
Subject: Molalla & Chetco Rivers

Dear Oregon Department of Parks and Recreation,

I'm writing to lend my support for the Molalla and Chetco river segments as additions to Oregon's network of Scenic Waterways. Both of these watersheds are valuable assets to local communities and deserve to be protected foremost for their outstanding aesthetic, recreational, and ecological benefits.

Moreover, I am writing to ask that the state adopt instream flow protections necessary to maintain the free-flowing character of these river segments in the full quantities necessary for recreation, fish, and wildlife – including baseflows, biological triggering flows, and channel maintenance flows. One of the most important benefits for fish populations in the Chetco and Molalla State Scenic Waterways proposals are instream water allocations for scenic flows.

I greatly appreciate the opportunity to comment in support of the designation of the Molalla and Chetco rivers as state scenic waterways and the setting of the maximum instream flows necessary to protect these Oregon gems. I fish both of these streams and appreciate the wild, scenic treasures they are.

Regards,

Jeff Cruze

From: Daniel Davis [REDACTED]
Sent: Monday, August 17, 2015 12:46 PM
To: Waterways Scenic * OPRD
Subject: Feedback on draft management plan for Molalla and Chetco river

I wanted to write a short note as feedback to the proposed management plan for the Molalla and Chetco rivers.

First the Molalla: This is a beautiful waterway that is close to Portland, with many great camping opportunities in addition to the whitewater. My biggest concern with this waterway is really related to what has happened to the Clackamas corridor over the past few years; given its proximity to Portland, it can become overrun with summer weekenders with little regard for the pristine state of the watershed. This is currently a must lesser-known alternative to the Clackamas, but I do not expect that it will stay that way. Enforcement of existing regulations must not be lax, and management should consider requirements of parking passes and other overnight permits to discourage mis-use.

And then the Chetco: This wilderness is not at risk of being overrun as it is very difficult even for the most dedicated kayakers to access. And I think it should stay difficult to access, as this is one of the last pure and wild watersheds in the area.

Thanks again for your consideration and for the opportunity to comment!

Daniel Davis



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
Fish Division
4034 Fairview Industrial Drive SE
Salem, OR 97302
(503) 947-6201
FAX (503) 947-6202
www.dfw.state.or.us/

August 19, 2015

OPRD Scenic Waterways Program
725 Summer St. Ste C
Salem, OR 97301



RE: Comments on the Molalla River as a State Scenic Waterway

To whom it may concern:

The Oregon Department of Fish and Wildlife (ODFW) appreciates the opportunity to provide comments on the draft management plan and scenic flow recommendation for the potential designation of a portion of the Molalla River as a Scenic Waterway.

The Molalla River provides habitat for anadromous salmonids and resident trout, as well as many other native species of fish and wildlife. Instream water rights are currently established on the Molalla River to support the conservation, maintenance, and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat, and any other ecological values. ODFW is pleased to see the instream flows proposed as the base of the scenic flows. In addition to meeting this instream flow regime, ODFW recommends scenic flows maintain the natural hydrograph of the system, including allowing the river to reach bank full and flood flows on a natural cycle. These flows provide conditions conducive to creating or maintaining stream morphology and habitat. In addition, land management under the designation should include strong protections for riparian habitats, which provide benefits to numerous species. The Oregon Parks and Recreation Department, in partnership with the Oregon Water Resources Department, should develop final scenic flows and riparian protection to protect all ecological needs of the river.

ODFW is hopeful that establishment of Scenic Waterways across Oregon can aide our mandate to protect and enhance populations of fish, wildlife, and their habitats for public use and enjoyment. If you have any questions, please contact me at 503-947-6092.

Sincerely,

Danette Faucera
Water Policy Coordinator

From: [REDACTED] **On Behalf Of** Susan Elliott

Sent: Thursday, July 30, 2015 11:13 AM

To: Waterways Scenic * OPRD

Subject: Comment on the State Scenic Waterways Designation - Molalla and Chetco

OPRD,

It brings me great joy that the Molalla and Chetco rivers are being considered for designation in the State Scenic Waterways Designation program. These two rivers are pure gems in the paddlesports communities and absolutely deserve to be preserved for this value. I believe it is incredibly important to designate waterways as special, beautiful, and necessary in their natural form if our society is to continue to develop and grow. If we do not set aside waterways, we will never learn to value them. Even more so, our children will never know how valuable they are in their natural state.

These two rivers are highly prized by the recreation community in the Northwest. They both are prized for their water quality, their remote nature, and their inviting rapids.

Thank you for protecting these rivers.

Cheers,

Susan Elliott

-- **Susan Hollingsworth Elliott**

Graduate Student, Water Resource Engineering Program

Oregon State University

[REDACTED]

610.703.7074

From: Kevin Hill [REDACTED]
Sent: Thursday, July 30, 2015 6:41 PM
To: Waterways Scenic * OPRD
Cc: Hill, Allison
Subject: Molalla & Chetco - State Scenic Waterways

Hello,

I am writing to express my strongest support for designating the Molalla and Chetco rivers as State Scenic Waterways. My wife and I moved to Oregon from Wisconsin about one year ago, and the **main** thing that brought us here was whitewater kayaking and the many beautiful rivers in this state. We live in Silverton, and we love the Molalla and many other surrounding rivers. While I have yet to paddle on the Chetco, I know it by reputation, and have seen the amazing pictures. It is on my short list!

Please do everything you can to see that these state treasures remain in as pristine, free-flowing, and available a state as possible for all of us to enjoy for generations to come.

Sincerely,

Kevin Hill

318 Jersey St.

Silverton, OR 97381



**THE LEAGUE OF WOMEN VOTERS
OF CLACKAMAS COUNTY**
PO BOX 411
LAKE OSWEGO, OREGON 97034

August 8, 2015

Mr. Steve Kay
Oregon Parks & Recreation Department
725 Summer Street, Suite C
Salem, OR 97301

Re: Scenic Waterways Public Comment

Dear Oregon Department of Parks and Recreation,

The Clackamas County League of Women Voters supports the designation of the Upper Molalla River from Table Rock Wilderness to Glen Haven Bridge near Molalla as an Oregon Scenic Waterway. The League believes that our waterways are a resource that should be managed for the benefit of the public and as sustainable habitat for all life forms.

This section of the Upper Molalla River should be given consideration as a waterway of critical environmental concern for several important reasons. First, it is the source of water for the cities of Molalla and Canby. It is an important resource for native fish and a variety of other wildlife. Also, it offers a wide range of recreational uses. Thus, we believe the river is a prime candidate for becoming a Scenic Waterway and should be given this designation.

The League applauds the interagency cooperation between Oregon Parks and Recreation, the State Parks Commission, and the Water Resources Commission that this recommendation represents. Thank you for this opportunity to offer our input on this issue.

Respectfully yours,

|

Marge Easley
Action Chair, League of Women Voters of Clackamas County



P.O. Box 867 Molalla, Oregon 97038-0867 503-829-7858

riverwatch@molalla.net
www.molallariverwatch.org

August 11, 2015

Oregon Department of Parks and Recreation
725 Sumner St, Suite C
Salem, OR 97301

RE: Molalla Scenic Waterway Designation

Dear Oregon Department of Parks and Recreation:

Molalla River Watch Watershed Council wholeheartedly supports Oregon Scenic Waterway designation for the upper Molalla River as outlined in the Draft Management Plan.

The Molalla River is an Oregon natural treasure located within a one hour drive of Portland and Salem. It is one of the few undammed rivers in the Pacific Northwest, home to the recovering and recently delisted Oregon chub, and provides drinking water for the cities of Canby and Molalla. The River is noted for its geological, historical and cultural values. It offers varied recreational opportunities including swimming, fishing, rafting and kayaking, horseback riding, camping, hiking, picnicking and bicycling. The proposed river segment begins at the lower end of the Table Rock Wilderness Area.

The Oregon DEQ lists the Molalla River as impaired due to low summer flows and high water temperatures. Preservation of instream flows and riparian habitat will help protect listed salmon and steelhead as well as other plants and wildlife.

We urge you to recommend the Molalla River as proposed in the Draft Management Plan for Oregon Scenic Waterway status.

Sincerely,

A black rectangular box redacting the signature of Bill Taylor.

Bill Taylor, Chair
Molalla River Watch Watershed Council



The Nature Conservancy in Oregon
821 SE 14th Avenue
Portland, OR 97214-2537

tel 503 802-8100
fax 503 802-8199
nature.org/oregon

August 13, 2015

Oregon Parks and Recreation Department
Scenic Waterways Program
725 Summer St., Suite C
Salem, OR 97301

RE: Support for Designation of the Chetco and Molalla Rivers as State Scenic Waterways

Dear Parks and Recreation Department,

The Nature Conservancy is pleased to support designation of the Chetco and Molalla Rivers as new State Scenic Waterways. Both of these rivers provide the outstanding scenic, natural and recreational values intended for recognition under the State Scenic Waterways Act.

The Molalla River is the longest free-flowing tributary of the Willamette River. It supports important populations of native fish and wildlife, including federally-threatened winter steelhead and spring Chinook. Both of these species are in significant decline in the Willamette Basin, and the unique run timing of these species in the Molalla River contributes to genetic diversity and species viability. The river also provides habitat for a number of federal species of concern, including the Oregon slender salamander. In addition, the river provides drinking water for the cities of Molalla and Canby, and numerous recreational opportunities including recreational fishing and boating.

The Chetco River, free-flowing from its headwaters in the Kalmiopsis Wilderness to its mouth at the Pacific Ocean, is a well-known gem on the Oregon Coast. At least 40 at-risk plant and animal species are in the area, including populations of federally-threatened coho, as well as important populations of winter steelhead and fall chinook salmon. The lower end of the river includes a rare Oregon example of the coast redwood association (coast redwood-tanoak/Pacific rhododendron forest), and the most northerly naturally occurring redwood stand in the world. The river provides exceptionally clean drinking water to the residents of Brookings-Harbor, and tremendous diversity of recreational uses throughout the year.

We applaud Oregon Parks and Recreation's work studying and evaluating the Molalla and Chetco Rivers and the quality of the reports produced by the Assessment Team. The information clearly supports designation of these two rivers as State Scenic Waterways.

Sincerely,

Catherine Macdonald
Director of Conservation Programs

From: Nathan Pulliam [REDACTED]
Sent: Tuesday, July 28, 2015 3:02 PM
To: Waterways Scenic * OPRD
Subject: Molalla and Chetco Rivers- Scenic Waterways Program

Dear ORPD Scenic Waterways Program,

I am emailing you today to let you know that I am in full support of the plans to designate the Molalla and Chetco rivers as State Scenic Waterways. Both of these rivers are very important to myself and many others. It is great to know that these rivers will be conserved for many generations to come and that those generations of people will have the same opportunity to recreationally paddle these rivers.

Thanks for your time and work regarding these two rivers!

Sincerely, Nate Pulliam

Kayak and Canoe instructor at Alder Creek Kayak and Canoe in Portland Oregon

From: Tommy Swearingen [REDACTED]
Sent: Saturday, August 01, 2015 8:09 AM
To: Waterways Scenic * OPRD
Subject: Mollala/Chetco Proposal

I want to register my support for State Scenic Waterway designation for these two rivers. They are excellent whitewater runs and deserving of any degree of state recognition and protection. Many paddlers consider the Mollala one of the premier runs in the state.

Tommy Swearingen, PhD

541.992.5898



August 19, 2015

Oregon Parks and Recreation Department
Scenic Waterways Program
725 Summer St., Ste C
Salem, OR 97301

Re: Molalla River, proposed Scenic Waterway Designation and flow recommendations

Dear OPRD Scenic Waterway Program,

WaterWatch of Oregon supports the proposed designation of the Molalla River as State Scenic Waterway.

The citizens of Oregon passed the Scenic Waterway Act into law in 1970 by a two to one margin. The Act was adopted as a counter balance to existing policies that allowed the building of dams and diversion of water from beloved streams across the state. See ORS 390.815. With increasing development pressures on Oregon's beloved rivers across the state, this is an important tool to protect Oregon's most loved rivers into the future. Recognizing this, the Integrated Water Resources Strategy adopted by the Oregon Water Resources Commission in 2012 recommends designation of new state scenic waterways as one tool to meet instream water needs into the future.

Once a stream is designated, the Act requires the state to protect streamflows in quantities necessary to support fish, wildlife and recreation. Our comments today are focused on the "pilot" scenic waterway flow recommendation, found in Attachment A.

Scenic waterway approach: The Scenic Waterway Act mandates that the highest and best uses in Scenic Waterways are fish, wildlife and recreation. ORS 390.835(1). To that end, the state is required to protect flows in quantities necessary to protect these values. *Id.* Attachment A notes that the flow framework discussed with the advisory group combines scenic waterway management classifications with the median monthly natural streamflow defined by WARS. As an approach, WaterWatch has concerns with the proposed nexus of streamflow protection and management classifications. The scenic waterway management plans and classifications are directly tied to land use on adjacent lands. ORS 390.845(2). These plans are within the purview of the Oregon Department of Parks and Recreation. *Id.* at (1). River flow protections, on the other hand, are not tied to land management practices and/or river classifications, but rather are guided by the Act's mandate that the highest and best uses of waters within a scenic waterway are fish, wildlife and recreation. Moreover, streamflow protection mandated under the Act is under the purview of the Oregon Water Resources Commission. ORS 390.835, ORS 390.845(1).

To that end, the state should be protecting the maximum flows available under the Act regardless of the management classification of adjacent lands.

Recommended scenic waterway flows: While we appreciate that the WRD is proposing 100% of the median natural river flow to be protected by the Act (except for Jan-March on the lower segment the recommendation is 95-100%), we do not believe this provides the full protection mandated by the Act. The Act is clear that the state must protect flows in the quantity necessary for fish, wildlife and recreation. ORS 390.835. The concern with using average median flows to meet this standard is that average median flows are not likely to capture the elevated biological triggering flows, channel maintenance flows and/or other streamflow functions associated with high flows needed to support healthy river and fish habitat. The 100% median flow should be the baseflow to build upon for the scenic waterway flow recommendation, not the ceiling. Thus, we urge the state to incorporate elevated flow levels necessary to support biological triggering and channel maintenance, among other things, into the recommended instream flows.

As a related matter, we appreciate that the WRD conditions new water right permits to protect scenic waterway flows and we support this conditioning, but again, unless the scenic waterway flows are protecting the full suite of flows necessary to maintain fish, wildlife and recreation uses then this conditioning does not protect against future development to the extent it should under the Act

And, as a final point, we strongly agree with the “non numeric” recommendation from the advisory group that no new additional water rights should be allocated within or above the proposed scenic waterway. We urge the Water Resources Commission to approve this recommendation.

In conclusion, WaterWatch strongly supports the proposed designation of the Chetco River as a new State Scenic Waterway. However, we urge the state to use the 100% of the median flow as the baseflow, not the ceiling, upon which to build additional recommendations to address elevated flows needed for important fish and river functions.

We thank the Oregon Department of Parks and Recreation and the Oregon Water Resources Department for their recent efforts to move forward in designating additional state scenic waterways and look forward to the continued attention to this program in years to come.

Sincerely,



Kimberley Priestley
Sr. Policy Analyst

RE: Please Designate the Molalla & Chetco River Segments as State Scenic Waterways

Dear Oregon Department of Parks and Recreation,

I'm writing to lend my support for the Molalla and Chetco river segments as additions to Oregon's network of Scenic Waterways. Both of these watersheds are valuable assets to local communities and deserve to be protected foremost for their outstanding aesthetic, recreational, and ecological benefits.

Moreover, I am writing to ask that the state adopt instream flow protections necessary to maintain the free-flowing character of these river segments in the full quantities necessary for recreation, fish, and wildlife – including baseflows, biological triggering flows, and channel maintenance flows. One of the most important benefits for fish populations in the Chetco and Molalla State Scenic Waterways proposals are instream water allocations for scenic flows.

I greatly appreciate the opportunity to comment in support of the designation of the Molalla and Chetco rivers as state scenic waterways and the setting of the maximum instream flows necessary to protect these Oregon gems. The Molalla and Chetco are truly among Oregon's finest watersheds and their inclusion into Oregon's network of Scenic Waterways would be a fitting way to reinvigorate a valuable state program.

Regards,

Randall Hughes	Alameda, CA
Dave Van Domelen	Amity, OR
Jim McCarthy	Ashland, OR
Mort Smith	Ashland, OR
Ken Morrish	Ashland, OR
Bob & Karen Robinson	Ashland, OR
Robyn Janssen	Ashland, OR
Yancy Lind	Bend, OR
George Wuerthner	Bend, OR
Jim Myron	Canby, OR
Fred Pendergast	Cupertino, CA
Nancy Nichols	Deadwood, OR
Kathy Giesen	Eugene, OR
Jen Matthews	Eugene, OR
Glen and Rhoda Love	Eugene, OR
Bob Bumstead	Eugene, OR
Kay and Daniel Robinhold	Eugene, OR
John Brinkley	Eugene, OR
Ken MacDonald	Gresham, OR
Thomas Blacklidge	Lake Oswego, OR
Jeff Evershed	Lake Oswego, OR
Dale Madden	Maupin, OR
John Forsyth	Medford, OR
Tom Derry	Molalla, OR
Larry and Jo Ellen Turigliatto	Napa, CA

Tracy Buckner	Oregon City
Steve & Randi Kobak	Portland, OR
Matt Deniston	Portland, OR
Laurie Todd	Portland, OR
Genevieve Long	Portland, OR
Edith Gillis	Portland, OR
Kris N	Portland, OR
Stan Chesshir	Portland, OR
John Warren	Portland, OR
Jacob Reiss	Portland, OR
Robert Bernstein	Portland, OR
Courtney Wilson	Portland, OR
Nick Rowell	Portland, OR
Amy Simpson	Portland, OR
Sarah Deumling	Rickreall, OR
Borst Engineering & Construction Borst	Rogue River, OR
Russ & Delana Beaton	Salem, OR
Lee & Marilyn Rengert	Salem, OR
Corinne Sherton	Salem, OR
Ayani Mikasi	Talent, OR
Mr. Peter Ware	Talent, OR
Ken Anderson	Vancouver, WA
Barrett Edgar	Wedderburn, OR
Phillip Mamula	West Linn, OR
Richard Hafele	Wilsonville, OR
Jim Ruff	Wilsonville, OR

RE: I Support Designating the Molalla & Chetco Rivers as State Scenic Waterways

Dear Oregon Department of Parks and Recreation,

I'd like to offer my support for the Molalla and Chetco rivers as additions to Oregon's network of Scenic Waterways. Both of these wild, free flowing watersheds are valuable assets to local communities and deserve to be valued foremost for their outstanding aesthetic, recreational, and ecological benefits.

I appreciate that both the Molalla and Chetco draft State Scenic Waterway management plans have been developed with input from local stakeholders including River Stewards and staff from Native Fish Society, who provided suggestions based on their on-the-ground knowledge of these rivers and their natural values.

I support the recommendations these stakeholder groups have made with regard to both the Molalla and Chetco river segment classifications and the resulting "potential land management rules." These rules strike a balance between maintaining the scenic and ecological integrity of the river corridors and the rights of adjacent private property owners. Maintaining the natural condition of the river corridor will also benefit the wild, native fish by protecting water quality and maintaining free flowing characteristics.

I support the "potential management recommendations" found in both the Molalla and Chetco draft management plans. Both communities indicate the need for additional support and partnership with the OPRD to assist with local cleanups, maintenance and improvements to access and bathroom facilities, additional interpretive signage and partnerships to attract future habitat restoration investments.

One of the most important benefits for wild, native fish in the Chetco and Molalla State Scenic Waterways proposals are instream water allocations for scenic flows. Fish benefit from safeguards to the natural hydrological fluctuations of a wild river; which moves sediment, redistributes and collects large woody debris and reclaims side channel habitats critical for rearing salmonids. For these reasons I support allocating 100% of the available flows as part of the scenic flow allocations for both the Molalla and Chetco.

I greatly appreciate the opportunity to comment in support of the OPRD's draft State Scenic Waterway management plans. The Molalla and Chetco are truly among Oregon's finest watersheds and their inclusion into Oregon's network of Scenic Waterways would be a fitting way to reinvigorate a valuable state program.

Regards,

Charles Gehr	Ashland, OR
William Morrish	Ashland, OR
Aaron Bento	Beaverton, OR
Steven S. Lent	Beaverton, OR
Dennis Miller	Bend, OR
Ron Thompson	Bend, OR
Peter Murray	Bend, OR
Troy Leedy	Bend, OR

Caryn Graves	Berkeley, CA
Mark Sherwood	Brookings, OR
Richard Kellogg	Camp Sherman, OR
John Larison	Corvallis, OR
Shawn Donnille	Eugene, OR
Doug Heiken	Eugene, OR
Brent Ross	Eugene, OR
Christopher I Hiatt	Eugene, OR
Josh Lusher	Eugene, OR
Lawrence P. Leine	Glide, OR
Dennis Biggins	Hillsboro, OR
Forrest Jones	Hood River, OR
Melissa van scoyoc	Klamath Falls, OR
Douglas Robertson	Lake Oswego, OR
Robert C. Watzke	Lake Oswego, OR
Greg Hogensen	Lake Oswego, OR
Brian Silvey	Maupin, OR
Eric Ellingson	McMinnville, OR
David A Wang DDS	Medford, OR
Erin Mahanay	Medford, OR
NA	Mount Shasta, CA
Dale Greenley	Myrtle Creek, OR
David Charles Quinn	Ocean Shores, WA
Russell Loeb	Oregon City, OR
James Baggett	Oregon City, OR
Bill Percy	Philomath, OR
Tim Knecht	Portland, OR
Michael Jolliffe	Portland, OR
Jake Crawford	Portland, OR
Henry Carlile	Portland, OR
Brian Emerick	Portland, OR
River Steenson	Portland, OR
Charles Carroll	Portland, OR
Nathan Hall	Portland, OR
Jon Kellogg	Portland, OR
Tyler Allen	Portland, OR
Edward L. Marxer	Portland, OR
Danny McGinley	Portland, OR
Cliff Canepa	Portland, OR
Dan Ellis	Portland, OR
Kenneth Bierly	Salem, OR
Matt Neznanski	Salem, OR
Charles Hammerstad	San Jose, CA
Jeff Perin	Sisters, OR
Edward Filice	Sonoma, CA
Shawn Scriven	Springfield, OR
Rob Perkin	Tigard, OR

Jessica Ahlstrom
Douglas Rohn
Brad Staples
Andrew Miller
Don Titterington
Jeremy Quinlan

Tucson, AZ
Tucson, AZ
West Linn, OR
West Linn, OR
Wilsonville, OR
Woodland Hills, CA