



# Proposed Nehalem Scenic Waterway Study

Final Report – February 2019

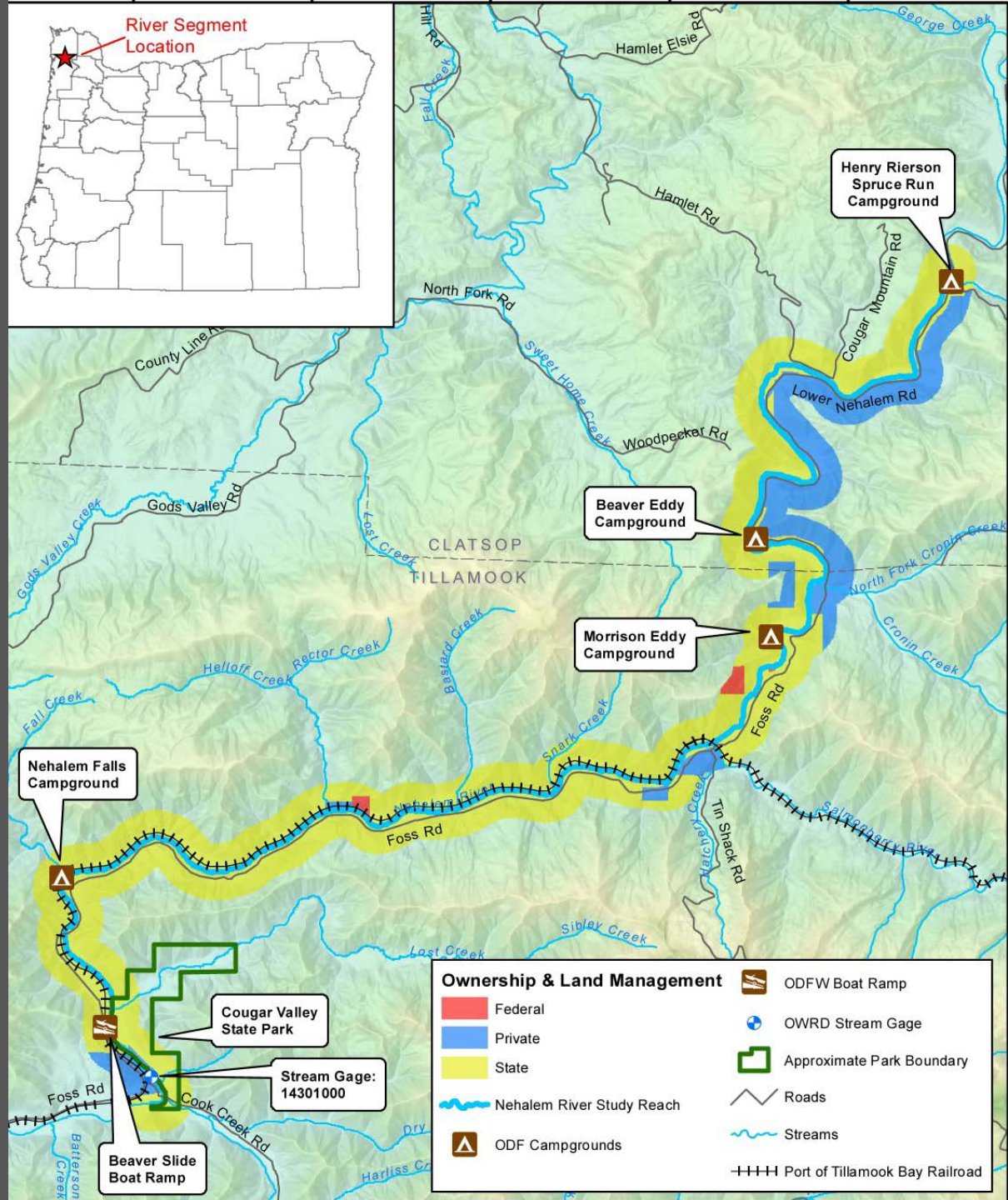
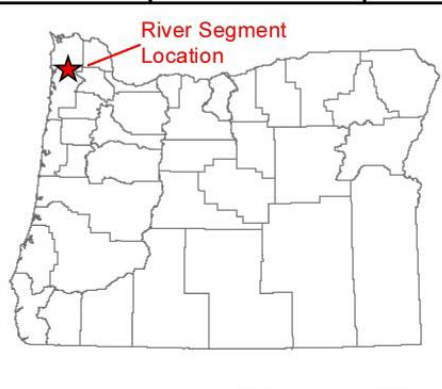






- OPRD is directed by statute to periodically study new waterways for potential inclusion into the program.
- Program is designed to protect the existing scenic, natural and recreation values for designated waterways throughout the state.





Ownership & Land Management	
Federal	ODFW Boat Ramp
Private	OWRD Stream Gage
State	Approximate Park Boundary
Nehalem River Study Reach	Roads
ODF Campgrounds	Streams
	Port of Tillamook Bay Railroad







## Nehalem River Study Timeline - To Date

Date	Activity
January 2017	Stakeholder group provides input
May 2017	Nehalem River field visit
July 2017 – January 2019	Outreach to landowners, Tillamook & Clatsop County Commissioners, Oregon Department of Forestry, other interested parties
Sept. 2017	OPRD held public meeting in Nehalem
May – July 2018	Nehalem advisory committee meetings and tour
August 2018	Draft Management Plan and Water Flow Recommendations released
September 2018	Public Meeting held in Astoria for management plan input
November 2018	OPRD Commission Report
January 2019	Met with City of Vernonia and Columbia County
February 2019	OPRD Commission Action
February 2019	Water Resource Department Concurrence





# Extensive Outreach Efforts

- Sent letters to all landowners listed on tax lot data
- Sent emails to approximately 160 interested parties
- Media release announcing the study and public meeting was covered by several local newspapers
- Approximately 40 people attended the public meeting
- Presentation to Clatsop County Commissioners – Tillamook County declined presentation
- Several meetings with Oregon Dept. of Forestry
- Meeting with Weyerhaeuser
- Met with upstream water right holders





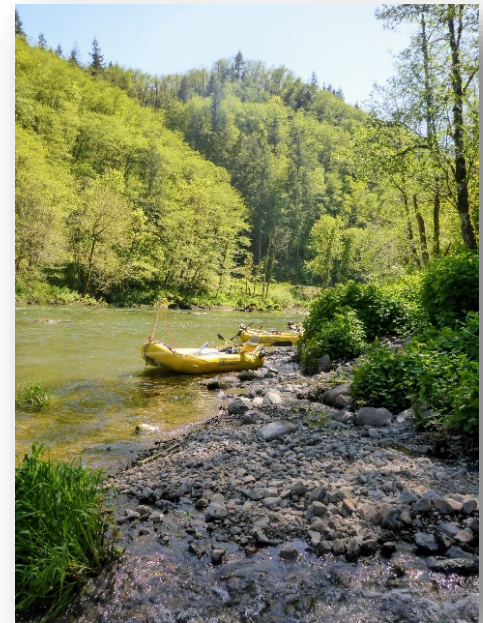
# Public Comment Results

## Ten in opposition including:

- Three landowners
- Oregon Scenic Coast Railroad
- Private timber company
- Tillamook County Commissioners

## 1,399 in support including:

- 1,327 form emails
- 68 unique comments
- 1 Landowner
- Clatsop County Commission





## Support Identified

- Protect river values for future generations
- Protect fish, wildlife and recreation values
- Protect flow levels
- Need for better stewardship of river and adjacent land
- Clatsop County: Preservation and protections of unique coastal community environment consistent with values of citizens





## Concerns Identified

- Tillamook County Commission:
  - Decrease of timber harvest revenue
  - Possible delays due to denied notice of intent
  - Lawsuit by many counties due to “assurance of revenue from timber harvest”
- Landowners:
  - Increased government regulation
  - Future impact to development of private land
  - Impacts to timber harvesting operations
- Potential increase in usage/visitors
- OPRD capacity to manage growing number of projects and growing number of scenic waterways
- Potential future impact to water right holders







# Draft Management Plan

- Purpose – guidelines for new development or landscape alterations
  - Nonbinding
  - Used to Inform rulemaking – commission does not enact draft management plan
  - If designated – formal public rulemaking process
- Advisory Committee – two meetings including tour of river with ODF





# Management Plan Guidelines

## DO/ARE



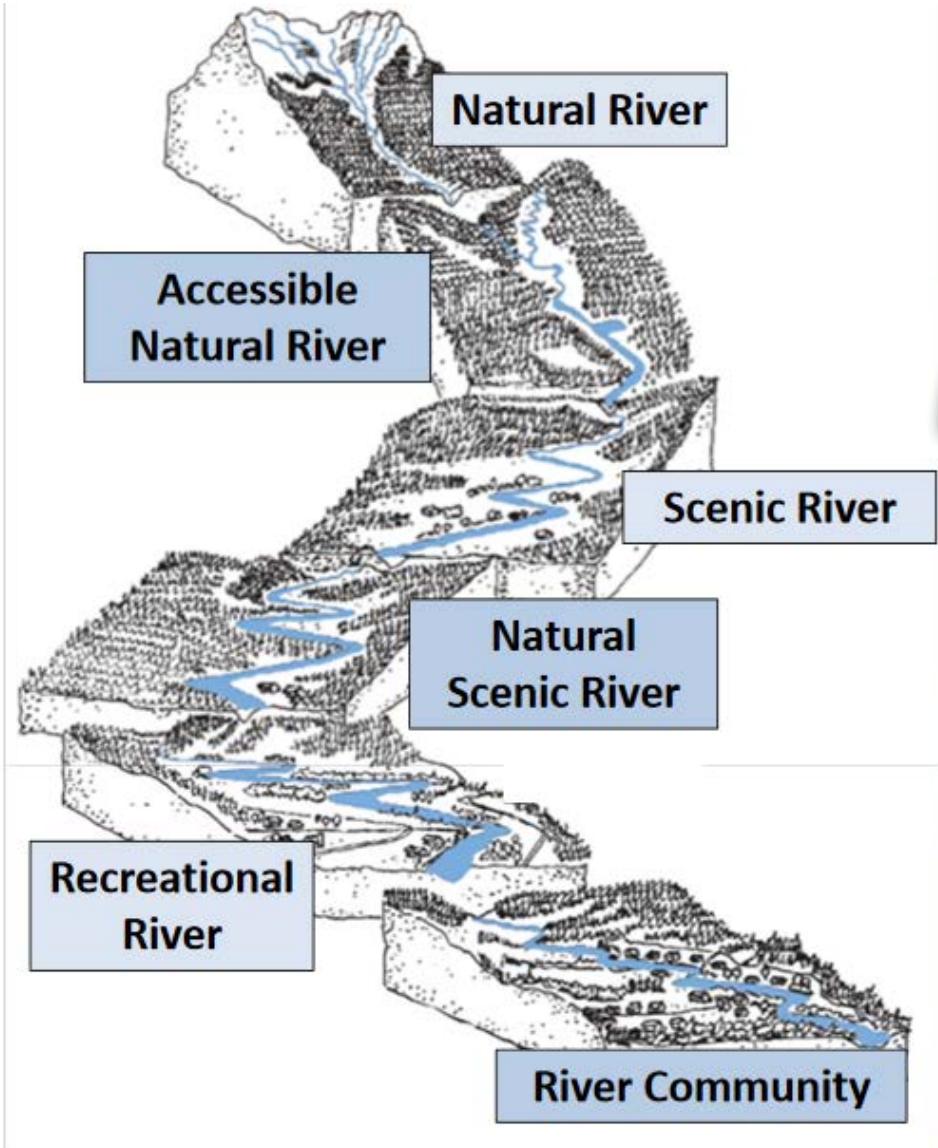
- Protects the natural and scenic diversity within  $\frac{1}{4}$  mile of river
- Encourages new development to blend in with existing
- Sets minimum flows
- Prohibits dams, reservoirs, placer mining

## DO/ARE NOT

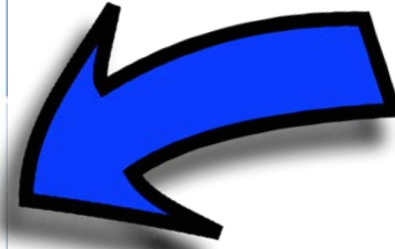


- Change existing water rights
- Allow public use of private land
- Remove existing development
- Promote use of the river





**Recommended Classification:  
Scenic River**



**Classification Attributes**

- Accessible by road (in places)
- Largely undeveloped
- Managed to maintain or enhance scenic quality, recreation, fisheries & wildlife



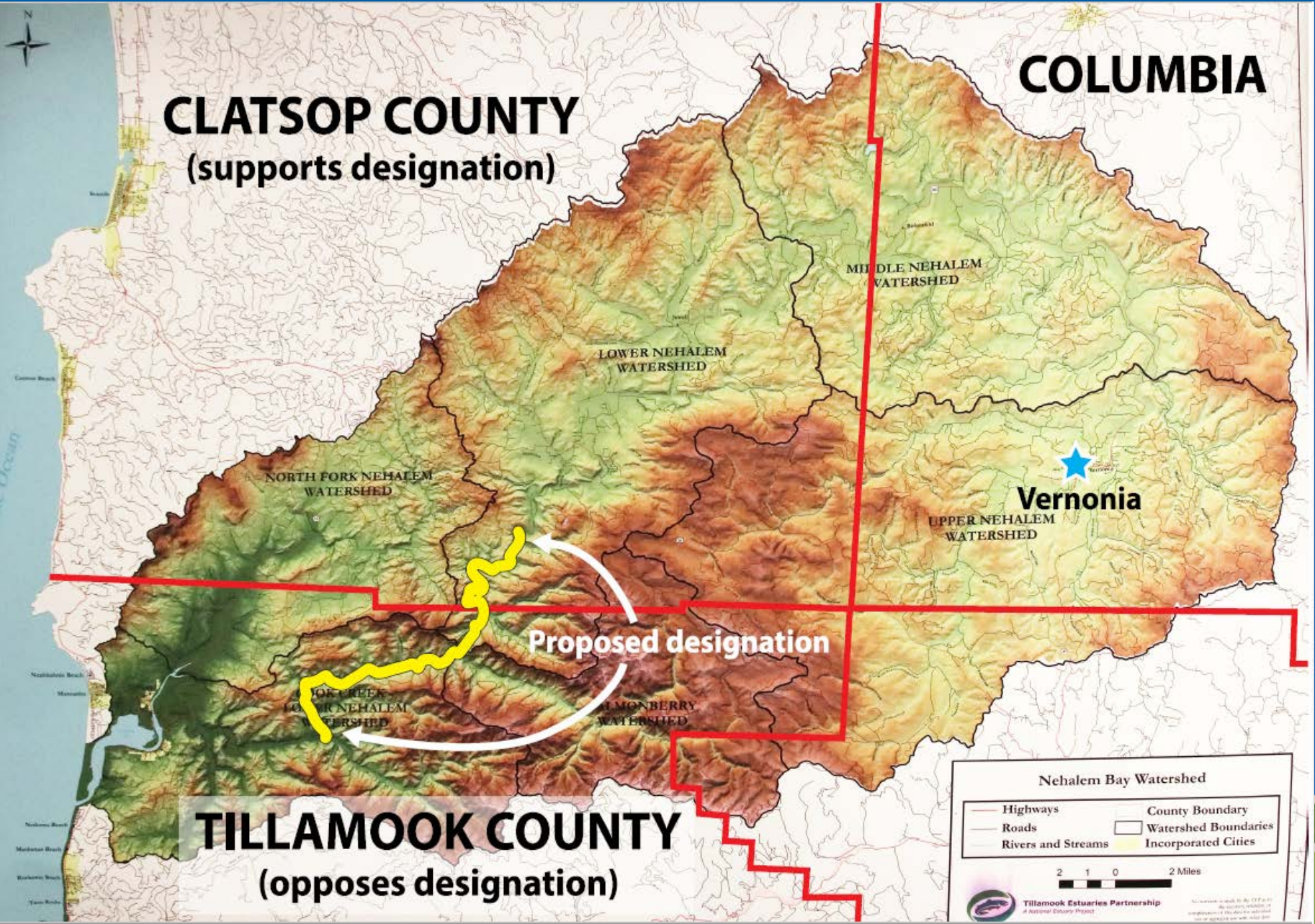




# Proposed Draft Rule Guidance

- New structures/improvements substantially screened
- Public recreation or resource protection improvements – visible, but blend in
- Roads/linear development – fully screened
- Erosion control projects – blend in to existing landscape
- Vegetative screening – native species
- Additional consultation with ODF&W for timber harvests
- Timber harvest activities:
  - Oregon Forest Practices Act – private land
  - NW Oregon State Management plan on public land
  - Riparian buffers – designed to enhance scenic view





**CLATSOP COUNTY**  
(supports designation)

**COLUMBIA**

MIDDLE NEHALEM  
WATERSHED

LOWER NEHALEM  
WATERSHED

NORTH FORK NEHALEM  
WATERSHED

**Vernonia**

UPPER NEHALEM  
WATERSHED

Proposed designation

FORK CREEK  
LOWER NEHALEM  
WATERSHED

SALMONBERRY  
WATERSHED

**TILLAMOOK COUNTY**  
(opposes designation)

Nehalem Bay Watershed

- Highways
- Roads
- Rivers and Streams
- County Boundary
- Watershed Boundaries
- Incorporated Cities

2 1 0 2 Miles



# Impact of Scenic Waterways on Water Rights



## Scenic Waterways DO/ARE



- Protect water instream through WRD's allocation system
- Limit *future* diversions *within* and *upstream* of scenic waterway
- May become permit condition on future water right

## Scenic Waterways DO/ARE NOT



- Affect *existing* uses anywhere in watershed
- Affect *future* uses *downstream* of waterway
- Water rights, nor are they enforced as water rights



# Recommended Flow Protection



- Fully protect flows April – October
  - Maintains flows important for ecosystem function, fish survival, and recreational value
- Protect 85% of remaining water available during winter months (December – March)
  - Fish habitat can withstand 15% reduction in flow (Locke & Paul, 2011)

# Nehalem River above Cook Creek at Gage 14301000

(85% NSF Nov-Apr, 100% May-Oct)

■ Median Natural Streamflow

■ Theoretical Scenic Waterway  
Flow

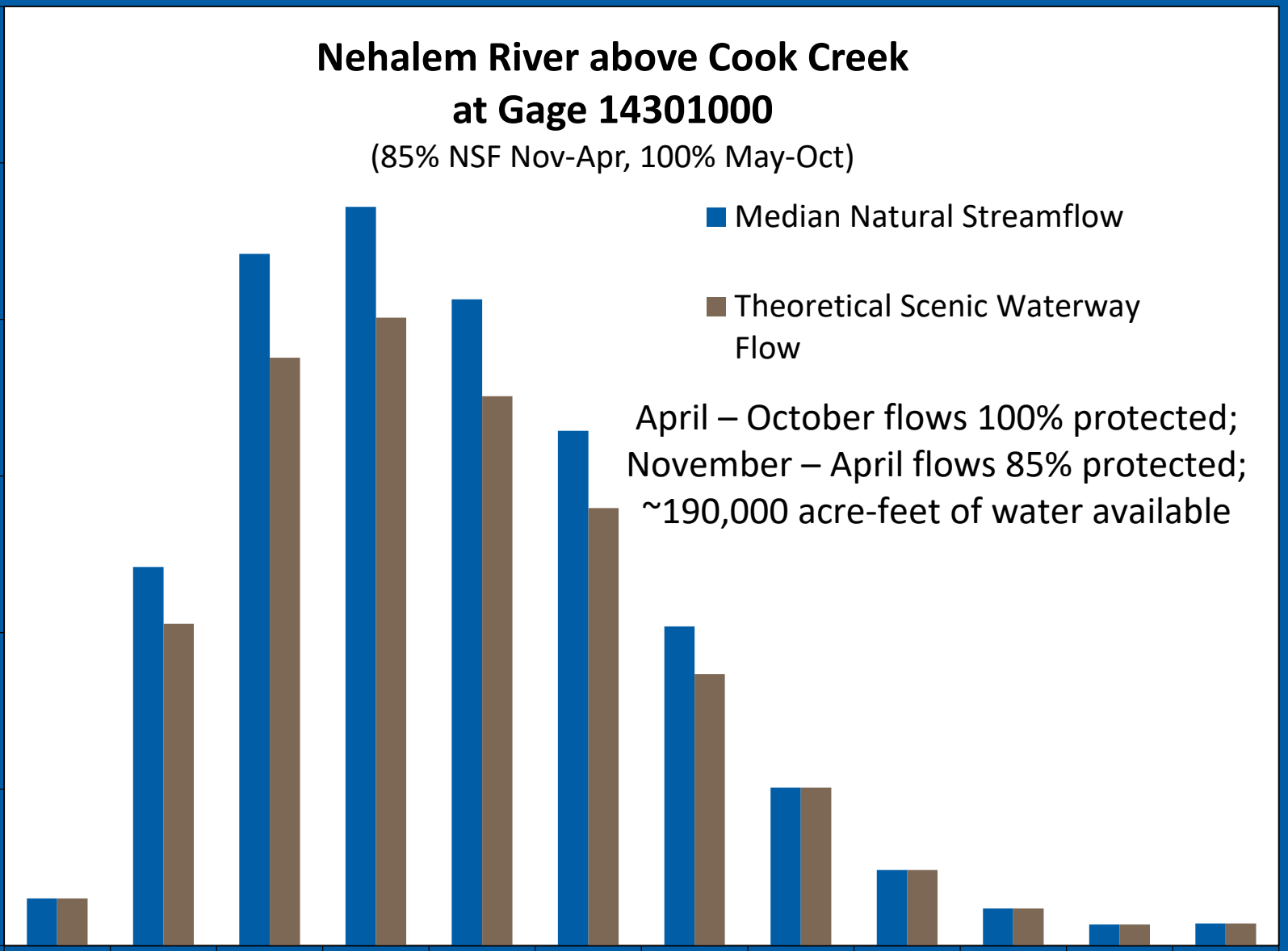
April – October flows 100% protected;  
November – April flows 85% protected;  
~190,000 acre-feet of water available

CFS

6,000  
5,000  
4,000  
3,000  
2,000  
1,000  
0

OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP

Month



# Recommendation Process



- Following Parks and Recreation Commission acceptance of draft management report, concurrence of Water Resources Commission and setting of flow recommendation is the next step in the designation process
- Following concurrence, the recommendation is forwarded to the Governor to designate a portion of the Nehalem River as a State Scenic Waterway

\*Cited in ORS 390.855



# Alternatives & Recommendation

1. Concur with the OPRC on the designation of the Nehalem River as a State Scenic Waterway and approve the proposed flow recommendation
2. Concur with the OPRC on the designation of the Nehalem River as a State Scenic Waterway and defer setting flows at this time
3. Do not concur with the OPRC on the designation of the Nehalem River as a State Scenic Waterway or the proposed flows

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**Ken Stahr**  
Surface Water Hydrology Manager

**Ryan Andrews**  
Hydrologist

**Questions?**



