

Proposed Chetco Scenic Waterway

Overview of Program, Study Process and Pilot Draft Management Process

Why is there a meeting tonight?

The meeting tonight is to review the draft management plan that was developed by a local advisory committee and seek comments from the public.

In September 2013, Governor Kitzhaber directed Oregon Parks and Recreation Department (OPRD) to refocus its efforts on the State Scenic Waterways Program by evaluating three potential waterways during the 2013-15 biennium. Using a task force, three waterways were selected to be study areas, to pilot test the eligibility study process. The three waterways that were studied for their eligibility and suitability as State Scenic Waterways are the Upper Molalla River in Clackamas County (~13 miles), the Upper Grande Ronde River in Union County (29 miles) and a portion of the Chetco River in Curry County (~14 miles). After a public process in 2014, the Oregon Parks and Recreation Commission recommended OPRD staff work with an advisory committee to develop a draft management plan for the Chetco and Molalla Rivers.

What is the Scenic Waterway Program?

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

What has been done to date on the Chetco?

In 2014, OPRD evaluated a portion of the Chetco to determine its eligibility and suitability for inclusion into the Scenic Waterways Program. The evaluation included an assessment of the waterway to determine eligibility as a scenic waterway. Waterways may be included in the Scenic Waterway program if they meet the following general criteria as established in state statute:

- Free-flowing nature of the waterway;
- 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 was determined by evaluating public interest and support for the studied waterway(s). This evaluation included public input stakeholder interviews, holding a public meeting in Brookings in September 2014 and obtaining input from adjacent property owners and the general public regarding the potential designation.

The Chetco River study area (the Chetco River from the Steel Bridge to Alfred A. Loeb State Park) was found to qualify as a state scenic waterway. The OPRD Commission recommended OPRD staff pilot test a draft management plan process (developed in coordination with advisory committees) before referring the reports to the Governor's Office and Water Resources Department. OPRD, with assistance from the Oregon Water Resources Department (WRD), has facilitated two advisory committee meetings; open to the public, in April and June, 2015. The advisory committee provided input on draft management recommendations on land management, flow, and potential rule language.

What is the designation process?

A state scenic waterway can be adopted by ballot initiative, legislative bill or via an OPRD study. The process being used for the Chetco is the OPRD study method. The process requires a study to be completed to determine eligibility and suitability (see above). A public meeting is held with a comment period as part of that process. The study is then presented to the OPRD Commission and the Oregon Water Resources Commission. If both Commissions recommend moving the waterway forward, it is then presented to the governor.

The governor reviews the study and makes a recommendation to designate or not designate the proposed scenic waterway. If the governor recommends the waterway for inclusion into the program, the legislature can review the recommendation in the next legislative session and override the recommendation.

When a scenic waterway is designated, a management plan and administrative rules for the scenic waterway are developed. OPRD is currently working on a draft management plan prior to potential designation. The goal of this pilot process is to engage the local community on how they would like the waterway managed (if designation occurs) and to allow for public input review on how designation may impact local land uses. In addition, WRD will then adopt Scenic Waterway Flows to be considered before the allocation of additional water within or above the designated Scenic Waterways.

What is next?

- Following the public meeting and comment period, staff will incorporate comments from the public to pilot test the development of draft management plans for the recommended scenic waterway segments on the Chetco and Molalla rivers. Then the draft management plan reports will be appended to the existing scenic waterway qualification reports for Commission review by November 18, 2015.
- Staff will deliver the appended scenic waterway qualification reports to the Water Resources Department on November 19, 2015, requesting concurrence of the Water Resources Commission.
- Staff will submit the scenic waterway reports, recommendations of the Oregon State Parks and Recreation Commission, and concurrence, if any, of the Water Resources Commission to the Office of the Governor no later than December 31, 2015.
- In concert with Water Resources Department, Oregon Parks and Recreation Department staff will return to the Oregon State Parks and Recreation Commission no later than June 2016 with an evaluation of the scenic waterway study process, and an optional request to open rulemaking or pursue legislative concepts changing the scenic waterway designation process to make it more effective or sustainable.
- If the governor designates this portion of the river as a State Scenic Waterway, and the legislature does not overturn the designation, OPRD and WRD will take public comment to finalize a management plan by conducting the required public rule-making.

The draft plans, advisory committee meeting materials and other information about Oregon's State Scenic Waterway Program are available online at <http://bit.ly/scenicwaterways>.

To provide comments on the *draft plan*, please submit comments by August 13th, 2015 via mail or email. If the study waterway is designated, additional public input opportunities will occur in 2016.

E-mail comments to: scenic.waterways@oregon.gov

Mail comments to:

OPRD Scenic Waterways Program

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