

Pilot Advisory Group Scenic Waterway Flow Recommendation: Molalla River



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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):

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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):

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Andrea Berkley, OPRD
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Chris Havel, OPRD
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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.

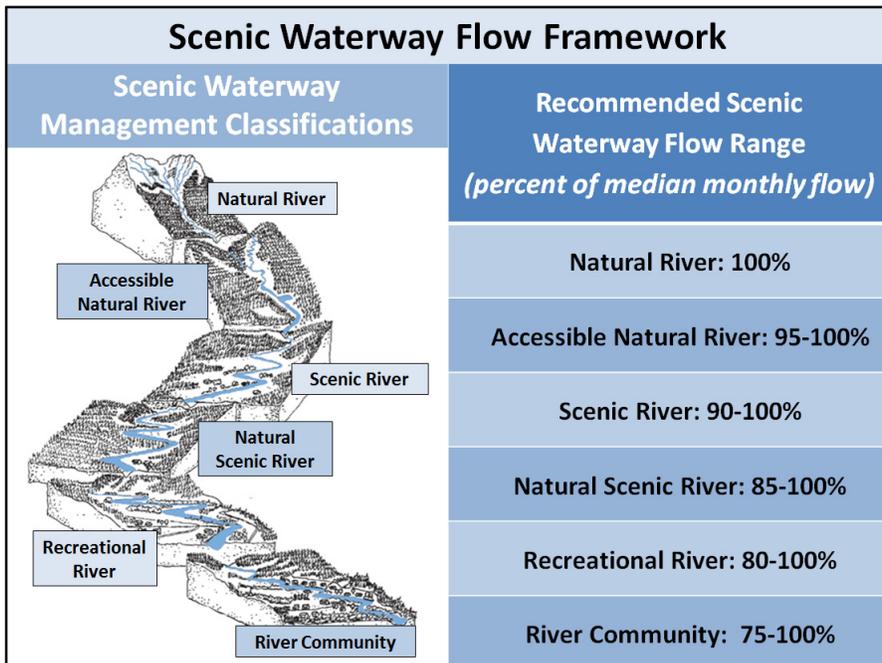


Figure 1. The Scenic Waterway Flow Framework used by the Advisory Groups to suggest flows for protection within any proposed Scenic Waterway. The varying levels of protection (range of percentages) are intended to mirror the level of current land use as identified by the Scenic Waterway Management Classification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

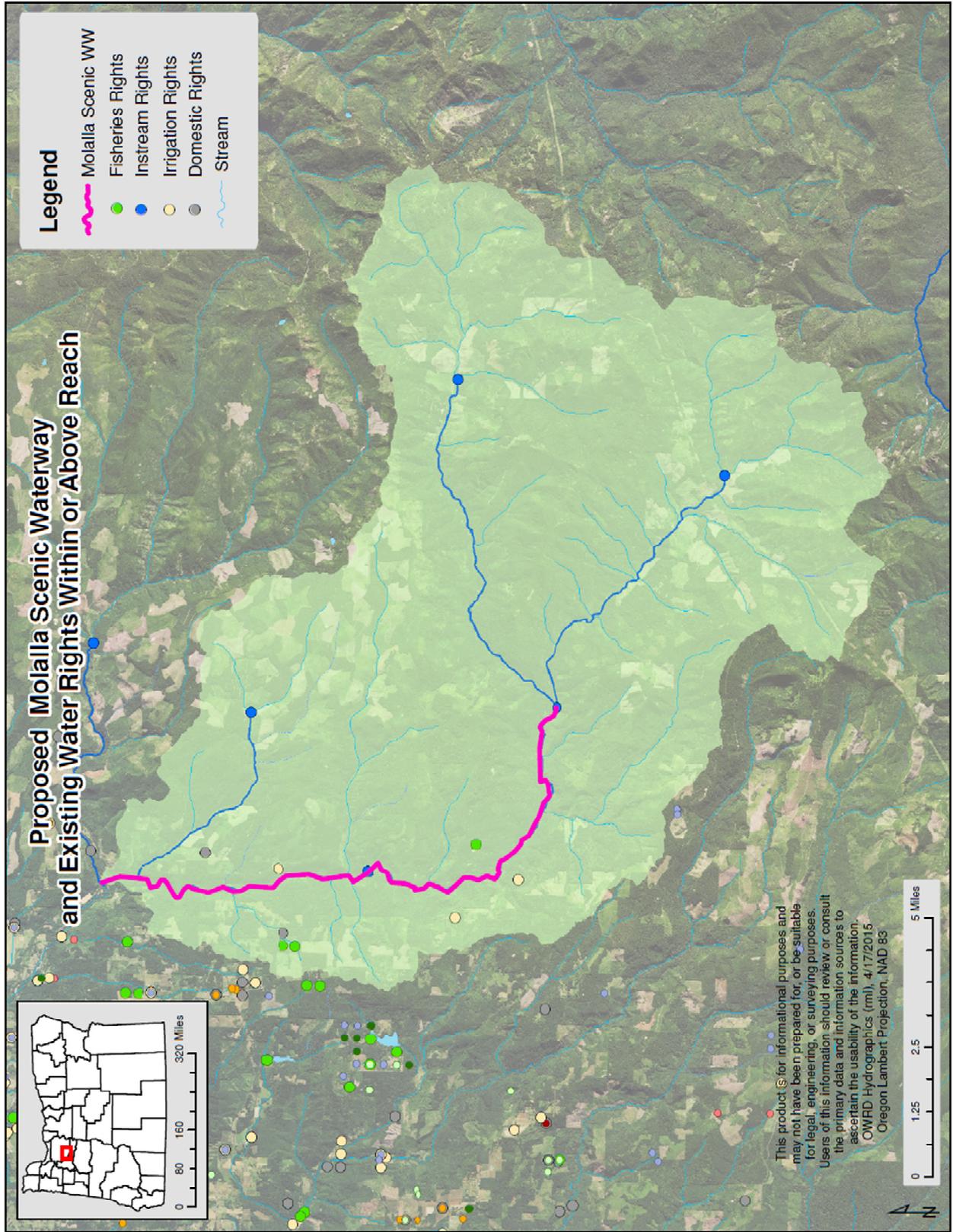


Figure 2. Map of proposed Scenic Waterway reach of the Molalla River (pink), the basin above the proposed Scenic Waterway (light green), and existing water rights within the Scenic Waterway

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 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	<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	<u>Recommended Scenic Flow:</u> Upper Segment- Table Rock to Pine Creek <u>Scenic River Area</u> (% of median, natural streamflow to protect)	<u>Recommended Scenic Flow:</u> Middle Segment- Pine Creek to Trout Creek <u>Recreational River Area</u> (% of median, natural streamflow to protect)	<u>Recommended Scenic Flow:</u> 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%; 100% already allocated within basin;	90 to 100%; 100% already allocated within basin;	85 to 100%; 100% already allocated within basin;
August	90 to 100%; 100% already allocated within basin; 88% protected as instream water right	90 to 100%; 100% already allocated within basin; 88% protected as instream water right	88 to 100%; 100% already allocated within basin; 88% protected as instream water right
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 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 Werschull, 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

[REDACTED]
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
[REDACTED]
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

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]

610 [REDACTED]

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

[REDACTED]

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 solid black rectangular box redacting the signature of the sender.

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 [REDACTED]



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,

A solid black rectangular box used to redact the signature of Kimberley Priestley.

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 Kelllogg	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