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***These rules are specific to the North Fork, South Fork and mainstem Clackamas River Scenic Waterway. Other administrative rules apply to all state scenic waterways. For the complete set of regulations, please go to:
<http://egov.oregon.gov/OPRD/RULES/waterways.shtml>***

Oregon Administrative Rule (OAR) 736-040-0044

Interim Classification of State Scenic Waterways

Those segments of rivers under the scenic waterways program without a management plan will be assigned an interim river classification until such time a river management plan has been adopted by the State Parks and Recreation Commission with the concurrence of the Water Resources Board. Only one interim river classification will be assigned to each scenic waterway as indicated in the following list:

River -- Classification

(1) Clackamas River:

(a) North Fork of the Clackamas River, that segment from the source to North Fork Reservoir (12 miles) -- Scenic;

(b) South Fork of the Clackamas River, that segment from river mile 4 to main stem -- Scenic.

OAR 736-040-0040

Classification of Scenic Waterways and Segments Thereof

(1) OAR 736-040-0040 through 736-040-0075 supplement, but in no way alter, other provisions of these rules and regulations. Notification procedures set forth in OAR 736-040-0030, 736-040-0035 and 736-040-0080, relating to Land Management, are applicable to these rules. In order to establish varying intensities of protection or development based on special attributes of each area within the scenic waterways, the following classifications are established:

(b) Scenic River Areas:

(A) Those designated scenic waterways or segments thereof with related adjacent lands and shorelines still largely primitive and largely undeveloped, except for agriculture and grazing, but accessible in places by roads. Scenic River Areas may not include long stretches of conspicuous or well-traveled roads paralleling the river in close proximity, but may include extensive areas in agricultural use;

(B) Scenic Areas will be administered to maintain or enhance their high scenic quality, recreational value, fishery and wildlife habitat, while preserving their largely undeveloped character and allowing continuing agricultural uses.

OAR736-040-0076

Clackamas River Scenic Waterway

(1) Recreational River Area:

(a) That segment of the Scenic Waterway extending from River Mill Dam downstream approximately 12 miles to Bakers Bridge at Carver is classified as a Recreational River Area;

(b) The Recreational River Area will be administered consistent with the purposes of OAR 736-040-0040(1)(c)(B). Within this area, new structures and improvements, mining operations and timber harvesting activities shall be permitted only when substantially screened from view from the river by topography or vegetation. If no such topographic or vegetative screening exists on a site, the structure or improvement may be permitted if vegetation is established which will provide substantial screening to the proposal in a reasonable time (for example, 2–3 years). The condition of "substantial vegetative screening" shall consist of an ample density and mixture of native evergreen and deciduous vegetation to totally obscure or allow only a highly filtered view of the proposed structures or improvements. Developments necessary for public outdoor recreation, as provided by public agencies, and resource protection may be visible from the river but must blend into the natural scene as much as possible.

(2) All the Commission's rules for scenic waterway management, OAR 736-040-0025 through 736-040-0035, shall apply to the Clackamas River Scenic Waterway except where this section is more specific.

Stat. Auth.: ORS 390

Stats. Implemented: ORS 390.845(2)

Hist.: PR 7-1985, f. & ef. 10-24-85